

**OCTOBER 28, 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 October 28, 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



Date



Jeanne Chipperfield
Chief Financial Officer



Date

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DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 28, 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 - 49

CONSENT ADDENDUM

Items 1 - 4

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 50 - 56

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 57 - 71

**ADDENDUM
CITY COUNCIL MEETING
OCTOBER 28, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a five-year service contract to establish a master agreement for merchant credit card processing services - Bank of America Merchant Services, LLC, most advantageous proposer of five - Fees not to exceed the attached fee schedule - Financing: Current Funds (subject to annual appropriations)

City Attorney's Office

2. Authorize the settlement of the condemnation lawsuit styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B - Not to exceed \$135,556, increased from \$164,444 (\$162,167 plus closing costs and title expenses not to exceed \$2,277) to \$300,000 (total settlement amount) - Financing: Water Utilities Capital Construction Funds
3. Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)

Sustainable Development and Construction

4. An ordinance abandoning portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner, containing a total of approximately 46,248 square feet of land, located near Lyte Street and its intersection with Magnolia Hill Court and North Houston Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

**ADDENDUM
CITY COUNCIL MEETING
OCTOBER 28, 2015**

CORRECTIONS:

Public Works Department

36. Authorize a contract with EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

Economic Development

West Dallas Sub District

Note: Item Nos. 54 and 55
must be considered collectively.

54. * Authorize a Chapter 380 economic development grant agreement with Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P. in an amount not to exceed \$2,500,000 for the relocation of Argos Ready Mix (South Central) Corporation's Corp. existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities at the new site - Not to exceed \$2,500,000 - Financing: 2012 Bond Funds (\$1,100,000) and General Obligation Commercial Paper Funds (\$1,400,000)
55. * Authorize an agreement with West Dallas Investments, L.P. that details general redevelopment commitments by West Dallas Investment L.P. and future City commitment of public funds and incentives that will benefit property owned or to be purchased by West Dallas Investment L.P. in the West Dallas area - Financing: No cost consideration to the City

DELETIONS:

Police

31. Authorize public hearings to be held on November 10, 2015 and December 9, 2015 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on December 9, 2015, consideration of an ordinance amending Chapter 31 of the Dallas City Code to reinstate and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
OCTOBER 28, 2015**

DELETIONS: (Continued)

Economic Development

53. Authorize a grant agreement with Blocks GKM, LP for retail incentives and dedication of TIF funding in an amount not to exceed \$5,000,000 for the Victory Park Cinema Project, which is the construction of a theatre in the Victory Sub-district from revenues accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) - Not to exceed \$5,000,000 - Financing: Sports Arena TIF District Funds (subject to appropriations)

ADDENDUM DATE October 28, 2015

ITEM		IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE		
1			All	C	PBD, CON	NC	NA	NA	Authorize a five-year service contract to establish a master agreement for merchant credit card processing services - Bank of America Merchant Services, LLC, most advantageous proposer of five - Fees not to exceed the attached fee schedule - Financing: Current Funds (subject to annual appropriations)	
2			8	C	ATT, WTR	\$135,556.00	NA	NA	Authorize the settlement of the condemnation lawsuit styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B - Not to exceed \$135,556, increased from \$164,444 (\$162,167 plus closing costs and title expenses not to exceed \$2,277) to \$300,000 (total settlement amount) - Financing: Water Utilities Capital Construction Funds	
3			N/A	C	ATT	\$175,000.00	100.00%	0.00%	Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)	
4			2	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner, containing a total of approximately 46,248 square feet of land, located near Lyte Street and its intersection with Magnolia Hill Court and North Houston Street - Revenue: \$5,400, plus the \$20 ordinance publication fee	

TOTAL \$310,556.00

ADDENDUM ITEM # 1

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
City Controller

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a five-year service contract to establish a master agreement for merchant credit card processing services - Bank of America Merchant Services, LLC, most advantageous proposer of five - Fees not to exceed the attached fee schedule - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This item was placed on the addendum to allow for continued services as current contract will expire on October 31, 2015.

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will provide credit card payment processing services (merchant services) for the City. Services include processing payments received by interactive voice response (IVR), in person and by internet-based payment processing. Respondents were requested to present proposals that would minimize processing cost and improve efficiency and security. The request for competitive sealed proposal (RFCSP) was structured to allow vendors to submit applications for the various methods of accepting credit card payments used by City departments. The fee schedule included in this agreement will be fixed for five years, but the total amount paid by the City will vary depending on specific services and usage.

BACKGROUND (Continued)

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

- City Controller (1)
- Office of Financial Services (1)
- Water Utilities (1)
- Communication and Information Services (2)
- Business Development and Procurement Services (2)*

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

The proposer’s responses were evaluated based on the following criteria:

- Fees 40%
- Qualifications 20%
- Experience 20%
- Business Inclusion and Development Plan 15%
- Completeness of Proposals 5%

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 721 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’ Resource LINK 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 October 14, 2009, City Council authorized a five-year service contract for depository services by Resolution No. 09-2549.

On November 3, 2014, Budget, Finance and Audit Committee was briefed on the award of the 5-year contract for depository and lockbox services to Bank of America, N. A., also to extend merchant services as currently provided by Bank of America Merchant Services for 9 months.

On November 12, 2014, City Council authorized a contract for depository and lockbox services for five years, including the extension and consolidation for nine months of merchant services as currently provided by Resolution No. 14-1886.

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

FISCAL INFORMATION

Financing: Current Funds (subject to annual appropriations) Fees not to exceed the attached fee schedule

M/WBE INFORMATION

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

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

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

ETHNIC COMPOSITION

Bank of America Merchant Services, LLC

White Male	562	White Female	657
Black Male	115	Black Female	132
Hispanic Male	176	Hispanic Female	106
Other Male	70	Other Female	62

PROPOSAL INFORMATION

The following proposals were received from solicitation number BKZ1527 and were opened on June 11, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
*Bank of America Merchant Services, LLC	5565 Glenridge Connector Suite 2000 Atlanta, GA 30342	83.40
Wells Fargo Bank National Association	1445 Ross Ave. 3 rd Floor Dallas, TX 75202	68.40

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
Comerica Merchant Services Vantiv	8500 Governors Hill Dr. Cincinnati, OH 45249	60.94
J.P. Morgan Chase Paymentech, LLC	14221 Dallas Pkwy. Dallas, TX 75254	46.57
Collector Solutions, Inc.	316 S. Baylen St. Suite 590 Pensacola, FL 32502	37.89

OWNER

Bank of America Merchant Services, LLC

Tim Tynan, Chief Executive Officer
JoAnn Carlton, Secretary
Maria Rueda, Chief Financial Officer

October 28, 2015

WHEREAS, on October 14, 2009, City Council authorized a five-year service contract for depository services by Resolution No. 09-2549; and,

WHEREAS, on November 12, 2014, City Council authorized a contract for depository and lockbox services for five years, including the extension and consolidation for nine months of merchant services as currently provided by Resolution No. 14-1886;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a five-year service contract to establish a master agreement with Bank of America Merchant Services, LLC (VS88378) for merchant credit card processing services, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Bank of America Merchant Services, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Bank of America Merchant Services, LLC under the contract.

Section 2. The Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms of the contract provisions and the attached fee schedule (subject to annual appropriations).

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

MERCHANT SERVICES RATE PROPOSAL FORM

Proposer: <u>Bank of America Merchant Services</u>																			
				VISA				MASTERCARD				DISCOVER				AMEX			
Service Descriptor	Estimated Monthly Volume	Price \$ or % Per Unit	Total Price	Comments	Price Per Unit	Total Price	Comments	Price Per Unit	Total Price	Comments	Price Per Unit	Total Price	Comments	Price Per Unit	Total Price	Comments			
Section I - Credit Cards																			
Specify Discount Rate(s) by Cards																			
VISA	\$ 7,733,556	0.0160%	1,237.37	Bank of America Discount Percentage	Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.					
MasterCard	\$ 4,679,203				0.0160%	748.67	Bank of America Discount Percentage	Do not enter data in this area.			Do not enter data in this area.			0.00					
American Express	\$ 364,140	Do not enter data in this area.			Do not enter data in this area.			0.0160%		262.55	Do not enter data in this area.			Do not enter data in this area.					
Discover	\$ 1,640,919	Do not enter data in this area.			Do not enter data in this area.			0.0150%		0.47	Do not enter data in this area.			0.1000		32.30			
Transaction Fees by Cards																			
VISA	48,599	0.0150	728.98	Bank of America Per Authorization Fee	Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.					
MasterCard	19,486				0.0150	292.29	Bank of America Per Authorization Fee	Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.					
American Express	323	Do not enter data in this area.			Do not enter data in this area.			0.0150		0.47	Do not enter data in this area.			Do not enter data in this area.					
Discover	31	Do not enter data in this area.			Do not enter data in this area.			0.0150		0.47	Do not enter data in this area.			Do not enter data in this area.					
Credit Cards Subtotal			1,966.35			1,040.96			263.01			32.30							
Return/Chargeback Fee	151	5.00000	755.00		Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.					
	10,000				Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.					
Debit Card Transactions		0.0150	150.00	NOTE: Pricing for Debit is for Signature Debit - NOT PIN Debit. Pin Debit pricing is \$0.07 per transaction. All Debit Network Fees will be passthrough.	Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.			Do not enter data in this area.					
Section I Monthly Bid Total			4,207.83																

MERCHANT SERVICES RATE PROPOSAL FORM

Service Descriptor	Estimated Monthly Volume	VISA		Comments	MASTERCARD		Comments	DISCOVER		Comments	AMEX		Comments
		Price \$ or % Per Unit	Total Price		Price Per Unit	Total Price		Price Per Unit	Total Price		Price Per Unit	Total Price	
Section II - Services	Estimated Monthly Volume	Price \$ or % Per Unit	Total Price	Comments	Do not enter data in this area.								
Debit Sales Discount	10,000	0.0160	160.00										
Sales Discount	10,000	0.0000%	0.00	Listed in Section I - Ex: E6									
Kilobyte Fee	10,000	\$0.0025	25.00										
Authorization Fee	10,000	\$0.0000	0.00	Listed in Section I - Ex: E11									
Intl Service Fee													
	\$ 100	0.00%	0.00										
Acquirer Processor Fee Credit	100	0.0195%	0.02	Interchange should be consistent across all vendors									
Acquirer Processor Fee DB/PP	100	-	0.00										
Fixed Acquirer Network Fee	100	0.85%	0.85										
Us Cross Border Fee	100												
		0.40%	0.40										
Statement Fee	40	-	0.00	Waived by Bank of America Merchant Services									
Application Fee	40	-	0.00	Waived by Bank of America Merchant Services									
Discount Rate per Item	10,000	-	0.00	Listed in Section I - Ex: E6									
Per Authorization Fee	10,000	-	0.00	Listed in Section I - Ex: E11									
Voice Authorization Fee	100	\$0.95	95.00										
Voice (Manual) AVS Fee	100	\$0.95	95.00										
Voice Operator Assistant	100	0.95	95.00										
Voice AVS Request	100	\$0.0075	0.75										
Electronic AVS	100	\$0.0050	0.50										
Account Updater Transaction Fee	100	-	0.00										
Specify Floor Release Limit(s)	100			Floor Limit for Visa - Fee assessed on all Visa clearing transactions that are not authorized. Billed on a one month lag.									
		0.10	10.00										
Assessment Fee	100	0.11%	0.11										
Audio Response Unit Authorization	100	-	0.00										
Access Fee on each gross sale transaction	10,000	0.0195	195.00										
ACH Reject	1	\$25.00	25.00										
Electronic Address Verification Service Fee	100	0.0075	0.75										
Voice (Manual) Address Verification Fee	100												
		\$0.10	10.00										
None-Validation PCI Compliance Fee, Per Month, Per Location	100			Fees assessed by the card organizations would be based on factors such as type of non-compliance, length of non-compliance, etc.									
PCI Compliance Service Program Fee	100			N/A The City would contract with a third party for completing SAQ's									
Assessment/Access, Per Item	10,000												
			0.00										
Processing Rate	10,000												
			0.00										
Interchange Clearing Fee	10,000												
Foreign Handling Fee	1												
			0.00										
Processing Fee Per Transaction	10,000												
			0.00										
EMV Tokenization and Encryption Fees				There is no per item for EMV, Pricing provided is for Tokenization and Encryption which is our TransArmor solution - Pricing is per transaction									
EMV Tokenization and Encryption	10,000	0.0200	200.00										

MERCHANT SERVICES RATE PROPOSAL FORM

Service Descriptor	Estimated Monthly Volume	VISA			Comments	MASTERCARD			Comments	DISCOVER			Comments	AMEX		
		Price \$ or % Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price
EMV Monthly Maintenance Fee by MID					There is not an EMV Monthly Maintenance fee - This fee is per month, per MID that utilizes TransArmor for tokenization and encryption. This is a value added optional service											
	100	19.95	=	1,995.00												
EMV Implementation Fee w/ description	100	-	=	0.00	Waived by Bank of America Merchant Services											
Equipment																
Monthly Equipment Lease	1	36.00	=	36.00	This rate applies for renting of NEW terminals, as the City has migrated to the preferred platform. NOTE: Bank of America Merchant Services will be providing 14-pieces of equipment at NO cost to ensure the City is EMV ready. In addition, we will be providing 2-pieces of equipment at no cost in the event a machine is damaged.											
Monthly Equipment Warrant Fee	100		=	0.00	Standard equipment does not have a monthly equipment warranty fee											
Retrieval Request																
Arbitration/Compliance:	10	-	=	0.00	Waived by Bank of America Merchant Services											
Monthly Maintenance Fee/MID Gateway	100		=	0.00												
Monthly Maintenance Fee/TID Merchant	100		=	0.00	This is for an optional added value service of Bank of America Merchant Services Payeezy Gateway monthly maintenance is Per TID: \$10.00											
Any Additional TID for Dis/TP/POS at	100		=	0.00	Per transaction cost is \$0.03											
Merchant Center																
eConnections: per log in (user) per month	10	-	=	0.00	Waived by Bank of America Merchant Services											
Merlink: per log in (user) per month	100	-	=	0.00	Waived by Bank of America Merchant Services											
Per Incidence Fees - Chargeback Related																
Settled Chargeback Processed or Represented	100	5.00	=	500.00												
Collection, Pre-Arbitration or Compliance	10	-	=	0.00	Bank of America Merchant Services charges a flat rate of \$5.00; however other fees could be assessed by											
Payment Brand Fees - Assessments																
Visa Assessment (all transactions \$1000 or Less)	\$ 10,000	0.11%	=	11.00												
MasterCard Assessments (all transactions \$1000 or Less)	\$ 10,000	0.11%	=	11.00												

MERCHANT SERVICES RATE PROPOSAL FORM

Service Descriptor	Estimated Monthly Volume	VISA		Comments	MASTERCARD		Comments	DISCOVER		Comments	AMEX		Comments
		Price \$ or % Per Unit	Total Price		Price Per Unit	Total Price		Price Per Unit	Total Price		Price Per Unit	Total Price	
Discover, Diners, & JBC Assessments	\$ 10,000	0.02%	2.00										
Monthly Charges - Subtotal			3,488.38										
Merchant Service Annual Fee	1		71,000.00	Please note; this includes purchase of 100 terminals and one time replacement cost of 100 terminals. As the City has migrated to the preferred platform, we believe initially (with the MID's in place today) that only 14-pieces of equipment will be needed, which we are supplying at no cost. These costs (new and replacement) provided are provided so the City has the cost information for the terminals. If awarded the RFP, there will not be a need to order 100-terminals.									
Section II Annual Total			112,620.55										
One-Time Fee Estimated Total Volume													
One Time Merchant Service Set-up Fees	100	-	0.00	Waived by Bank of America Merchant Services									
One Time EMV, Tokenization, and Encryption Set-up Fee / Installation Fee	100	-	0.00	There is no one time EMV setup fee. Bank of America Merchant Services will waive the one time setup/installation fee for this value added service.									
One Time Equipment Purchase	100	445.0000	44,500.00	FD130 or FD130 Duo and is for NEW equipment needed only as the City has migrated to the preferred platform. The City is EMV ready with the exception of 14-pieces of hardware. Bank of America Merchant Services will be providing 14-pieces of equipment at NO cost to ensure the City is EMV ready. In addition, we will be providing 2-pieces of equipment at NO cost in the event a machine is damaged.									
One Time Equipment Installation Fee	100	-	0.00	Waived by Bank of America Merchant Services									
One Time Equipment Programming Fee	100	-	0.00	Waived by Bank of America Merchant Services									
One Time Equipment Replacement Fee	100	265.00	26,500.00	Cost is for FD130 or FD130 Duo. Bank of America Merchant Services will provide 2-pieces of equipment at no cost in the event a machine is damaged. Other terminal replacement cost will be dependent on type of damage, hold the terminal is, etc.. The cost represented is if the terminal is outside 1-year warranty period. For example, if terminal is less than a year old, and is non-functioning, the City would only be charged shipping and handling of \$35.00. We can work on a case by case basis to waive the shipping/handling cost. Depending on type of issue, we can work with the City to determine if replacement costs can									
One Time Equipment Terminal Reprogramming Fee - (Customer)	100	-	0.00	Waived by Bank of America Merchant Services									
One Time Equipment Training Fees	100	-	0.00	Waived by Bank of America Merchant Services									
One Time Fee - Total			71,000.00										

MERCHANT SERVICES RATE PROPOSAL FORM

Service Descriptor	Estimated Monthly Volume	VISA			Comments	MASTERCARD			Comments	DISCOVER			Comments	AMEX			Comments
		Price \$ or % Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price	
Section III - Additional Charges																	
				0.00													
Section III Total				0.00													

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: City Attorney's Office
Water Utilities

CMO: Warren M.S. Ernst, 670-3491
Mark McDaniel, 670-3256

MAPSCO: 69M 69AJ

SUBJECT

Authorize the settlement of the condemnation lawsuit styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B - Not to exceed \$135,556, increased from \$164,444 (\$162,167 plus closing costs and title expenses not to exceed \$2,277) to \$300,000 (total settlement amount) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the settlement of a lawsuit for the acquisition of approximately 2.82 acres of land out of an approximately 5.45-acre tract for the Southwest 120/96-inch Water Transmission Pipeline Project. A final offer of \$70,470 was made based on a written appraisal from an independent certified appraiser. The offer was not accepted by the owners and the City filed an eminent domain proceeding to acquire the land. The City's appraiser updated his report for the hearing and testified that the City owed \$70,470 for the property. The landowner's appraiser testified that the City owed \$557,272 for the property. After the hearing, the Special Commissioners awarded the owner \$162,167, which the City deposited into the registry of the Court. Both parties filed objections to the award of the Special Commissioners.

The City obtained a new appraisal as of the date of the taking, which opined that the City owed \$214,866 for the property. At mediation, parties agreed to the settlement of the lawsuit at \$300,000.00, subject to City Council approval. The settlement will require the payment of an additional \$135,556 to acquire the property.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council authorized the acquisition of real property and condemnation on April 10, 2013, by Resolution No. 13-0640.

City Council authorized deposit of the amount awarded by the Special Commissioners for the acquisition of the property on February 11, 2015, by Resolution No. 15-0281.

Council was briefed in Executive Session on October 21, 2015.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$135,556.00

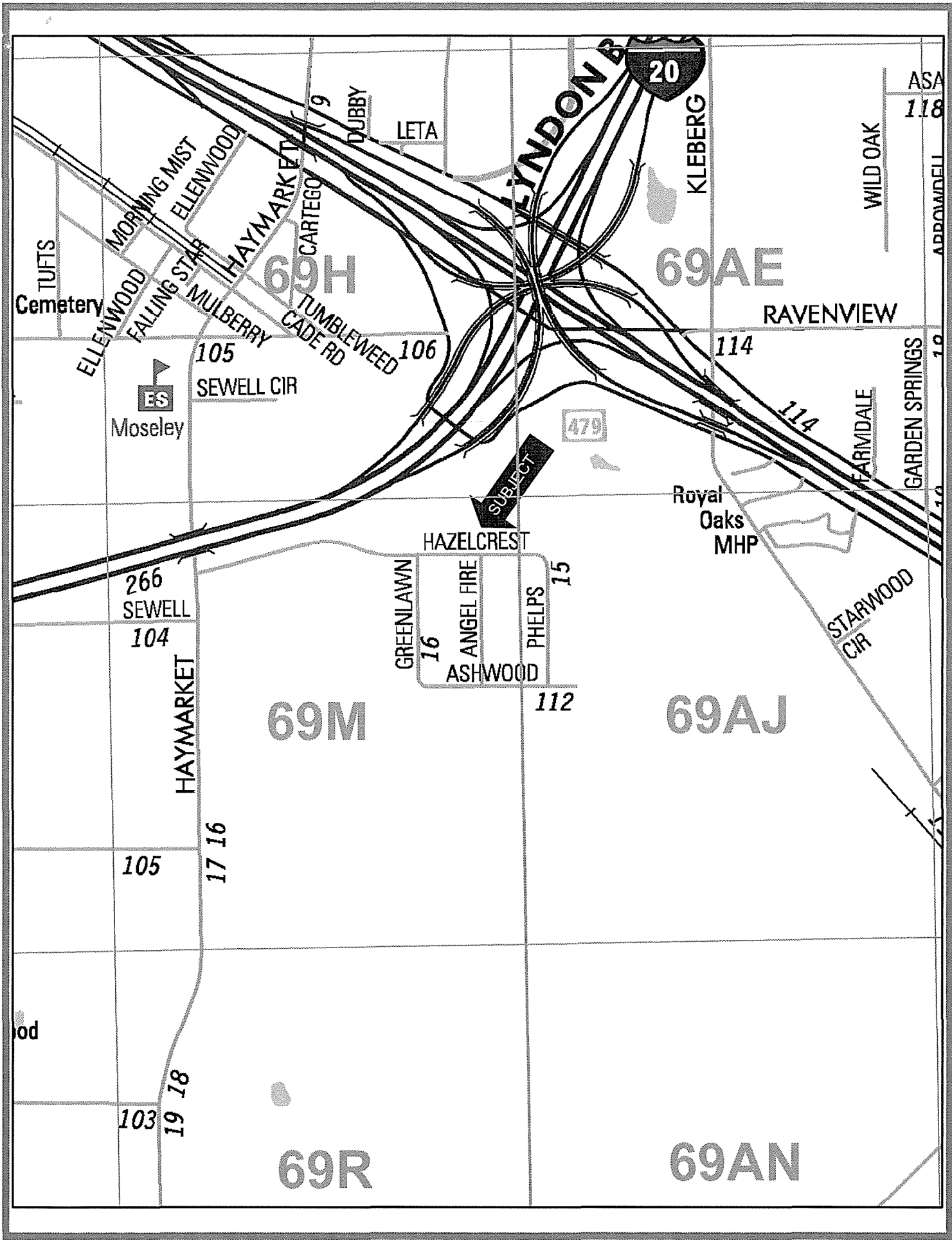
Resolution No. 15-0281 -	\$164,444.00
Additional Amount (this action) -	<u>\$135,556.00</u>
Total Settlement Amount -	\$300,000.00

OWNER

Matthew Millard

MAP

Attached



October 28, 2015

A RESOLUTION AUTHORIZING SETTLEMENT OF A CONDEMNATION SUIT.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION SUIT: Cause No. CC-14-01188-B, in Dallas County Court at Law No. 2, and styled City of Dallas v. Matthew Millard, et al., filed in accordance with City Council Resolution No. 13-0640.

PROPERTY: Approximately 122,789 square feet of land located in Dallas County, as described in the CONDEMNATION SUIT.

PROJECT: Southwest 120/96-inch Water Transmission Pipeline Project

OFFER: \$70,470

COMMISSIONERS' AWARD: \$162,167 (Res 15-0281)

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$2,277

ORIGINAL AUTHORIZED AMOUNT (Res 15-0281): \$164,444

SETTLEMENT AMOUNT: \$300,000.00 which includes the ORIGINAL AUTHORIZED AMOUNT and the ADDITIONAL AMOUNT.

ADDITIONAL AMOUNT: \$135,556.00 which is the difference between the ORIGINAL AUTHORIZED AMOUNT and the SETTLEMENT AMOUNT.

DESIGNATED FUNDS:

\$72,444 from Water Utilities Capital Improvement Funds, Fund 2115, Department DWU, Unit PW40, Activity RWPT, Object 4210, Program 706623, Encumbrance No. CTDWU706623CPV and \$92,000 from Water Utilities Capital Improvement Funds, Fund 2115, Department DWU, Unit PW40, Activity RWPT, Object 4210, Program 706623, Encumbrance No. CTDWU706623CPDQ. (Res 15-0281)

\$135,566 from Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW40, Activity RWPT, Object 4230, Program 706623X, Encumbrance No. CTDWU706623ENAN.

WHEREAS, Defendants have agreed to settle the CONDEMNATION SUIT for the SETTLEMENT AMOUNT; and

October 28, 2015

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION SUIT; **Now, Therefore,**

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

Section 1. That the City Attorney and the City Manager are authorized to settle the CONDEMNATION SUIT for the SETTLEMENT AMOUNT.

Section 2. That the City Attorney and the City Manager are authorized to prepare and execute such documents as may be necessary to effect the settlement described herein.

Section 3. That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, for the ADDITIONAL AMOUNT payable to the County Clerk of Dallas County, Texas to be deposited by the City Attorney with the Clerk.

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

APPROVED AS TO FORM
WARREN M.S. ERNST, City Attorney

By Chris Bowers
Assistant City Attorney

KEY FOCUS AREA: E-Gov
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): N/A
DEPARTMENT: City Attorney's Office
CMO: Warren M.S. Ernst, 670-3491
MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)

BACKGROUND

Supplemental Agreement No. 2 will authorize Fanning Harper Martinson Brandt & Kutchin, P.C. to provide additional services necessary to represent Amy Wilburn, a former employee of the City, in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed in Closed Session on September 17, 2014.

FISCAL INFORMATION

\$175,000.00 - Current Funds (subject to appropriations)

M/WBE INFORMATION

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

OWNER

Fanning Harper Martinson Brandt & Kutchin, P.C.

Thomas P. Brandt, Partner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)

Fanning Harper Martinson Brandt & Kutchin, P.C. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$175,000.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$175,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

October 28, 2015

WHEREAS, the City of Dallas is involved in a lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D; and,

WHEREAS, on January 29, 2014, pursuant to Administrative Action No. 14-5283, authorized a professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., in an amount not to exceed \$50,000.00 for legal services necessary to represent Amy Wilburn, a former employee of the City; and,

WHEREAS, on September 24, 2014, pursuant to Council Resolution No. 14-1593, the City Council authorized Supplemental Agreement No. 1 with Fanning Harper Martinson Brandt & Kutchin, P.C., in an amount not to exceed \$200,000.00, for legal services necessary to represent Amy Wilburn, a former employee of the City; and,

WHEREAS, the professional services of Fanning Harper Martinson Brandt & Kutchin, P.C., continue to be necessary; **Now, Therefore**,

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D, in an amount not to exceed \$175,000.00, increasing the contract amount from \$250,000.00 to \$425,000.00.

Section 2. That the Chief Financial Officer is authorized to disburse, in periodic payments to Fanning Harper Martinson Brandt & Kutchin, P.C., an amount not to exceed \$175,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3033, Encumbrance No. ATT389014J332, Vendor No. 399210 (subject to appropriations).

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 45E

SUBJECT

An ordinance abandoning portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner, containing a total of approximately 46,248 square feet of land, located near Lyte Street and its intersection with Magnolia Hill Court and North Houston Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item is on the addendum because additional review time was required. This item authorizes the abandonment of portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner. The area will be included with the property of the abutting owners for the construction of multifamily units. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

Revenue: \$5,400, plus the \$20 ordinance publication fee

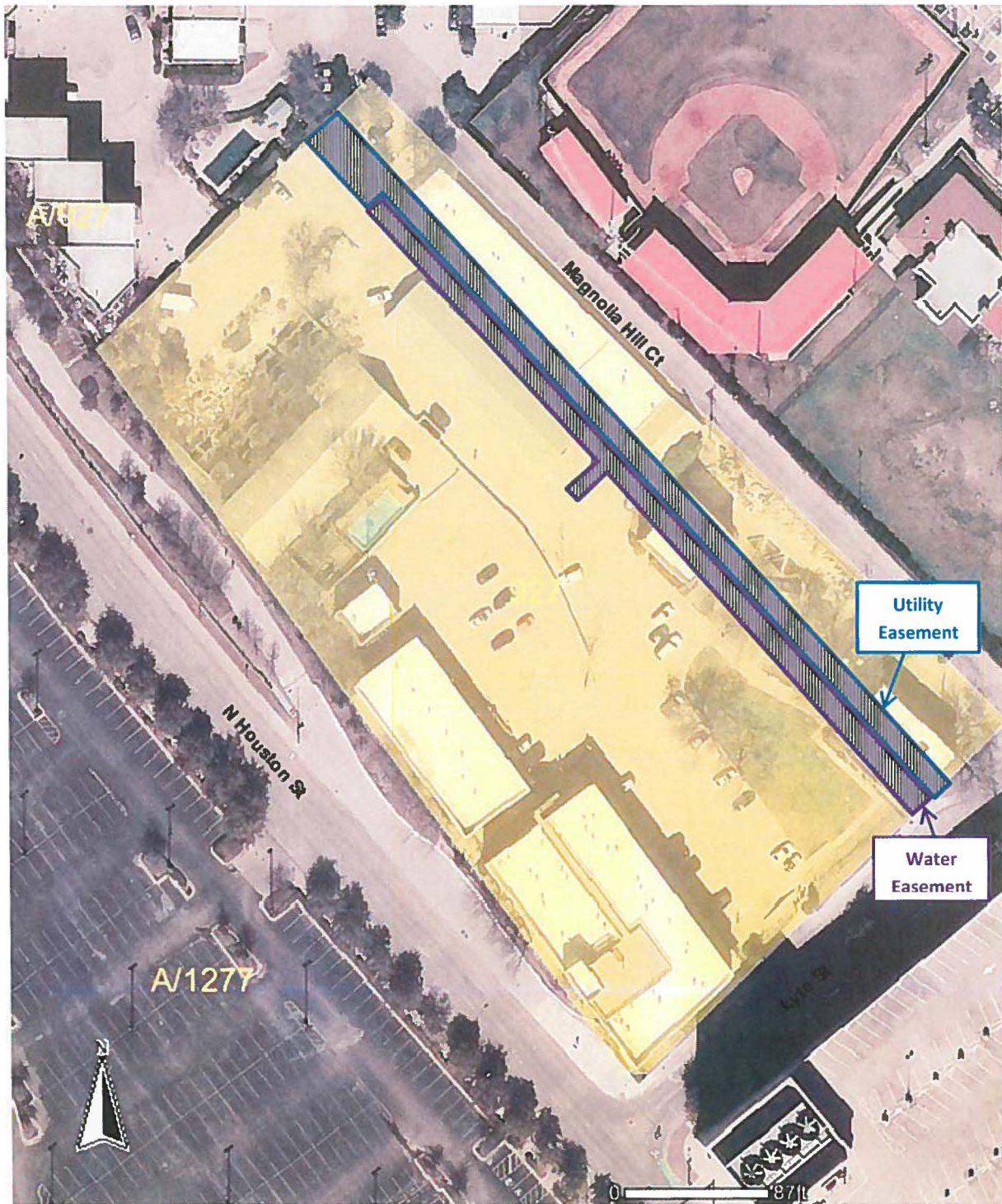
OWNER

Magnolia Station, LLC

Fernando R. De Leon, Manager

MAPS

Attached

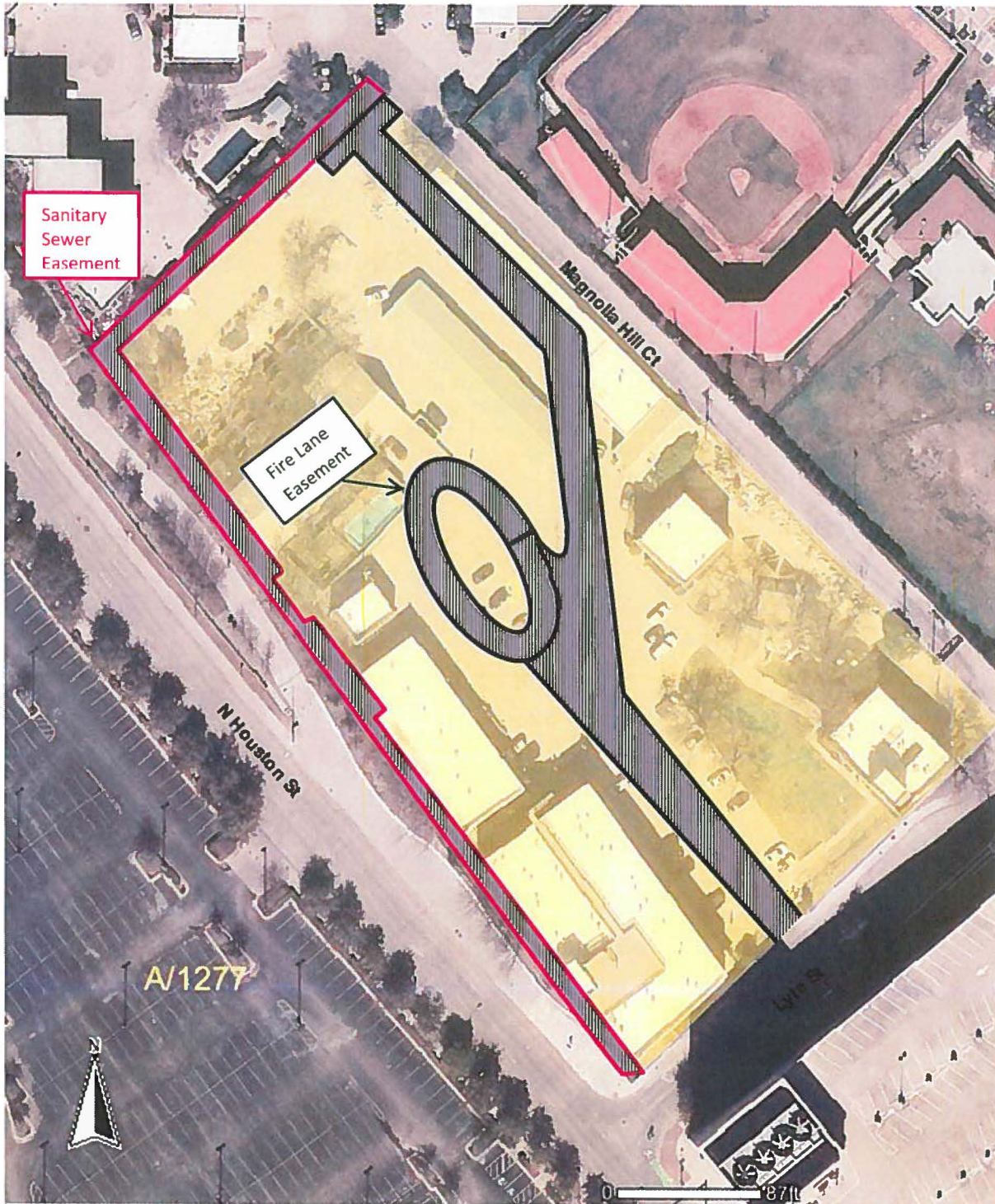


Log 41854

Abandonment area =  Utility Easement
 Water Easement

Mapsc0 45-E

Applicant Magnolia Station



Log 41854

Abandonment area =  Sanitary Sewer Easement

Mapsco 45-E

 Fire Apparatus Access Road

Applicant Magnolia Station

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road, located in City Block A/9027 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Magnolia Station, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

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

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

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

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

SECTION 9. That as a condition of this abandonment and as part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) ensure emergency response and water supply will not be impacted during or following construction;
- b) contact the Texas Excavation Safety System (Texas 811) to have facilities marked and located within affected easements before any excavations are started.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
WARREN M. S. ERNST
City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY 
Assistant City Attorney

BY 
Assistant Director

Passed _____.

**WATER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 1

BEING a 7,860 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being all of a 15 foot wide Water Easement created and recorded in Volume 94012, Page 19, Deed Records of Dallas County, Texas (DRDCT) said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 DRDCT, as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract being more particularly described as follows:

COMMENCING at an "X" found in concrete for the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation, for the southeast corner of said Lot 1A and said Magnolia Station tract;

THENCE S 45°58'17" W, 87.32 feet along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for the POINT OF BEGINNING of the subject tract;

THENCE S 45°58'17" W, 15.01 feet continuing along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for corner, and from which an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way, bears S 45°58'17" W, 187.50 feet, and N 89°19'24" W, 11.60 feet;

THENCE departing the northwest line of Lyte Street, into and through said Lot 1A and said Magnolia Station tract, the following:

THENCE N 42°31'43" W, 171.00 feet to a point for corner;

THENCE S 47°28'17" W, 50.50 feet to a point for corner;

THENCE N 42°31'43" W, 15.00 feet to a point for corner;

THENCE N 47°28'17" E, 50.50 feet to a point for corner;

THENCE N 42°31'43" W, 287.20 feet to a point for corner;

THENCE N 44°51'17" E, 15.02 feet to a point for corner;

THENCE S 42°31'43" E, 473.49 feet to the POINT OF BEGINNING with the subject tract containing 7,860 square feet or 0.180 acres of land.

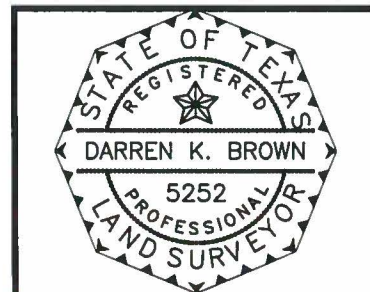
(For SPRG use only)

Reviewed By: JD

Date: 9/18/2015

SPRG No: 3371

PAGE 1 OF 3



DKB
DARREN K. BROWN, R.P.L.S. 5252

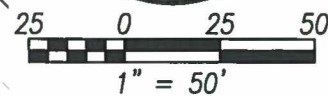
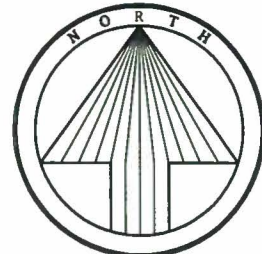
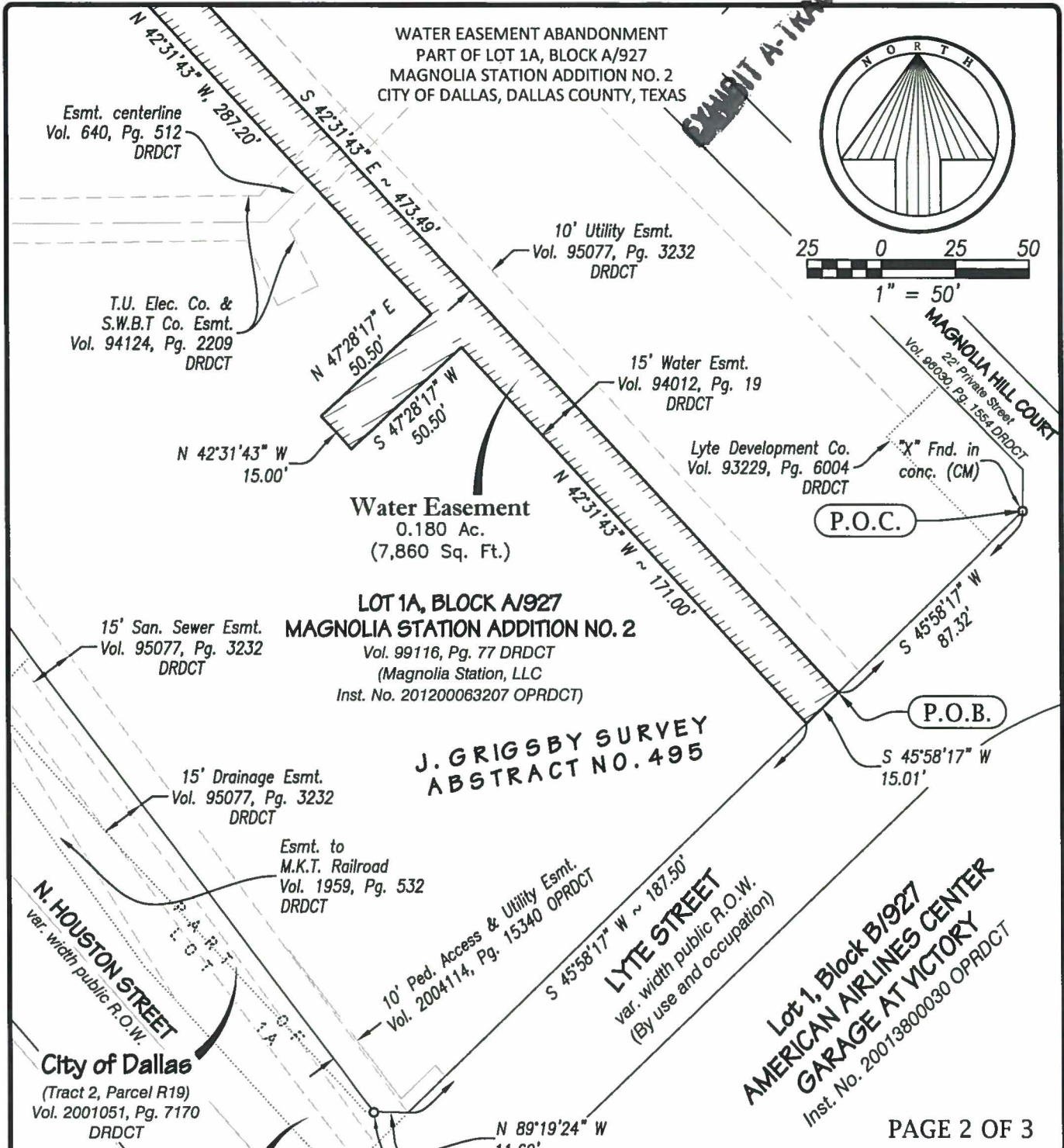
1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).

2. A plat of even date accompanies this legal description.

piars
ENGINEERING

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		5/11/15	13-094



PAGE 2 OF 3

(For SPRG use only)
 Reviewed By: JD
 Date: 9/18/2015
 SPRG No: 3371

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

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Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	5/11/15	13-094

EXHIBIT A-TRACT 1

WATER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**MAGNOLIA HILL
ADDITION**

Vol. 96030, Pg. 1554
DRDCT

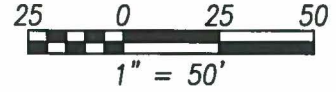
Block A/927

MAGNOLIA HILL COURT
A private street per Plat
Vol. 96030, Pg. 1554 DRDCT

RANDALL STREET
50' R.O.W.

MAGNOLIA HILL COURT
22' Private Street
Vol. 96030, Pg. 1554 DRDCT

City of Dallas
Vol. 577, Pg. 405 DRDCT



LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing
R.O.W.	Right of way
Esmt.	Easement

**J. GRIGSBY SURVEY
ABSTRACT NO. 495**

Water Easement
0.180 Ac.
(7,860 Sq. Ft.)

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**

Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

T.U. Elec. Co. &
S.W.B.T Co. Esmt.
Vol. 94124, Pg. 2209
DRDCT

Esmt. centerline
Vol. 640, Pg. 512
DRDCT

(For SPRG use only)

Reviewed By: JD

Date: 9/18/2015

SPRG No: 3371

City of Dallas
(Tract 1, Parcel P62)
Vol. 2001051, Pg. 1170
DRDCT

KATY TRAIL
Formerly known as
the M.K.T. Railroad

N. HOUSTON STREET
Var. width public R.O.W.

N 42°31'43" W

PAGE 3 OF 3

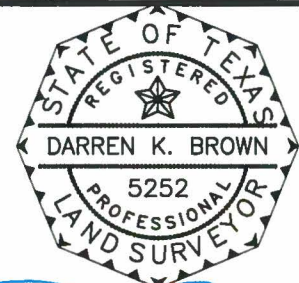


765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).

2. A legal description of even date accompanies this plat.



DKB

DARREN K. BROWN, R.P.L.S. 5252

(For SPRG use only)

Reviewed By: JD
Date: 9/18/2015
SPRG No: 3369

FIRE APPARATUS ACCESS ROAD ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

BEING a 22,643 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being all of a 20 foot wide "Fire Apparatus Access Road" as shown by Magnolia Station Addition, an addition to the City of Dallas, recorded in Volume 95077, Page 3232, Deed Records, Dallas County, Texas (DRDCT), said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 of the Deed Records, Dallas County, Texas (DRDCT), as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract is not defined by said Final Plat, and the approximate location of the Fire Apparatus Access Road being more particularly described as follows:

COMMENCING at an "X" found in concrete for the southerly east corner of said Lot 1A and said Magnolia Station tract, and being the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation;

THENCE S 45°58'17" W, 156.93 feet along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for the POINT OF BEGINNING of the subject tract;

THENCE S 45°58'17" W, 28.27 feet continuing along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for corner, and from which an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way, bears S 45°58'17" W, 104.64 feet, and N 89°19'24" W, 11.60 feet;

THENCE departing the northwest line of Lyte Street, into and through said Lot 1A and said Magnolia Station tract, the following:

N 36°10'03" W, 161.17 feet to a point for corner;

A tangent curve to the left having a central angle of 81°11'41", a radius of 20.00 feet, a chord of N 76°45'54" W - 26.03 feet, an arc length of 28.34 feet to a point for corner;

A reverse curve having a central angle of 82°11'15", a radius of 30.00 feet, a chord of N 76°16'07" W - 39.44 feet, an arc length of 43.03 feet to a point for corner;

N 35°10'30" W, 99.73 feet to a point for corner;

A tangent curve to the right having a central angle of 180°00'00", a radius of 35.00 feet, a chord of N 54°49'30" E - 70.00 feet, an arc length of 109.96 feet to a point for corner;

S 35°10'30" E, 75.89 feet to a point for corner;

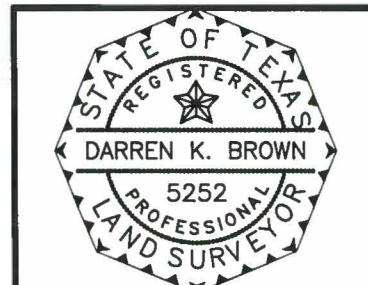
A tangent curve to the left having a central angle of 155°05'31", a radius of 12.00 feet, a chord of N 67°16'45" E - 23.44 feet, an arc length of 32.48 feet to a point for corner;

N 10°16'01" W, 93.72 feet to a point for corner;

N 45°21'51" W, 167.77 feet to a point for corner;

A tangent curve to the left having a central angle of 90°51'24", a radius of 30.00 feet, a chord of S 89°12'27" W - 42.74 feet, an arc length of 47.57 feet to a point for corner;

PAGE 1 OF 5



DKB
DARREN K. BROWN, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date accompanies this legal description.

p i a r s
ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		8/7/15	13-094

**FIRE APPARATUS ACCESS ROAD ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 2

S 43°46'45" W, 9.94 feet to a point for corner;

N 44°37'40" W, 19.87 feet to a point for corner;

And N 44°58'34" E, 99.08 feet to a point on the northeast line of said Lot 1A and said Magnolia Station tract and on the southwest line of Magnolia Hill Court;

THENCE S 44°52'42" E, 20.00 feet along the northeast line of said Lot 1A and said Magnolia Station tract and the southwest line of said Magnolia Hill Court to a point for corner;

THENCE departing the southwest line of Magnolia Hill Court, into and through said Lot 1A and said Magnolia Station tract, the following:

S 44°58'34" W, 8.59 feet to a point for corner;

A tangent curve to the left having a central angle of 90°20'25", a radius of 30.00 feet, a chord of S 00°11'39" E – 42.55 feet, an arc length of 47.30 feet to a point for corner;

S 45°21'51" E, 166.95 feet to a point for corner;

A tangent curve to the right having a central angle of 35°05'50", a radius of 20.00 feet, a chord of S 27°48'56" E – 12.06 feet, an arc length of 12.25 feet to a point for corner;

S 10°16'01" E, 145.83 feet to a point for corner;

A tangent curve to the left having a central angle of 25°54'02", a radius of 180.00 feet, a chord of S 23°13'02" E – 80.68 feet, an arc length of 81.37 feet to a point for corner;

And S 36°10'03" E, 90.16 feet to the POINT OF BEGINNING with the subject tract containing 26,216 square feet or 0.602 acres of land, SAVE AND EXCEPT the following tract:

COMMENCING at an "X" found in concrete for the southerly east corner of said Lot 1A and said Magnolia Station tract, and being the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Preliminary Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation;

THENCE N 79°04'13" W, 258.14 feet through said Lot 1A and said Magnolia Station tract to a point for the POINT OF BEGINNING of the subject tract;

THENCE around a curve to the right having a central angle of 180°00'00", a radius of 15.00 feet, a chord of S 54°49'30" W – 30.00 feet, an arc length of 47.12 feet to a point for corner;

THENCE N 35°10'30" W, 95.54 feet to a point for corner;

THENCE around a tangent curve to the right having a central angle of 180°00'00", a radius of 15.00 feet, a chord of N 54°49'30" E – 30.00 feet, an arc length of 47.12 feet to a point for corner;

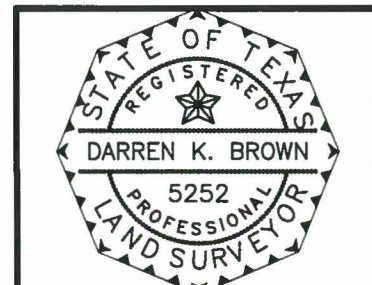
THENCE S 35°10'30" E, 95.54 feet to the POINT OF BEGINNING with the subject tract containing 3,573 square feet or 0.082 acres of land.

(For SPRG use only)

Reviewed By: JD

Date: 9/18/2015

SPRG No: 3369



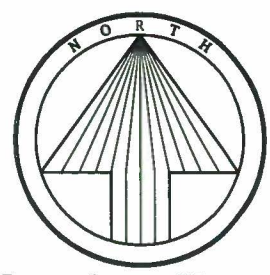
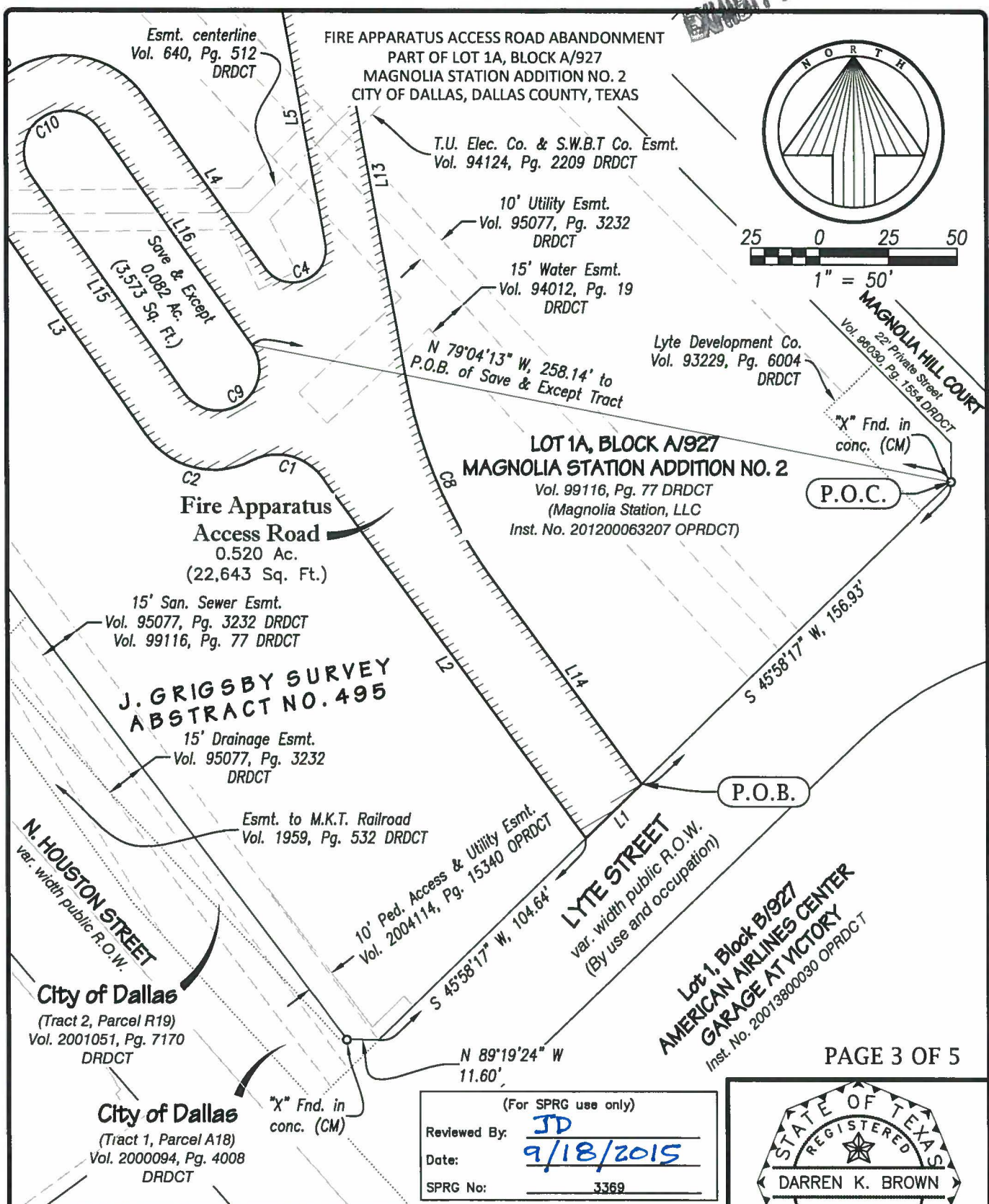
DKB
DARREN K. BROWN, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date accompanies this legal description.

piars
ENGINEERING

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		8/7/15	13-094

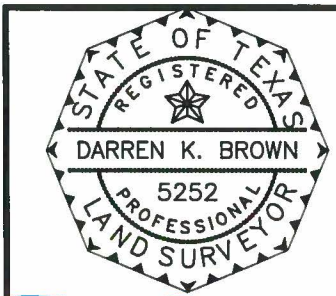


25 0 25 50
1" = 50'

P.O.C.

P.O.B.

(For SPRG use only)
Reviewed By: JD
Date: 9/18/2015
SPRG No: 3369



[Signature]
DARREN K. BROWN, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

p i a r s
ENGINEERING

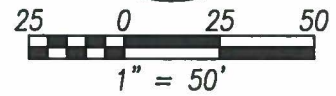
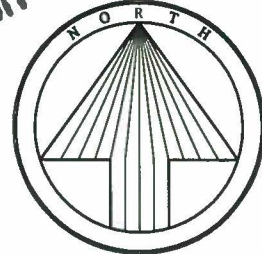
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	8/7/15	13-094

(For SPRG use only)

Reviewed By: JD
 Date: 9/18/2015
 SPRG No: 3369

FIRE APPARATUS ACCESS ROAD ABANDONMENT
 PART OF LOT 1A, BLOCK A/927
 MAGNOLIA STATION ADDITION NO. 2
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



MAGNOLIA HILL ADDITION

Vol. 96030, Pg. 1554 DRDCT

Block A/927

MAGNOLIA HILL COURT
 A private street per plat
 Vol. 96030, Pg. 1554 DRDCT

RANDALL STREET
 50' R.O.W.

MAGNOLIA HILL COURT
 22' Private Street
 Vol. 96030, Pg. 1554 DRDCT

J. GRIGSBY SURVEY
 ABSTRACT NO. 495

City of Dallas
 Vol. 577, Pg. 405 DRDCT

15' Water Esmt.
 Vol. 94012, Pg. 19 DRDCT

Fire Apparatus
 Access Road
 0.520 Ac.
 (22,643 Sq. Ft.)

LOT 1A, BLOCK A/927
 MAGNOLIA STATION ADDITION NO. 2

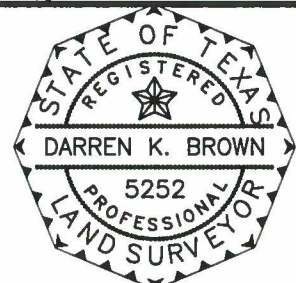
Vol. 99116, Pg. 77 DRDCT
 (Magnolia Station, LLC
 Inst. No. 201200063207 OPRDCT)

10' Utility Esmt.
 Vol. 95077, Pg. 3232 DRDCT

T.U. Elec. Co. &
 S.W.B.T Co. Esmt.
 Vol. 94124, Pg. 2209 DRDCT
 Vol. 99116, Pg. 77 DRDCT

Esmt. centerline
 Vol. 640, Pg. 512
 DRDCT

Save & Except
 0.082 Ac.
 (3,573 Sq. Ft.)



[Signature]
 DARREN K. BROWN, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.



765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	8/7/15	13-094

**FIRE APPARATUS ACCESS ROAD ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 2

Line Table		
Line #	Bearing	Distance
L1	S 45°58'17" W	28.27'
L2	N 36°10'03" W	161.17'
L3	N 35°10'30" W	99.73'
L4	S 35°10'30" E	75.89'
L5	N 10°16'01" W	93.72'
L6	N 45°21'51" W	167.77'
L7	S 43°46'45" W	9.94'
L8	N 44°37'40" W	19.87'

Line Table		
Line #	Bearing	Distance
L9	N 44°58'34" E	99.08'
L10	S 44°52'42" E	20.00'
L11	S 44°58'34" W	8.59'
L12	S 45°21'51" E	166.95'
L13	S 10°16'01" E	145.83'
L14	S 36°10'03" E	90.16'
L15	N 35°10'30" W	95.54'
L16	S 35°10'30" E	95.54'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C1	28.34'	20.00'	81°11'41"	N 76°45'54" W	26.03'
C2	43.03'	30.00'	82°11'15"	N 76°16'07" W	39.44'
C3	109.96'	35.00'	180°00'00"	N 54°49'30" E	70.00'
C4	32.48'	12.00'	155°05'31"	N 67°16'45" E	23.44'
C5	47.57'	30.00'	90°51'24"	S 89°12'27" W	42.74'
C6	47.30'	30.00'	90°20'25"	S 00°11'39" E	42.55'
C7	12.25'	20.00'	35°05'50"	S 27°48'56" E	12.06'
C8	81.37'	180.00'	25°54'02"	S 23°13'02" E	80.68'
C9	47.12'	15.00'	180°00'00"	S 54°49'30" W	30.00'
C10	47.12'	15.00'	180°00'00"	N 54°49'30" E	30.00'

LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
R.O.W.	Right of way
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing
Eamt.	Easement

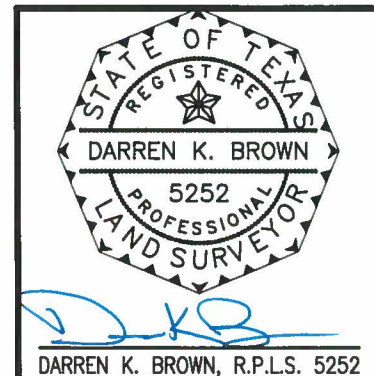
(For SPRG use only)

Reviewed By: JD

Date: 9/18/2015

SPRG No: 3369

PAGE 5 OF 5



765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	8/7/15	13-094

**SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 3

BEING a 9,553 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being a part of a variable width Sanitary Sewer Easement created by Magnolia Station Addition, an addition to the City of Dallas recorded in Volume 95077, Page 3232 of the Deed Records, Dallas County, Texas (DRDCT), said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 DRDCT, as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract being more particularly described as follows:

BEGINNING at an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way;

THENCE N 36°58'24" W, 190.99 feet along the southwest line of said Magnolia Station tract, and along the northeast line of Tract 2, Parcel R19, to a point for the north corner thereof, and being an inset corner of said Lot 1A, Block A/927, and being the east corner of a tract described as "Tract 1, Parcel R37", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT;

THENCE N 35°51'43" W, 338.85 feet along the southwest line of said Lot 1A and said Magnolia Station tract, and along the northeast line of Tract 1, Parcel R37, to a point for the west corner of said Lot 1A and said Magnolia Station tract, and being the south corner of Lot 2, Block A/927, Magnolia Hill Addition, an addition to the City of Dallas recorded in Volume 96030, Page 1554 DRDCT;

THENCE N 45°07'17" E, along the northwest line of said Lot 1A and said Magnolia Station tract, and along the southeast line of said Lot 2, Block A/927, passing at 76.53 feet the east corner of said Lot 2 and a south corner of Magnolia Hill Court, a private street created by said plat of Magnolia Hill Addition, and continuing along a southeasterly line thereof a total distance of 228.37 feet to a point for the north corner of said Lot 1A and said Magnolia Station tract, and for an inset corner of said Magnolia Hill Court;

THENCE S 44°52'43" E, along the northeast line of said Lot 1A and said Magnolia Station tract, and along the southwest line of said Magnolia Hill Court, passing at 1.33 feet an "X" found in concrete, continuing a total distance of 15.00 feet to a point for corner;

THENCE departing the southwest line of said Magnolia Hill Court, into and through said Lot 1A and said Magnolia Station tract, the following:

S 45°07'17" W, 215.56 feet to a point for corner;

S 35°51'43" E, 104.76 feet to a point for corner;

S 44°26'52" W, 6.84 feet to a point for corner;

S 35°57'03" E, 38.24 feet to a point for corner;

N 44°48'14" E, 6.77 feet to a point for corner;

S 35°51'43" E, 91.21 feet to a point for corner;

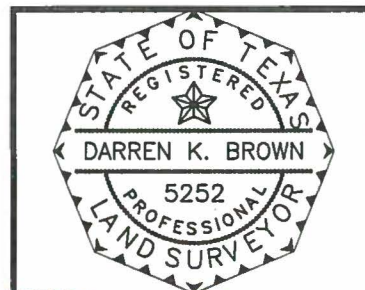
S 53°28'15" W, 5.10 feet to a point for corner;

And S 36°25'30" E, 289.68 feet to a point on the east end of said corner clip;

THENCE N 88°09'33" W, 11.43 feet along said corner clip to the POINT OF BEGINNING with the subject tract containing 9,553 square feet or 0.219 acres of land.

(For SPRG use only)	
Reviewed By:	<u>JD</u>
Date:	<u>8/20/2015</u>
SPRG No:	<u>3370</u>

PAGE 1 OF 3



DKB
DARREN K. BROWN, R.P.L.S. 5252

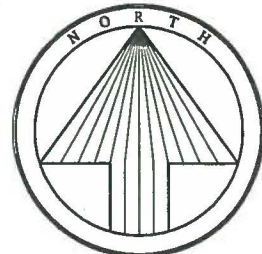
1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date accompanies this legal description.

piars
ENGINEERING

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		5/11/15	13-094

EXHIBIT A-TRACT 3



25 0 25 50
1" = 50'

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

T.U. Elec. Co. &
S.W.B.T Co. Esmt.
Vol. 94124, Pg. 2209
DRDCT

**J. GRIGSBY SURVEY
ABSTRACT NO. 495**

15' Water Esmt.
Vol. 94012, Pg. 19
DRDCT

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**

Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

**Sanitary Sewer
Easement**
0.219 Ac.
(9,553 Sq. Ft.)

15' San. Sewer Esmt.
Pg. 3232 DRDCT
Vol. 95077, Pg. 77
Vol. 99116, Pg. 77 DRDCT

Esmt. to M.K.T. Railroad
Vol. 1959, Pg. 532 DRDCT

15' Drainage Esmt.
Vol. 95077, Pg. 3232
DRDCT

10' Ped. Access & Utility Esmt.
Vol. 2004114, Pg. 15340 OPRDCT

10' Utility Esmt.
Vol. 95077, Pg. 3232
DRDCT

S 45°58'17" W ~ 289.83'
var. width public R.O.W.
(By use and occupation)

**Lot 1D, Block A/1277
CAMDEN VICTORY PARK ADDITION**
Inst. No. 201400214445 OPRDCT
5' Private Drainage Esmt.
Inst. No. 201300233091 OPRDCT

City of Dallas
(Tract 2, Parcel R19)
Vol. 2001051, Pg. 7170
DRDCT

City of Dallas
(Tract 1, Parcel A18)
Vol. 2000094, Pg. 4008
DRDCT

N 88°09'33" W
11.43'

"X" Fnd. in conc. (CM)

P.O.B.

**Lot 1, Block B/1927
AMERICAN AIRLINES CENTER
GARAGE AT VICTORY**
Inst. No. 20013800030 OPRDCT

**Remainder
Lot 1C, Block A/1277
VICTORY NORTH
ADDITION**
Inst. No. 200600219870
OPRDCT

PAGE 2 OF 3

(For SPRG use only)
Reviewed By: JD
Date: 8/26/2015
SPRG No: 3370

**p i a r s
ENGINEERING**
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

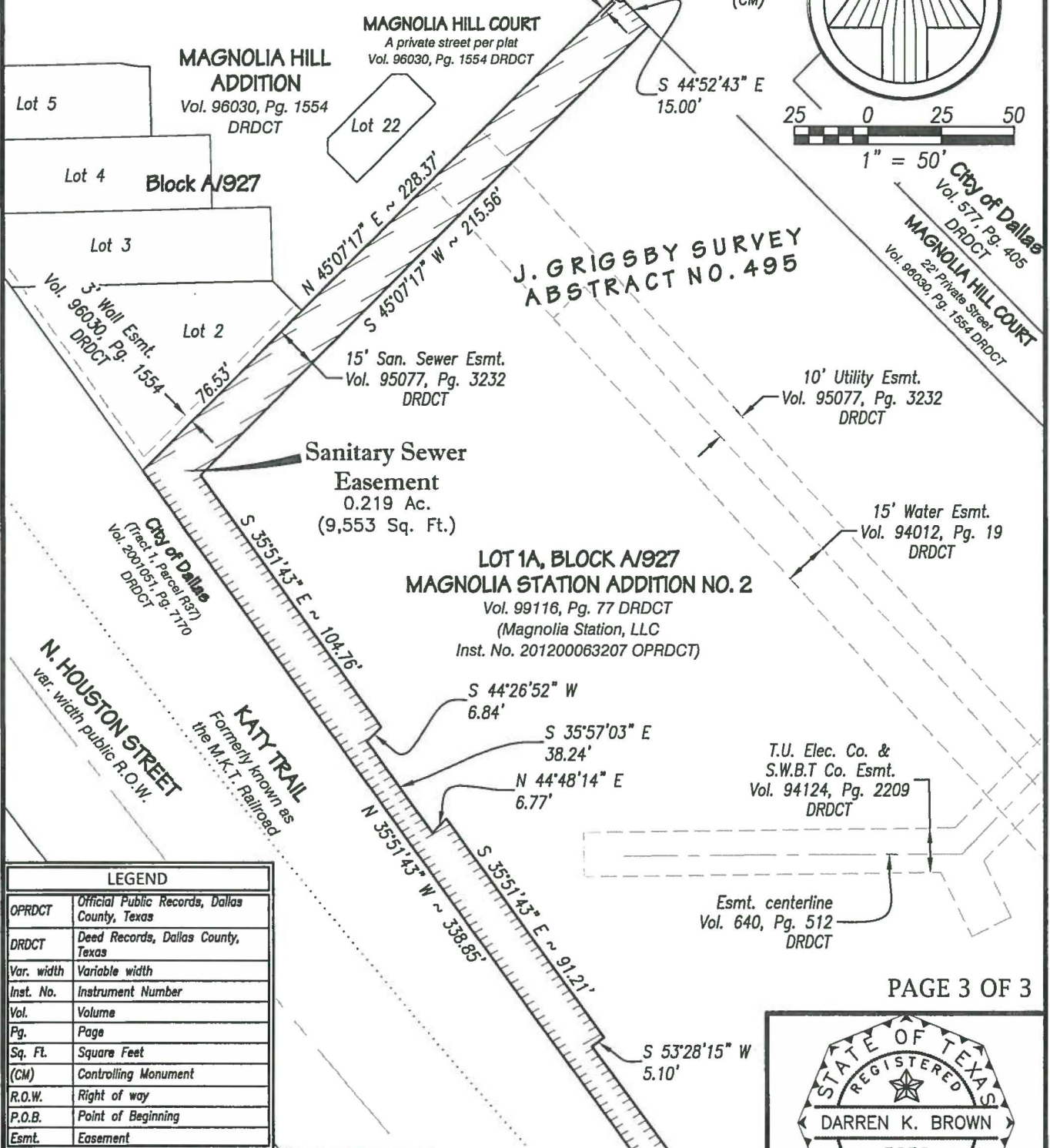
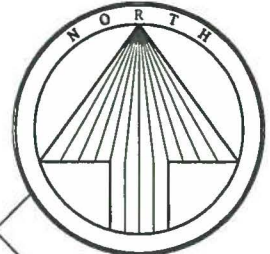
STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DKB
DARREN K. BROWN, R.P.L.S. 5252

EXHIBIT A-TRACT 3

(For SPRG use only)
 Reviewed By: JD
 Date: 8/20/2015
 SPRG No: 3370

SANITARY SEWER EASEMENT ABANDONMENT
 PART OF LOT 1A, BLOCK A/927
 MAGNOLIA STATION ADDITION NO. 2
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
R.O.W.	Right of way
P.O.B.	Point of Beginning
Esmt.	Easement

p i a r s ENGINEERING
 765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

PAGE 3 OF 3

[Signature]
 DARREN K. BROWN, R.P.L.S. 5252

**UTILITY EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT

BEING a 6,192 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being part of a variable width Utility Easement created by Magnolia Station Addition, an addition to the City of Dallas, recorded in Volume 95077, Page 3232 of the Deed Records, Dallas County, Texas (DRDCT), said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 DRDCT, as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract being more particularly described as follows:

COMMENCING at an "X" found in concrete for the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation, for the southeast corner of said Lot 1A and said Magnolia Station tract;

THENCE S 45°58'17" W, 77.32 feet along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for the southeast corner of said variable width utility easement;

THENCE N 42°31'43" W, 10.00 feet departing the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract, along the east line of said utility easement, to the POINT OF BEGINNING of the subject tract;

THENCE S 45°58'17" W, 10.00 feet through and across said utility easement to a point for corner, and from which an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way, bears S 42°31'43" E, 10.00 feet to a point on the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract, S 45°58'17" W, 202.51 feet along said common line, and N 89°19'24" W, 11.60 feet along said common line;

THENCE departing the northwest line of Lyte Street, into and through said Lot 1A and said Magnolia Station tract, the following:

THENCE N 42°31'43" W, 463.49 feet to a point for corner;

THENCE S 44°51'17" W, 15.02 feet to a point for corner;

THENCE N 42°31'43" W, 62.30 feet to a point on the northwest line of said Lot 1A and said Magnolia Station tract, and being on the southeast line of Magnolia Hill Court, a variable width private street created by said Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT;

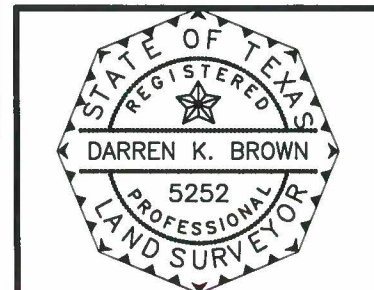
THENCE N 45°07'17" E, 25.03 feet along the northwest line of said Lot 1A and said Magnolia Station tract, and the southeast line of Magnolia Hill Court to a point for corner;

THENCE S 42°31'43" E, 525.88 feet departing the southeast line of Magnolia Hill Court, into and through said Lot 1A and said Magnolia Station tract to the POINT OF BEGINNING with the subject tract containing 6,192 square feet or 0.142 acres of land.

(For SPRG use only)

Reviewed By: JD
Date: 9/18/2015
SPRG No: 3372

PAGE 1 OF 3



[Signature]
DARREN K. BROWN, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date accompanies this legal description.



765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		9/14/15	13-094

EXHIBIT A-TRACT

UTILITY EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS



Esmt. centerline
Vol. 640, Pg. 512
DRDCT

T.U. Elec. Co. &
S.W.B.T Co. Esmt.
Vol. 94124, Pg. 2209
DRDCT

10' Utility Esmt.
Vol. 95077, Pg. 3232 DRDCT
Vol. 99116, Pg. 77 DRDCT

15' Water Esmt.
Vol. 94012, Pg. 19
DRDCT

**Utility
Easement**
0.142 Ac.
(6,192 Sq. Ft.)

Lyte Development Co.
Vol. 93229, Pg. 6004
DRDCT

"X" Fnd. in
conc. (CM)

P.O.C.

P.O.B.

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**

Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

15' San. Sewer Esmt.
Vol. 95077, Pg. 3232 DRDCT
Vol. 99116, Pg. 77 DRDCT

**J. GRIGSBY SURVEY
ABSTRACT NO. 495**

15' Drainage Esmt.
Vol. 95077, Pg. 3232 DRDCT

Esmt. to M.K.T. Railroad
Vol. 1959, Pg. 532 DRDCT

10' Ped. Access & Utility Esmt.
Vol. 2004114, Pg. 15340 OPRDCT

LYTE STREET
var. width public R.O.W.
(By use and occupation)

**Lot 1, Block B/927
AMERICAN AIRLINES CENTER
GARAGE AT VICTORY**
Inst. No. 20013800030 OPRDCT

PAGE 2 OF 3

N HOUSTON STREET
var. width public R.O.W.

City of Dallas
(Tract 2, Parcel R19)
Vol. 2001051, Pg. 7170
DRDCT

City of Dallas
(Tract 1, Parcel A18)
Vol. 2000094, Pg. 4008
DRDCT

"X" Fnd. in
conc. (CM)

(For SPRG use only)

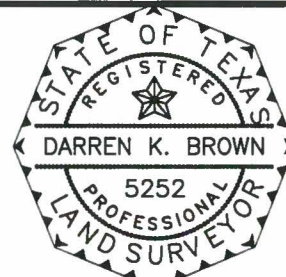
Reviewed By: JD

Date: 9/18/2015

SPRG No: 3372

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).

2. A legal description of even date accompanies this plat.



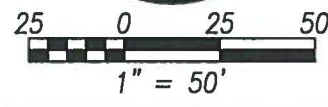
[Signature]
DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	9/14/15	13-094

UTILITY EASEMENT ABANDONMENT
 PART OF LOT 1A, BLOCK A/927
 MAGNOLIA STATION ADDITION NO. 2
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT



LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
R.O.W.	Right of way
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing
Esmt.	Easement

MAGNOLIA HILL ADDITION
 Vol. 96030, Pg. 1554
 DRDCT

Block A/927

N 45°07'17" E
 25.03'

Lot 22

MAGNOLIA HILL COURT
 A private street, per plat
 Vol. 96030, Pg. 1554 DRDCT

RANDALL STREET
 50' R.O.W.

MAGNOLIA HILL COURT
 22' Private Street
 Vol. 96030, Pg. 1554 DRDCT

City of Dallas
 Vol. 577, Pg. 405
 DRDCT

Utility Easement
 0.142 Ac.
 (6,192 Sq. Ft.)

15' San. Sewer Esmt.
 Vol. 95077, Pg. 3232
 DRDCT

S 44°51'17" W
 15.02'

J. GRIGSBY SURVEY
ABSTRACT NO. 495

10' Utility Esmt.
 Vol. 95077, Pg. 3232
 DRDCT

15' Water Esmt.
 Vol. 94012, Pg. 19
 DRDCT

LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
 Vol. 99116, Pg. 77 DRDCT
 (Magnolia Station, LLC
 Inst. No. 201200063207 OPRDCT)

Esmt. centerline
 Vol. 640, Pg. 512
 DRDCT

T.U. Elec. Co. & S.W.B.T Co. Esmt.
 Vol. 94124, Pg. 2209 DRDCT

City of Dallas
 (Tract 1, Parcel P397)
 Vol. 2001051, Pg. 7170
 DRDCT

N. HOUSTON STREET
 Ver. width public R.O.W.

KATY TRAIL
 Formerly known as
 the M.K.T. Railroad

S 42°31'43" E ~ 525.88'
 N 42°31'43" W ~ 463.49'

(For SPRG use only)

Reviewed By: JD

Date: 9/18/2015

SPRG No: 3372

STATE OF TEXAS
 REGISTERED
 DARREN K. BROWN
 5252
 PROFESSIONAL
 LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	9/14/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

REVISED AGENDA ITEM # 18

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

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All 6

DEPARTMENT: Office of Cultural Affairs

CMO: Joey Zapata, 670-1204

MAPSCO: N/A 44 T U

SUBJECT

Authorize **(1)** a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue; **(2)** the receipt and deposit of funds from the Fort Worth Avenue Development Group in the amount of \$5,000, for maintenance costs associated with a public art project; and **(3)** an increase in appropriations in the amount of \$5,000 in the Office of Cultural Affairs Gifts and Donations Fund - Not to exceed \$5,000 - Financing: Office of Cultural Affairs Gifts and Donations Fund

BACKGROUND

The City of Dallas Public Art Program provides that all appropriations for City capital improvement projects shall include an amount equal to 1.5 percent of the total capital improvement project appropriation, or an amount equal to 0.75 percent of the total appropriation for a project that is exclusively for street, storm drainage, utility, or sidewalk improvements, to be used for design services of artists, for the selection, acquisition, commissioning, and display of artworks, and for administration of the public art projects. Public Art funding, derived from the Public Art Program, in an amount not to exceed \$10,000, is anticipated to be approved by administrative action for the construction of public artwork honoring the contributions of Latino-Americans to west Dallas, at Triangle Park (a street median) upon selection of a vendor.

The Fort Worth Avenue Development Group (FWADG) will use its best efforts to contribute \$5,000 for the maintenance cost associated with public artwork at Triangle Park. This action is for approval of a contract between the City of Dallas and FWADG to authorize acceptance of a \$5,000 contribution to City and authorize the participation of FWADG designated representatives in the development of the scope of work and artist selection process, as defined in the Cultural Policy, for the construction of the artwork.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 2, 2015, the Public Art Committee recommended planning for the Triangle Park project.

On June 18, 2015, the Cultural Affairs Commission approved planning for the Triangle Park project.

On August 11, 2015, the Public Art Committee recommended initiation of planning for the Triangle Park Project.

On August 17, 2015, the Cultural Affairs Commission approved initiation of planning for the Triangle Park Project.

On October 6, 2015, the Public Art Committee of the Cultural Affairs Commission reviewed this item.

Information about this item was provided to the Cultural Affairs Commission on October 15, 2015.

Information about this item will be provided to the Arts, Culture and Libraries Committee on October 19, 2015.

FISCAL INFORMATION

\$5,000 - Office of Cultural Affairs Gifts and Donations Fund

October 28, 2015

WHEREAS, the Public Art Program, pursuant to Section 2-103 of the Dallas City Code, provides art funding for the design services of artists; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs has identified a public art project to complement Triangle Park, a street median, located at the intersection of Sylvan Avenue, Seale Street, and Evanston Avenue in Dallas, Texas; and

WHEREAS, Public Art funding, in an amount not to exceed \$10,000, is anticipated to be approved by administrative action for the construction of public artwork honoring the contributions of Latino-Americans to west Dallas, at Triangle Park (a street median), upon selection of a vendor; and

WHEREAS, the Fort Worth Avenue Development Group will use its best efforts to contribute \$5,000 toward the maintenance of a public art project at Triangle Park.

Now, Therefore,

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

Section 1. That the City Manager is authorized to execute a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue and the receipt and deposit of funds in the amount of \$5,000 for support and maintenance of the Triangle Park public art project, upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is authorized to deposit \$5,000 into the Office of Cultural Affairs Gifts and Donations Fund 0388, Department OCA, Unit 6872, Revenue Source 8411.

Section 3. That the City Manager is authorized to increase appropriations in the amount of \$5,000 in Fund 0388, Department OCA, Unit 6872, Various Object Codes, according to future procurements.

Section 4. That the Chief Financial Officer is authorized to disburse funds from Fund 0388, Department OCA, Unit 6872, in accordance with the terms of the contract.

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: Public Safety
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Police
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

Internet Crimes Against Children Continuation Grant

- * Authorize **(1)** an application for and acceptance of a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant, new funding period from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation for the period July 1, 2013 through June 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$487,985, from \$957,570 to \$1,445,555 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

- * Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office in the amount of \$9,000, Tarrant County District Attorney's Office in the amount of \$7,500, Potter County District Attorney's Office in the amount of \$4,300, Collin County Sheriff's Office in the amount of \$18,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$23,000, Arlington Police Department in the amount of \$13,000, Garland Police Department in the amount of \$13,000, Longview Police Department in the amount of \$22,000, and the Dallas Children's Advocacy Center in the amount of \$37,000, for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016 - Total not to exceed \$164,300 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

On September 21, 2015, the Crimes Against Children Unit was awarded a grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. This grant, in the amount of \$487,985 is a continuation for the period July 1, 2013 through June 30, 2016. The original grant award was \$477,337, approved by Resolution No. 13-1842, followed by a continuation grant award of \$480,233, approved by Resolution No. 14-1908. This is a continuation grant award covering the funding period of July 1, 2015 through June 30, 2016, and there is no cash match or in kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an application for and acceptance of the 2010 Internet Crimes Against Children Continuation Grant No. 2010-MC-CX-K037 on November 14, 2012, by Resolution No. 12-2756.

Authorized continuation of Cooperative Working Agreements with various entities on November 14, 2012, by Resolution No. 12-2757.

Authorized an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant No. 2013-MC-FX-K036 on October 23, 2013, by Resolution No. 13-1842.

Authorized a continuation of Cooperative Working Agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center on February 12, 2014, by Resolution No. 14-0299.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant No. 2013-MC-FX-K036 on November 12, 2014, by Resolution No. 14-1908.

Authorized the continuation of and an increase in the Cooperative Working Agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center on November 12, 2014, by Resolution No. 14-1909.

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

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$487,985 - U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

October 28, 2015

WHEREAS, the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention has made continuation grant funds available to aid missing and exploited children during Fiscal Year 2015-2016; and

WHEREAS, such funding was awarded to the City of Dallas on September 21, 2015; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

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 a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, new funding period, Grant No. 2013-MC-FX-K036, CFDA # 16.543 in an amount not to exceed \$487,985 from \$957,570 to \$1,445,555, for the period July 1, 2013 through June 30, 2016 and execute the grant agreement.

Section 2. That the City Manager is hereby authorized to increase appropriations in the amount of \$487,985 from \$957,570 to \$1,445,555 in the Internet Crimes Against Children Continuation Grant, Fund F407, Department DPD, Unit 1505, in accordance with Schedule A.

Section 3. That the Chief Financial Officer is hereby authorized to deposit grant funds in an amount not to exceed \$487,985, in Fund F407, Department DPD, Unit 1505, Revenue Source 6506.

Section 4. That the Chief Financial Officer is hereby authorized to disburse grant funds from Fund F407, Department DPD, Unit 1505, an amount not to exceed \$487,985 according to Schedule A.

Section 5. That in the event of loss or misuse of funds, the City of Dallas will return all funds to the U.S. Department of Justice (DOJ), Office of Juvenile and Delinquency Prevention in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 6. That the City Manager shall keep the appropriate City Council Committee informed of all the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention final monitoring reports not later than 30 days after the receipt of the report.

October 28, 2015

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Schedule A

**Internet Crimes Against Children Continuation Grant
Fund F407, Unit 1505**

Obj	Description	Prior Budget	Supplement	Total
1102	Salaries - Uniform	382,268	173,148	555,416
1202	Overtime - Uniform	0	9,500	9,500
1302	Pension, Sworn	90,819	47,615	138,434
1304	Health, Sworn	20,056	10,454	30,510
1306	FICA	4,788	2,511	7,299
2280	Other Supplies	26,574	0	26,574
2890	Miscellaneous Equipment	0	18,725	18,725
3060	Equipment (Outside City)	4,000	0	4,000
3099	Misc Special Services (Contractual)	402,207	194,588	596,795
3361	Professional Development (Travel)	24,425	20,131	44,556
3435	Data Services	0	11,313	11,313
4731	Other	2,433	0	2,433
	Total Budget	957,570	487,985	1,445,555

October 28, 2015

WHEREAS, the City of Dallas applies for grant funds available from the U.S. Department of Justice to aid missing and exploited children; and

WHEREAS, the services of the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center are approved by the execution of Cooperative Working Agreements; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant (July 1, 2013 to June 30, 2016) No. 2013-MC-FX-K036 was awarded to the City of Dallas on September 21, 2015; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant supplement No. 2013-MC-FX-K036 was accepted and appropriations and expenditures were authorized by the Dallas City Council on November 12, 2014; and

WHEREAS, execution of the Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center must be authorized by the Dallas City Council.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into respective Internet Crimes Cooperative Working Agreements with, the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department and the Dallas Children's Advocacy Center (per the attached Schedule B) as requested for the investigation, prosecution, education, and counseling activities related to the Dallas Internet Crimes Against Children Task Force response to Internet related sexual exploitation of children.

October 28, 2015

Section 2. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed \$164,300 from Fund F407, Department DPD, Unit 1505, OBJ 3099 per the attached Schedule B.

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

SCHEDULE B

Federal Internet Crimes Against Children Continuation Grant

	Agency	2013-14 Allocation	2014-15 Supplemental Funding	2015-16 #2 Supplemental Funding	Fund	Dept.	Unit	Obj	Encumbrance No.	Commodity	Vendor No.
1	Dallas County District Attorney's Office	\$ 11,500.00	\$ 9,000.00	\$ 9,000.00	F407	DPD	1505	3099	PX-1505CR14C45	95217	014003
2	Tarrant County District Attorney's Office	\$ 8,500.00	\$ 8,500.00	\$ 7,500.00	F407	DPD	1505	3099	PX-1505CR14C46	95217	331260
3	Potter County District Attorney's Office	\$ 6,651.00	\$ 5,028.00	\$ 4,300.00	F407	DPD	1505	3099	PX-1505CR14C47	95217	VC0000001926
4	Collin County Sheriff's Department	\$ 15,000.00	\$ 18,000.00	\$ 18,000.00	F407	DPD	1505	3099	PX-1505CR14C48	95217	VS0000014264
5	Taylor County Sheriff's Department	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	F407	DPD	1505	3099	PX-1505CR14C49	95217	VS0000014301
6	Wichita County Sheriff's Department	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	F407	DPD	1505	3099	PX-1505CR14C50	95217	VC0000008139
7	Lubbock Police Department	\$ 20,000.00	\$ 23,000.00	\$ 23,000.00	F407	DPD	1505	3099	PX-1505CR14C51	95217	VC0000009161
8	Arlington Police Department	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	F407	DPD	1505	3099	PX-1505CR14C52	95217	520488
9	Garland Police Department	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	F407	DPD	1505	3099	PX-1505CR14C53	95217	268175
10	Longview Police Department	\$ 20,000.00	\$ 22,000.00	\$ 22,000.00	F407	DPD	1505	3099	PX-1505CR14C54	95217	516362
11	Dallas Children's Advocacy Center		\$ 37,000.00	\$ 37,000.00	F407	DPD	1505	3099	PX-1505CR14C55	95217	263854
		\$ 119,151.00	\$ 166,028.00	\$ 164,300.00							

KEY FOCUS AREA: Public Safety
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Police
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of the City of Dallas - State of Texas Internet Crimes Against Children Grant from the Office of the Governor, Criminal Justice Division, to provide one year funding for the salaries, pension, and FICA of two Detectives and one Police Research Specialist as well as to fund training, purchase of equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation for the period October 1, 2015 through September 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$324,139 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

BACKGROUND

The 2015-16 State of Texas Internet Crimes Against Children Grant will provide \$324,139 to enhance the response of the Dallas Crimes Against Children Task Force in the area of prevention, investigation and prosecution of computer-facilitated systems, and other technology. The grant will provide one year funding for the salaries, pension, and FICA of two (2) Detectives and one (1) Police Research Specialist. Funds will also be utilized for training, purchase equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation. There is no cash match or in-kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application and acceptance for the State Internet Crimes Against Children Grant, IC-14-A10-27451 on January 22, 2014, by Resolution No. 14-0185.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$324,139 - Office of the Governor, Criminal Justice Division Grant Funds

October 28, 2015

WHEREAS, the State of Texas, Office of the Governor, Criminal Justice Division has made funds available to aid missing and exploited children during Fiscal Year 2015 - 2016; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

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 City of Dallas - State Internet Crimes Against Children Grant #2745102, from the Office of the Governor, Criminal Justice Division, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology, in an amount not exceed \$324,139 for the period October 1, 2015 through September 30, 2016, and to execute the grant agreement.

Section 2. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$324,139 into Fund S285, Department DPD, Unit 1799, and Revenue Source 6516.

Section 3. That the City Manager is authorized to establish appropriations in Fund S285, Department DPD, Unit 1799, in accordance with attached Schedule A.

Section 4. That the Chief Financial Officer is authorized to disburse Grant Funds from Fund S285, Department DPD, Unit 1799, in accordance with attached Schedule A, in an amount not to exceed \$324,139.

Section 5. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division, in full (CJD). The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

October 28, 2015

Section 6. That the City Manager shall keep the appropriate City Council Committee informed of all CJD final monitoring reports not later than 30 days after the receipt of the report.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Schedule A
Dallas Police Department State of Texas ICAC
Fund S267, Unit 1525

Obj. Code	Description	OOG Funds
1101	Civilian Salaries	47,923.00
1102	Sworn Salaries	160,327.00
1202	Overtime - Uniform	23,100.00
1301	Pension - Civilian	13,179.00
1302	Pension - Uniform	50,561.00
1306	FICA	3,449.00
2890	Misc Equipment	3,600.00
3361	Professional Development	<u>22,000.00</u>
	Program Totals	\$324,139.00

KEY FOCUS AREA: Public Safety
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Police
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of a grant in the amount of \$80,000 from the Office of the Governor, Criminal Justice Division to aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program for the period October 1, 2015 through September 30, 2016; **(2)** an In-kind contribution in the amount of \$64,267; and **(3)** execution of the grant agreement - Total not to exceed \$144,267 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$80,000) and In-Kind Contribution (\$64,267)

BACKGROUND

The City of Dallas Police Department (DPD) has been awarded \$80,000 in funding to Reduce Crime and Improve the Criminal Justice System under the State Criminal Justice Planning grant.

The Grant awarded funding will support partial funding for one certified Police Officer within the Crime Scene Response Section to support data entry and analysis in the National Integrated Ballistic Information Network (NIBIN). The grant also funds training and a new ballistic bullet recovery tank. NIBIN allows federal, state, and local law enforcement agencies to find linkages between crimes quickly and to make connections in crimes across jurisdictional boundaries. The Dallas Police Department has found and confirmed 911 linkages to date.

The DPD currently houses approximately 50,000 firearms and receives about 700 new firearms and cartridge casings each month. Most meet the criteria for entry into the NIBIN database and the full time Police Officer will continue to process valuable evidence and work to reduce the growing backlog.

BACKGROUND (Continued)

The DPD set the following Goals: *Goal 1.0* - to coordinate the comprehensive NIBIN entry of all ballistic information taken into federal, state, and local law enforcement custody in order to identify all possible links to violent crimes; and, *Goal 2.0* - to increase the number of NIBIN generated investigative leads referred to NIBIN participants in order to solve, reduce, and prevent firearms-related violent crimes. The continuation of the funding for the certified Police Officer should allow timely processing of evidence and increase the number of linkages referred to Dallas investigative personnel and partner agencies; thereby decreasing crime at the city, state, and national levels.

The In-Kind contribution covers Pension, Health Benefit, FICA and remaining Salary for the officer.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408203 on October 10, 2012, by Resolution No. 12-2529.

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408204 on October 8, 2013, by Resolution No. 13-1761.

Authorized correction to Resolution No. 13-1761 for acceptance of the City of Dallas NIBIN Program Grant No. 2408204 on January 22, 2014, by Resolution No. 14-0186.

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408205 on November 12, 2014, by Resolution No. 14-1911.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$80,000 - Office of the Governor, Criminal Justice Division Grant Funds
\$64,267 - In-Kind Contribution

October 28, 2015

WHEREAS, the Office of the Governor, Criminal Justice Division has made funds available for criminal justice projects for the 2015-2016 fiscal year; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas finds it in the best interest of the citizens of Dallas that the Office of the Governor, Criminal Justice Division be operated for the 2015-2016 fiscal year; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

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 a grant from the Office of the Governor, Criminal Justice Division (CJD) for the City of Dallas - National Integrated Ballistic Information Network (NIBIN) Program Grant No. 2408206, CFDA # 16.738, in an amount not to exceed \$80,000 for the period October 1, 2015 through September 30, 2016, and to execute the grant agreement.

Section 2. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$80,000 into Fund F476, Department DPD, Unit 1808, and Revenue Source 6506.

Section 3. That the City Manager is authorized to establish appropriations in Fund F476, Department DPD, Unit 1808, in accordance with the attached Schedule A.

Section 4. That the Chief Financial Officer is authorized to disburse Grant Funds from Fund F476, Department DPD, Unit 1808, in accordance with the attached Schedule A, in an amount not to exceed \$80,000.

Section 5. That the Chief Financial Officer is authorized to provide an In-Kind contribution in the amount of \$64,267.

October 28, 2015

Section 6. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division (OGCJD), in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all Office of the Governor, Criminal Justice Division (OGCJD) final monitoring reports not later than 30 days after the receipt of the report.

Section 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Schedule A
NIBIN-Criminal Justice Division Grant
Fund F476, Unit 1808

1102	Uniform Salary	\$ 45,000
3361	Travel / Training	\$ 5,000
4890	Misc Equipment	<u>\$ 30,000</u>

Total Grant Award \$ 80,000

KEY FOCUS AREA: Public Safety
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Police
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

Authorize **(1)** application for and acceptance of the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 to adequately respond to victims of violent crime with needed aid for the period September 1, 2015 through September 30, 2016; **(2)** a local cash match in the amount of \$15,589; and **(3)** execution of the grant agreement - Total not to exceed \$77,948 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$62,359) and Current Funds (\$15,589)

BACKGROUND

This grant award is a Federal (U.S. Department of Justice) pass through State (Office of Governor, Criminal Justice Division) grant to the City of Dallas. The Dallas Police Department's Victim Services Program, formally established in April 1996, provides victims of violent crimes with crisis intervention, crime victims compensation assistance, information regarding the criminal justice process, information and referral services specifically for victims or family survivors, and court accompaniment of requested by the victim. Aid is provided through telephone contact, office visits, and/or home visits. The Police Department's goal is to lessen the trauma experienced by people who are victimized by violent crimes.

This grant will provide the fifteenth-year of funding for the salaries, benefits, training, and supplies of one full-time Victim Advocate and one part-time Victim Advocate. The Victim Services Coordinator's office is located in the Crimes Against Persons Division which includes the Homicide, Sexual Assaults, Aggravated Robbery, and Aggravated Assaults Unit. Referrals come from the detectives assigned to those units. It is important that victims are informed in a timely manner of the Texas Crime Victims Compensation Fund in order to provide emergency financial assistance for funeral benefits which may be needed and to provide information about the agencies that provide counseling and support.

BACKGROUND (Continued)

The Victim Advocates provide crime victim compensation application assistance, follow-up, information and referral, crisis counseling, and court advocacy for the survivors of homicides, sexual assaults, robbery, aggravated assaults, traffic fatalities or injuries as a result of failure to Stop and Render Aid and Driving While Intoxicated.

The State of Texas allocation for all awarded Victims of Crime Act (VOCA) grant funds, effective FY 2016, has been moved to the federal fiscal year, which runs October 1 through September 30. This adjustment has been made to allow both the State and grant recipients more time for smoother transactions between closing and awarding grants at the end of the grant period. Thus, the FY 15-16 Victim Services Program grant award is for 13 months to accommodate this shift in fiscal periods.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application for the Dallas Police Department Victim Services/10 grant on May 12, 2010, by Resolution No. 10-1208.

Authorized acceptance of the Dallas Police Department Victim Services/10 grant on October 13, 2010, by Resolution No. 10-2592.

Authorized application for the Dallas Police Department Victim Services/11 grant on April 27, 2011, by Resolution No. 11-1125.

Authorized acceptance of the Dallas Police Department Victim Services/11 grant on October 26, 2011, by Resolution No. 11-2837.

Authorized acceptance of the Dallas Police Department Victim Services/12 grant on October 10, 2012, by Resolution No. 12-2526.

Authorized acceptance of the Dallas Police Department Victim Services/13 grant on November 12, 2013, by Resolution No. 13-1941.

Authorized application for and acceptance of the Dallas Police Department Victim Services/14 grant on November 12, 2014, by Resolution No. 14-1913.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$15,589 - Current Funds

\$62,359 - Office of the Governor, Criminal Justice Division State Grant Funds

October 28, 2015

WHEREAS, the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice pass through State Office of the Governor, Criminal Justice Division, has made funds available for law enforcement projects during the 2015-16 fiscal year; and

WHEREAS, the City of Dallas was awarded the Dallas Police Department Victim Services/15 grant on August 25, 2015; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas finds it in the best interest of the citizens of Dallas that the Office of the Governor, Criminal Justice Division be operated for the 2015-2016 fiscal year; and

WHEREAS, the City of Dallas agrees to provide Cash Match funds for the said project as a requirement by the Office of the Governor, Criminal Justice Division grant application; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds identified as ineligible will be returned to the Criminal Justice Division; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantees authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to apply for and accept the Dallas Police Department Victim Services/15 grant, (Grant No. 2015-VA-GX-0009, CFDA #16.575) from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 for the period September 1, 2015 through September 30, 2016, and execute the grant agreement.

Section 2. That the City Manager is authorized to establish appropriations in the Dallas Police Department Victim Services fund in the amount of \$62,359 in Fund F475, Department DPD, Unit 1798, in accordance with Schedule A.

October 28, 2015

Section 3. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$62,359 into Fund F475, Department DPD, Unit 1798, Revenue Source 6506.

Section 4. That the Chief Financial Officer is authorized to disburse grant funds from Fund F475, Department DPD, Unit 1798, according to Schedule A, in an amount not to exceed \$62,359.

Section 5. That the Chief Financial Officer is authorized to disburse a local cash match from Fund 0001, Department DPD, Unit 2162, in an amount not to exceed \$15,589, in accordance with Schedule A.

Section 6. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division, in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all the Office of the Governor, Criminal Justice Division, final monitoring reports not later than 30 days after the receipt of the report.

Section 8. 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 is accordingly so resolved.

SCHEDULE A
Victim Services/15
FUND F475, Dept. DPD, Unit 1798, Revenue Source Code 6506
September 1, 2015-September 30, 2016

Object Code	Description	OOG Funds	Cash Match
1101	Civilian Salaries - FT Advocate/Caseworker	\$ 44,169.00	\$ -
1101	Civilian Salaries - PT Victim Advocate	\$ 11,814.55	\$ 2,377.43
1202	Overtime, Uniform		
1301	Pension, Civilian		\$ 6,108.57
1304	Life/Health Insurance		\$ 5,780.00
1306	FICA/Medicare	\$ 640.45	
2110	Office Supplies	\$ 2,535.00	\$ 523.00
3361	Professional Development(Travel)	\$ 3,200.00	\$ 800.00
	Sub-total	\$ 62,359.00	\$ 15,589.00
5010	Cash Match		\$ (15,589.00)
	Grant Total	\$ 62,359.00	\$ 0.00

Matching Funds

Cash Match
Fund 0001, Dept. DPD, Unit 2162

Object Code	Description	Amount
3081	Grant Cash Match (Pension/Uniformed)	\$ 15,589.00
	Total	\$ 15,589.00
Program Totals		\$ 77,948.00

KEY FOCUS AREA: Public Safety
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Police
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

Authorize **(1)** acceptance of a donation from the Dallas Police Youth Foundation in the form of a 25 passenger bus valued at \$62,347 to be used in youth community engagement activities; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City

BACKGROUND

The Dallas Police Youth Foundation (DPYF) is a community based 501c3 charitable entity that was formed in 2013 to help provide financial support for the Dallas Police Department’s community engagement efforts with our most vulnerable members – our youth. Despite being a young organization, they have been successful in locating funds to help grow the Youth Outreach Unit’s efforts in Dallas. They received cash donations that are earmarked for equipment and programs managed by the Youth Outreach Unit (Y.O.U.). A portion of these funds was used to purchase a 25 passenger bus that the DPYF wishes to donate to the Dallas Police Department on behalf of the Youth Outreach Unit to help transport youth to and from activities. Utilizing a 25 passenger bus will allow Y.O.U. personnel to transport a greater number of children in a more efficient and safer manner. The bus was purchased for \$62,347.00. The only limitation DPYF insists on is the bus be utilized solely for youth outreach programs. This bus will greatly enhance the Youth Outreach efforts to interact with the youth of Dallas.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

No cost consideration to the City

October 28, 2015

WHEREAS, Dallas Police Youth Foundation works closely with the City of Dallas to assist the Dallas Police Department engage the youth of Dallas in community programs; and

WHEREAS, Dallas Police Youth Foundation has received private funds earmarked for the purchase of a 25 passenger bus to assist the Dallas Police Department in its youth engagement efforts; and

WHEREAS, Dallas Police Youth Foundation has purchased the 25 passenger bus and would like to donate it to the City of Dallas for the usage of the Dallas Police Department's youth engagement activities; and

WHEREAS, it is in the best interest of the City of Dallas to accept such donations.

Now, Therefore,

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

Section 1. The City Manager is hereby authorized to accept the donation of a 25 passenger bus from the Dallas Police Youth Foundation valued at \$62,347 and to execute the grant agreement.

Section 2. That the City Manager is hereby authorized to limit the usage of this bus to be used by the Dallas Police Department for youth community engagement activities.

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

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police
Fire

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$1,000,000) and Current Funds (\$2,800,000)

BACKGROUND

The City has utilized the services of Southwestern Institute of Forensic Sciences at Dallas by mutual agreement since the inception of the Institute in 1969 and paid for the service by direct payment. The first Interlocal Agreement was entered into and effective in January, 2000. The agreement provides for annual renewal by the City.

Prior to 1969, the City and County jointly owned the Dallas City/County Criminal Investigations Laboratory. It was in 1969 that the City withdrew from this entity, and the laboratory became a County facility under the organizational structure of the Dallas County Medical Examiner's Office. The name was changed to Southwestern Institute of Forensic Sciences at Dallas.

This Interlocal Agreement authorizes a twelve (12) month contract between the City and County, acting through the Southwestern Institute of Forensic Sciences at Dallas to provide medical/forensic analytical services for the Dallas Police and Dallas Fire Departments. Total payments made by the City during the term of this contract shall not exceed \$3,800,000; however, this limit shall not relieve the City of its obligation to pay the County for additional services rendered at the City's request which may exceed the \$3,800,000 limit. The City shall be solely responsible for monitoring payments under this agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 23, 2002, by Resolution No. 02-3056.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2003, by Resolution No. 03-3075.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 10, 2004, by Resolution No. 04-3245.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 9, 2005, by Resolution No. 05-3255.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 25, 2006, by Resolution No. 06-2977.

Authorized a funding increase to the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 10, 2007, by Resolution No. 07-3010.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on January 23, 2008, by Resolution No. 08-0315.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 28, 2009, by Resolution No. 09-2636.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on January 26, 2011, by Resolution No. 11-0268.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on September 14, 2011, by Resolution No. 11-2407.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on September 26, 2012, by Resolution No. 12-2370.

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

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2013, by Resolution No. 13-1943.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2014, by Resolution No. 14-1914.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$1,000,000 - Confiscated Monies Funds

\$2,800,000 - Current Funds

October 28, 2015

WHEREAS, the Dallas Police and Fire Departments require forensic, toxicological, environmental and physical evidence analysis and other similar medical/forensic analytical services on a routine basis; and

WHEREAS, these services are routinely utilized by the City and provided locally by Dallas County through the Southwestern Institute of Forensic Sciences at Dallas; and

WHEREAS, the City entered the first Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas effective January 2000; and

WHEREAS, it is now desirable to renew the contractual agreement with Dallas County for the services provided through Southwestern Institute of Forensic Sciences at Dallas.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to enter into a renewal of the agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental and physical evidence analysis and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 in an amount not to exceed \$3,800,000; however, this limit does not relieve the City of its obligation to pay Dallas County for additional services rendered at the City's request which exceeds the \$3,800,000 limit.

Section 2. That the Chief Financial Officer is authorized to pay Dallas County (Vendor Number 014003), through Southwestern Institute of Forensic Sciences at Dallas total amounts not to exceed \$1,000,000 from Fund 0412, Department DPD, Unit 6368, Object 3040; \$2,795,000 from Fund 0001, Department DPD, Unit 2162, Object 3040, Encumbrance Number PX2162CR12A02; and \$5,000 from Fund 0001, Department DFD, Unit HS02, Object 3040, Encumbrance Number DFDHS02814 in accordance with the terms and conditions of the agreement.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 33D H; 34A E F J K

SUBJECT

Authorize a contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize a Construction Contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project at Dallas Love Field. This project consists of relocating existing runway holding position signs on Runway 13L/31R and Runway 13R/31L to meet current Federal Aviation Administration Standards.

On June 17, 2015, the bid opening was held for the Love Field Hold Sign Relocation Project at Dallas Love Field. EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~ was the only responsive bidder.

This project consists of relocation of existing holding position signs on to new sign bases; replacing some holding position signs in bad condition; grading and drainage modifications as necessary to accommodate new sign bases; installation of new light base cans and conduit, including devices such as new L-830 isolation transformers, new L-824 airfield lighting cable, ground rods, and counterpoise; application of new water-based reflective pavement markings with black outlines; demolition of existing sign bases, conduit, cable, and removal of existing pavement markings; and restoration of disturbed areas.

This action is to be performed in conjunction with Supplemental Agreement No. 1 with Atkins North America for construction administration and construction observation services, which Council will consider as a related item on this agenda.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2014
Completed Design	March 2015
Begin Construction	November 2015
Complete Construction	May 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Atkins North America, Inc. on September 24, 2014, for the design and preparation of construction documents for the Runway Signage and Marking Holding Position Relocation at Dallas Love Field, by Resolution No. 14-1604.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$1,306,252.00

Design Contract	\$274,722.00
Construction Administration SA No. 1	\$415,700.00
Construction Cost (this action)	<u>\$1,306,252.00</u>
Total	\$1,996,674.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

EAS Contracting, L.P. by EAS Contracting GP, LLC

Hispanic Female	0	Hispanic Male	70
African-American Female	0	African-American Male	13
Other Female	0	Other Male	3
White Female	9	White Male	64

BID INFORMATION

The following sole bid was received and opened on June 17, 2015:

*Denotes Successful bidder

BIDDER

BID AMOUNT

*EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~
6013 CR 437
Princeton, TX 75407

\$1,306,252.00

Note: Pursuant to the Public Works Department's (PBW) request, the Auditor's office has reviewed the single bid item and submitted related documentation and has determined PBW followed Administrative Directive 4-05 provisions for processing this single bid item and made reasonable efforts to increase bid participation. This proposed procurement meets the requirements for a single bid.

OWNER(S)

EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~

Carroll Edwards, President/Partner
Jerry Mills, Partner
Ray Naizer, Partner

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

EAS Contracting, L.P. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$1,306,252.00	100.00%
TOTAL CONTRACT	\$1,306,252.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

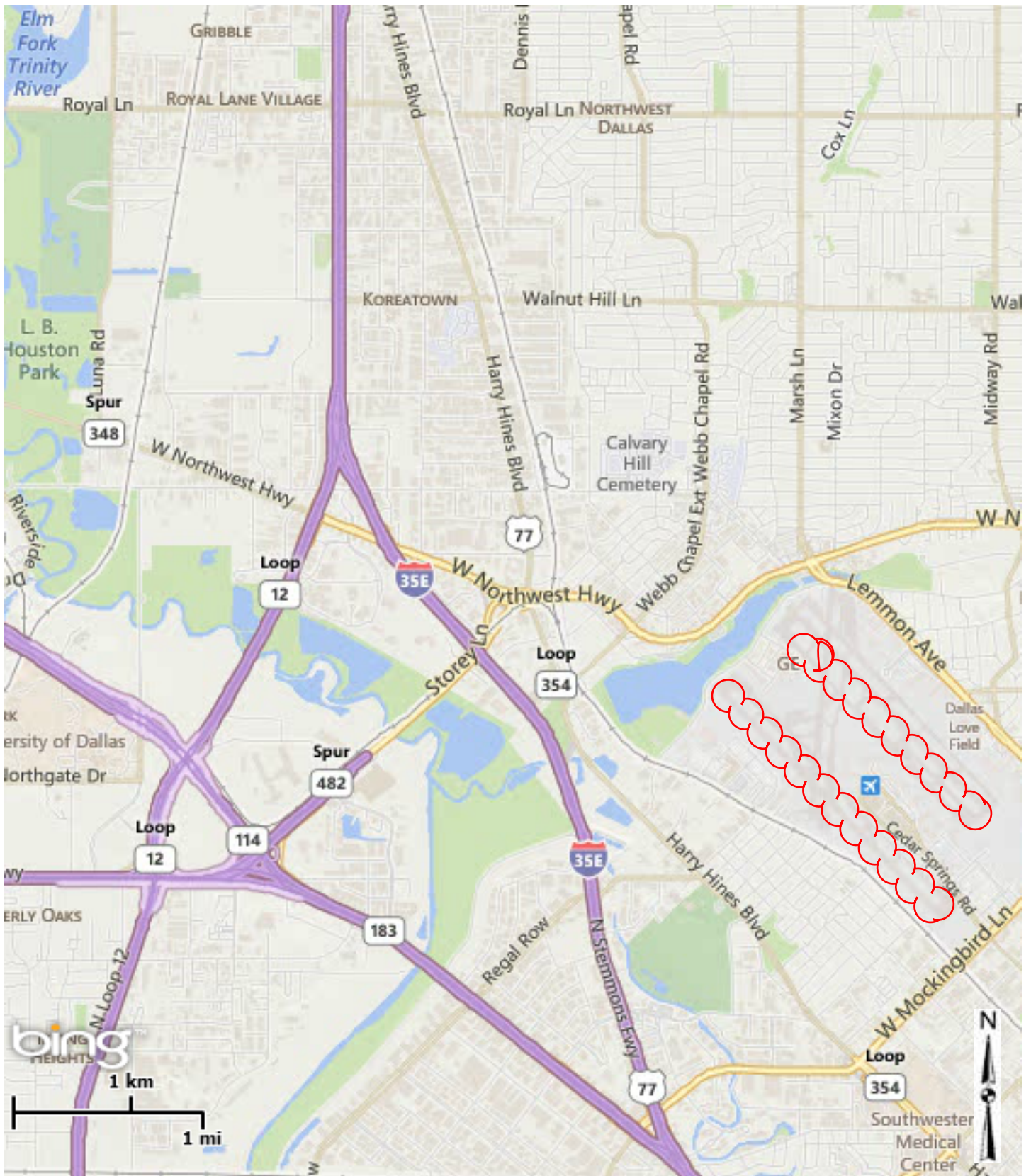
None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Chambers Engineering	BMDB22671N0716	\$366,545.00	28.06%
Total Minority - Non-local		\$366,545.00	28.06%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$366,545.00	28.06%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$366,545.00	28.06%



Dallas Love Field

Hold Sign Relocation Project

October 28, 2015

WHEREAS, in 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time; and,

WHEREAS, the current runway hold position markings and signage do not meet current Federal Aviation Administration standards for Runway Safety Areas at Dallas Love Field; and,

WHEREAS, in September 2012, the Federal Aviation Administration rescinded a waiver for Dallas Love Field allowing the runway hold position signage and pavement markings to remain in their existing locations; and,

WHEREAS, it is necessary to relocate the runway signage and pavement marking hold positions to meet current Federal Aviation Administration standards for the runway safety areas at Dallas Love Field; and,

WHEREAS, bid specifications were developed and publicly advertised for competitive bids for the Love Field Hold Sign Relocation Project; and,

WHEREAS, one bid was received and opened on June 17, 2015 for the Love Field Hold Sign Relocation Project at Dallas Love Field as follows:

<u>BIDDER</u>	<u>BID AMOUNT</u>
EAS Contracting, L.P. by EAS Contracting GP, LLC	\$1,306,252.00

WHEREAS, it is now desirable to authorize a construction contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~ for construction of the Love Field Hold Sign Relocation Project at Dallas Love Field in an amount not to exceed \$1,306,252.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~ to provide construction services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$1,306,252.00, after it has been approved as to form by the City Attorney.

October 28, 2015

Section 2. That the City will apply for Passenger Facility Charge (PFC) funding at a later date for the eligible construction cost \$1,306,252 of the Love Field Hold Sign Relocation Project; and upon approval of the PFC for these projects, the Chief Financial Officer is hereby authorized to transfer from the PFC Fund 0477, Dept. AVI, cash account 0001 to the Aviation Capital Construction Fund 0131, Dept. AVI, cash account 0001.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,306,252.00 to be paid to EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~ in accordance with the terms and conditions of the contract from:

Love Field Hold Sign Relocation Project

Aviation Capital Construction Fund

Fund 0131, Department AVI, Unit P919, Account AAIP,

Object 4599, Program #AVIP919, CTAVIHSEASFY15

Vendor #518115, in an amount not to exceed

\$1,306,252.00

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 33D H; 34A E F J K

SUBJECT

Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action is to be performed in conjunction with the construction contract with EAS Contracting, L.P. by ~~EAS Contracting GP~~ for construction services which Council will consider as a related item on this agenda.

This action will authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time, on-site construction administration and construction observation services for Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700, from \$274,722 to \$690,422.

In 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time. In September 2012 the waiver was revoked by the FAA and the Department of Aviation was advised to relocate the hold position signage and markings as mid-field take offs are no longer permitted at Dallas Love Field. Currently the signs and marking are approximately 200-ft from the runway centerline. Atkins North America, Inc. evaluated and developed construction documents to accommodate the correct location of the new signage and marking placement in order to comply with current standards, which are 255-ft from the runway centerline.

BACKGROUND (Continued)

This project consists of relocation of existing holding position signs on to new sign bases; replacing some holding position signs in bad condition; grading and drainage modifications as necessary to accommodate new sign bases; installation of new light base cans and conduit, including devices such as new L-830 isolation transformers, new L-824 airfield lighting cable, ground rods, and counterpoise; application of new water-based reflective pavement markings with black outlines; demolition of existing sign bases, conduit, cable, and removal of existing pavement markings; and restoration of disturbed areas.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction November 2015
Complete Construction May 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract on September 24, 2014, for the design and preparation of construction documents for the Runway Signage and Marking Holding Position Relocation at Dallas Love Field, by Resolution No. 14-1604.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$415,700.00

Design	\$274,722.00
Construction Administration SA No. 1 (this action)	\$415,700.00
Construction Cost	<u>\$1,306,252.00</u>
Total	\$1,996,674.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Atkins North America, Inc.

Hispanic Female	124	Hispanic Male	192
African-American Female	78	African-American Male	85
Other Female	64	Other Male	116
White Female	564	White Male	1,214

OWNER(S)

Atkins North America, Inc.

Joe Boyer, Chief Executive Officer

Ernie Edgar, Sr. Vice President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds

Atkins North America, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$248,770.00	59.84%
Non-local contracts	\$166,930.00	40.16%
TOTAL THIS ACTION	\$415,700.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

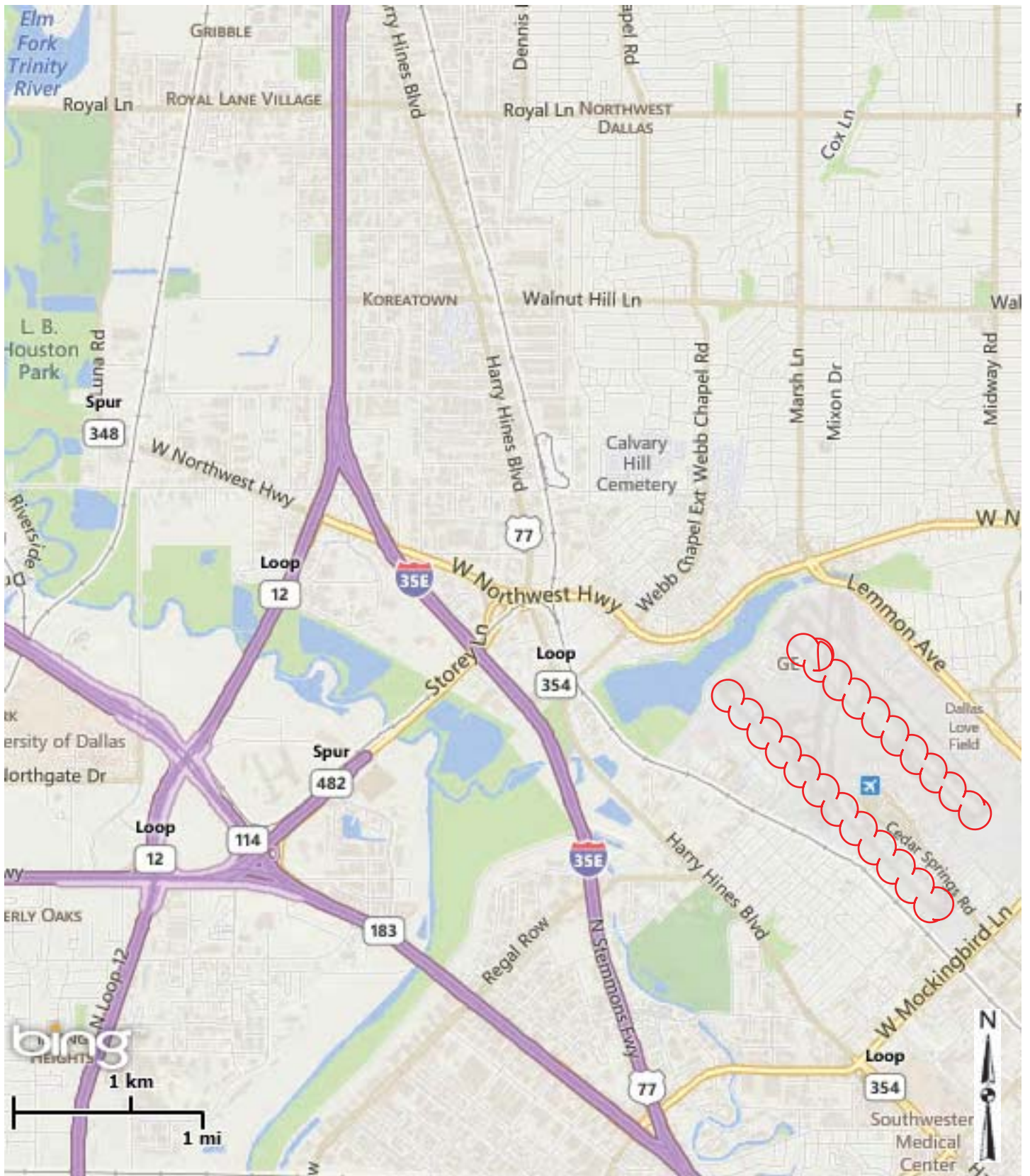
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
HVJ Associates	BMMB61733N0516	\$22,164.50	8.91%
Total Minority - Local		\$22,164.50	8.91%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Williams CM Group	WFDB62387Y0615	\$166,930.00	100.00%
Total Minority - Non-local		\$166,930.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$22,164.50	5.33%	\$22,164.50	3.21%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$18,962.00	2.75%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$166,930.00	40.16%	\$206,190.00	29.86%
Total	\$189,094.50	45.49%	\$247,316.50	35.82%



Dallas Love Field

Hold Sign Relocation Project

October 28, 2015

WHEREAS, in 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time; and,

WHEREAS, the current runway hold position markings and signage do not meet current Federal Aviation Administration standards for Runway Safety Areas at Dallas Love Field; and,

WHEREAS, in September 2012, the Federal Aviation Administration rescinded a waiver for Dallas Love Field allowing the runway hold position signage and markings to remain in their existing locations; and,

WHEREAS, it is necessary to relocate the runway signage and marking hold positions to meet current Federal Aviation Administration standards for the Runway Safety Areas at Dallas Love Field; and,

WHEREAS, four firms submitted proposals to provide Engineering Services for the Runway Hold Position Relocation Project at Dallas Love Field; and,

WHEREAS, Atkins North America, Inc. was selected as the most qualified proposer of four as a result of a qualifications-based selection process in accordance with City of Dallas procurement guidelines; and,

WHEREAS, on September 24, 2014, Resolution No. 14-1604 authorized a professional services contract with Atkins North America for the design and preparation of construction documents for the Hold Sign Relocation Project at Dallas Love Field in the amount of \$274,722.00; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the professional services contract with Atkins North America, Inc. to provide construction administration and construction management services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700.00, from \$274,722.00 to \$690,422.00.

Now, Therefore,

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

October 28, 2015

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Atkins North America, Inc. to provide construction administration and construction management services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700.00, from \$274,722.00 to \$690,422.00 after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$415,700.00 to be paid to Atkins North America, Inc. in accordance with the terms and conditions of the contract:

Aviation Capital Construction Fund

Fund 0131, Department AVI, Unit P919, Act. AAIP,
Object 4599, Program #AVIP919, CT AVI ATK P919F14
Vendor #066365, in an amount not to exceed

\$415,700.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): 2, 6, 14
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 671-9837
MAPSCO: N/A

SUBJECT

West Dallas Sub District

- * Authorize a Chapter 380 economic development grant agreement with Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P. in an amount not to exceed \$2,500,000 for the relocation of Argos Ready Mix (South Central) Corporation's Corp. existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities at the new site - Not to exceed \$2,500,000 - Financing: 2012 Bond Funds (\$1,100,000) and General Obligation Commercial Paper Funds (\$1,400,000)
- * Authorize an agreement with West Dallas Investments, L.P. that details general redevelopment commitments by West Dallas Investment L.P. and future City commitment of public funds and incentives that will benefit property owned or to be purchased by West Dallas Investment L.P. in the West Dallas area - Financing: No cost consideration to the City

BACKGROUND

Argos Relocation Project – Chapter 380 Grant Agreement

~~Argos Ready Mix South Central Corp.~~ Argos Ready Mix (South Central) Corp. (“Argos”) produces ready mix concrete at its current plant location (240 Singleton Boulevard), less than 600 feet west of the foot of the Margaret Hunt Hill Bridge. Bond funding has been requested to assist with the relocation of Argos’ current operations from its existing location to a more suitable site (2900 W. Commerce Street) in the Lone Star Industrial Park, currently owned by West Dallas Investments, L.P. (“WDI”).

BACKGROUND (Continued)

The proposed relocation project costs ~~are approximately~~ will range from \$13 million to \$17 million. Argos will invest approximately \$10.5 million in construction of state of the art facilities at the new site. ~~An additional~~ A minimum \$2.5 million in railroad track improvements ~~is needed to~~ will be invested to provide rail service to the new site. Argos' existing site is currently serviced by rail, unlike its proposed new location.

The proposed Argos ~~relocation project~~ Relocation Project creates redevelopment opportunities for the site at the gateway to the Margaret Hunt Hill Bridge, removes a current eyesore in the area, secures dedication of necessary right-of-way for the City's thoroughfare plan and public access easements for open space required by the area's zoning (Planned Development 891). Argos's relocation would not occur without the requested \$2.5 million in Bond funding to reimburse costs of the railroad improvements.

Agreement with West Dallas Investments – Future Development Commitments

The City of Dallas' 2012 Bond Program included significant funding for a capital improvement project in West Dallas, the West Dallas Gateway Project. Approximately \$34.3 million was identified to design and construct extensions of three existing streets, Herbert, Bataan and Amonette Streets from Singleton Boulevard to West Commerce Street including three new railroad crossings under the Union Pacific Railroad tracks at ~~Herbert, Bataan and Amonette Streets~~. These three street extensions and railroad crossings are critical to creating a connected street grid between Singleton Boulevard, south to West Commerce Street, as prescribed in the CityDesign Studio's West Dallas Urban Structure and Guidelines adopted by City Council in 2011.

Since 2012, the West Dallas/Trinity Groves area has become a destination for many as a result of WDI's restaurant incubator project located at the foot of the Margaret Hunt Hill Bridge. WDI owns over 80 acres of property in the West Dallas area bounded by Singleton Boulevard on the north, West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west. Investment of 2012 bond funding to construct the West Dallas Gateway Project directly benefits WDI's property.

The proposed agreement will provide a guide for future development in the West Dallas area, outlining WDI redevelopment commitments and City public funding/incentive commitments. Specifically, in consideration of the City's formal commitment of bond funding for the West Dallas Gateway Project, WDI has committed to:

- o Dedicate right-of-way necessary to construct the West Dallas Gateway Project
- o Provide public access easements for open space required by PD 891
- o Construct at least 10% of all multi-family residential rental units to be affordable to a household earning 80% or below of the area median income for the Dallas metropolitan area
- o Urban Design Peer Review of all development projects requiring public subsidy

BACKGROUND (Continued)

The City has also committed to working with WDI to amend Planned Development 714, which encompasses properties owned by WDI south of the railroad tracks, to allow density similar to PD 891 zoning, provided WDI includes in the zoning regulations open space; and mixed income and ~~Urban Design Peer Review~~ provisions.

ESTIMATED SCHEDULE OF PROJECT

Relocation Project Start Date	December 2015 <u>June 2016</u>
Relocation Project Completion Date	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

On November 6, 2012, Dallas voters approved a \$642 million General Obligation Bond Program of which \$55,000,000 in bond funding to promote economic development activities in southern Dallas and promoting economic development in other areas of the City in conjunction with transit-oriented development by providing public infrastructure and funding the City's economic development programs for such areas.

On June 25, 2014, City Council: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act") by Resolution No. 14-0993.

On June 25, 2014, City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 14-0993, as amended.

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

~~On May 23, 2012, City Council conducted a public hearing and received comments on amendments to the Sports Arena TIF District Project and Reinvestment Zone Financing Plans and authorized an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to (1) add two new sub-districts within the Sports Arena TIF District: (a) Riverfront Gateway Sub-district and (b) West Dallas Sub-district; (2) increase the geographical area of the Sports Arena TIF District to add approximately: (a) 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); (b) 33 acres in the Riverfront Gateway Sub-district; and (c) 89.2 acres in the West Dallas Sub-district; (3) extend the termination date of the Sports Arena TIF District for a 10-year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the Sports Arena TIF District budget from \$25,498,568 NPV (approximately \$46,961,785 total dollars) to \$94,409,005 NPV (approximately \$273,599,175 total dollars), an increase of \$68,910,437 NPV (approximately \$226,637,390 total dollars); (6) create an Economic Development TIF Grant Program within the District and adopt program guidelines; (7) make corresponding modifications to the Sports Arena TIF District map, budget and Project and Reinvestment Zone Financing Plans by Ordinance No. 28672.~~

Information about this item ~~will be~~ was provided to the Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

\$1,100,000 - 2012 Bond Funds

\$1,400,000 - 2012 Bond Program (General Obligation Commercial Paper Funds)

PROJECT COUNCIL DISTRICT

6

OWNER/DEVELOPER

Argos Ready Mix (South Central) Corp.

Tommy Abbott, President
850 Freeport Parkway, Ste. 200
Irving, TX 75063

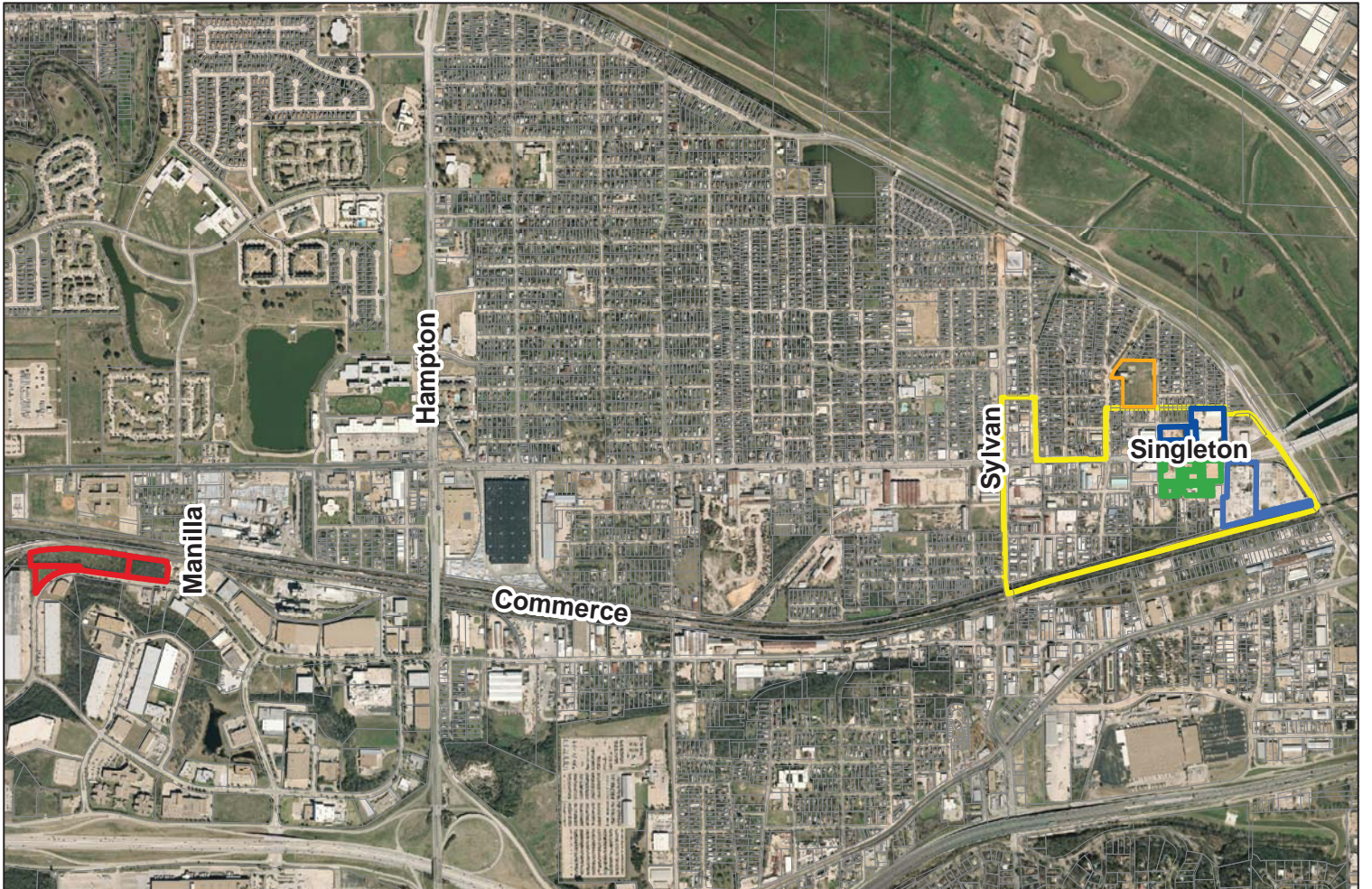
OWNER/DEVELOPER

West Dallas Investments, L.P.







Jim Reynolds, Manager
425 Bedford St.
Dallas, TX 75212

MAP

Attached.



Legend

- | | | |
|--|---|---|
|  Trinity Groves Mixed-Use |  Trinity_Groves_Restaurant_Incubator |  LaBajada_Urban_Youth_Farm |
|  New_Batch_Plan_Site_2900_W_Commerce |  Batch_Plant_Site |  Sports_Arena_TIF_Boundary |

October 28, 2015

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

WHEREAS, the City Council adopted Ordinance 28740, as amended, on August 15, 2012 to authorize a bond election to be held on November 6, 2012 authorizing general obligation bonds; and

WHEREAS, on November 6, 2012, Dallas voters approved a \$642 million General Obligation Bond Program of which \$55,000,000 in bond funding to promote economic development activities in southern Dallas and promoting economic development in other areas of the City in conjunction with transit-oriented development by providing public infrastructure and funding the City's economic development programs for such areas; and

WHEREAS, the City, pursuant to Resolution No. 14-0993 approved by the City Council on June 25, 2014: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act"); and

WHEREAS, on June 25, 2014, City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 14-0993, as amended; and

WHEREAS, the City desires to enter into an economic development grant agreement with Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P. for the relocation of Argos Ready Mix (South Central) Corporation's Corp. existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities and railroad improvements at the new site.

NOW, THEREFORE,

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

October 28, 2015

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Argos Ready Mix (South Central) Corp. ("Argos") and West Dallas Investments, L.P. ("WDI") to defray project costs associated with the relocation of Argos's current operations at 240 Singleton Blvd., Dallas, Texas to a property located in the Lone Star Industrial Park addressed as 2900 West Commerce Street, construction of new facilities at the industrial park and railroad improvements to provide rail service to the site.

Section 2. That the economic development grant with Argos Ready Mix (South Central) Corp., in an amount not to exceed \$2,500,000, is hereby expressly made subject to all of the following contingencies for Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P., which must be performed or occur.

West Dallas Investments, L.P. Requirements:

- A. The satisfaction of the Argos Development Requirements (defined herein);
- B. Acquisition of the current Argos concrete plant property on or before December ~~24~~ 31, 2015;
- C. Approval by City Council of a Final Plat for WDI's Columbus Realty Project which includes a portion of the existing concrete plant site and makes the following right-of-way dedications for the following streets by September 30, 2015:
 - a. Amonette Street
 - b. Akron Street
 - c. Herbert Street
- D. Submission of a copy of the recorded plat for the Columbus Realty Project to the Office of Economic Development ("OED") Director;
- E. Should there be any rental multi-family residential units constructed on the plant site, it shall provide mixed income housing and comply with the Sports Arena TIF District Mixed Income Housing Policy; and
- F. Record deed restrictions on current Argos concrete plant property for the benefit of City within 30 days after WDI's acquisition of plant site to cause the mixed income requirements to continue to burden the property in case the property is sold or conveyed to another entity prior to the end of the Affordability Period. Such deed restrictions shall be released in the event this Agreement is terminated prior to the end of the Affordability Period, except in the event of Default of these terms by WDI or Argos.

October 28, 2015**Section 2. (Continued)****Argos Ready Mix (South Central) Corp. Requirements:**

- A. The satisfaction of the WDI Development Requirements;
- B. Sale of Argos' current concrete plant property to WDI by December 24 31, 2015;
- C. Sign the "Owners Dedication" signature block on the approved Final Plat for the Columbus Realty Project prior to recordation of the plat with Dallas County;
- D. Invest a minimum of \$10,000,000 in relocation and construction costs for the new Argos facility at 2900 W. Commerce and provide verification;
- E. Begin construction of the new facilities within 60 days of receiving a Building Permit from City of Dallas;
- F. Prior to construction Argos shall submit documentation evidencing the following:
 - a. An Air Permit issued by Texas Commission on Environmental Quality ("TCEQ") for construction of new plant
 - b. Union Pacific Railroad ("UPRR") approval of rail improvement portion of the project
 - c. Dallas, Garland & Northeastern Railroad ("DGNO") approval of rail improvement portion of the project
 - d. Executed track agreements with DGNO Railroad
- G. Complete construction and obtain final acceptance of the newly constructed spur and switches by DGNO by December 31, 2017, and submit documentation of acceptance to the OED Director;
- H. Execute or provide evidence of an executed Operating and Maintenance Agreement for rail spur and switches upon completion of the rail spur, if required;
- I. Complete construction of new LEED certified facilities and be operational at new location at 2900 W. Commerce Street by December 31, 2017, as evidenced by a Certificate of Occupancy issued by the City;
- J. Vacate facilities and cease operations at 240 Singleton Boulevard by December 31, ~~2016~~ 2017;

October 28, 2015

Section 2. (Continued)

- K. Submit to the Director of the Office of Economic Development a quarterly status report for ongoing work on the Project. Status reports will be due once every three months after the Council approval date; and
- L. Comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise ("M/WBE") participation for construction expenditures for the Project and meet all reporting requirements.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds from:

Fund 2U52, Department ECO, Unit W043, Object 3016, Activity ECNR, CT ECOW043A258, Vendor No. VS89721, in an amount not to exceed \$1,100,000;

Fund 3U52, Department ECO, Unit W043, Object 3016, Activity ECNR, CT ECOW043A258, Vendor No. VS89721, in an amount not to exceed \$1,400,000;

Total amount not to exceed \$2,500,000.

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.

October 28, 2015

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

WHEREAS, the City wishes to encourage the development/redevelopment of the West Dallas area generally described as being bounded by Singleton Boulevard to the north, Fort Worth Avenue/West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west; and

WHEREAS, the City adopted the West Dallas Urban Structure and Guidelines, a shared vision area plan for the future of the portion at the foot of the Margaret Hunt Hill Bridge that provide guidelines for development of the public realm and individual development sites in 2011; and

WHEREAS, the City identified approximately \$34.3 million of City of Dallas 2012 Bond Program funding for the design and construction of extensions of Herbert, Amonette and Bataan Streets to cross under the Union Pacific Railroad track and intersect with Fort Worth Avenue/West Commerce Street; and

WHEREAS, West Dallas Investments, L.P., owns over 80 acres of property in the West Dallas area and much of that property abuts the proposed West Dallas Gateway Project; and

WHEREAS, information about this item ~~will be~~ was provided to the Economic Development Committee on October 19, 2015.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute an agreement between the City of Dallas ("City"), and West Dallas Investments, L.P., ("WDI") in connection with WDI's proposed development in the West Dallas area and the future commitment of public funds and incentives benefitting property owned by WDI in the West Dallas area or located within the reasonable vicinity of said property and purchased by WDI ~~and City commitments~~ as described and attached hereto as **Exhibit A**.

Section 2. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 3. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds and that any specific request to create a special financing district or for individual funding requests shall require separate City Council actions.

October 28, 2015

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.

Exhibit A

Term Sheet with West Dallas Investments, L.P.

The purpose of this document is to detail the minimum required terms for a future agreement (“Agreement”) between the City of Dallas (“City”), and West Dallas Investments, L.P., a Texas limited partnership, acting by and through its general partner, _____ (collectively “WDI”) in connection with WDI’s proposed development in the West Dallas area and the future commitment of public funds and incentives benefitting property owned as of or purchased after the date of the Dallas City Council Resolution approving this Term Sheet by WDI or its affiliates or subsidiaries in the area bounded by Singleton Boulevard on the north, West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west (excluding the approximately 4.5 acre tract of land located on Commerce Street between future Amonette Street and future Herbert Street currently under contract for sale by WDI to a third party) (collectively, the “Property”). This Term Sheet is presented to the City Council for consideration; however, unless and until approval of the City Council is obtained and mutually satisfactory definitive documents are executed and delivered, any party may discontinue negotiations hereunder and no party shall be bound.

The City has identified approximately \$34.3 million of City of Dallas’ 2012 Bond Program funding for the design and construction of three new railroad crossings under the Union Pacific Railroad tracks and roads at Herbert, Bataan and Amonette Streets (the “West Dallas Gateway Project”). The West Dallas Gateway Project is consistent with and furthers the objectives and goals of the West Dallas Urban Structure Guidelines, thereby providing a substantial benefit to all of the property in its general vicinity and the public generally. The Property consists of over 80 acres, and much of the Property abuts the West Dallas Gateway Project. Accordingly, WDI likewise directly benefits from the West Dallas Gateway Project. No bond funding, however, has been formally committed to the West Dallas Gateway Project and unless and until final specifications for these proposed improvements have been approved and construction contracts for the West Dallas Gateway Project have been approved and awarded by the City Council, those funds may be reallocated at any time to other projects within the recommended program.

I. WDI Commitments

WDI agrees to:

- a. Provided that necessary right-of-way has been conveyed or acquired, construct the remaining portion of Herbert Street between Singleton and Akron Street and adjacent to the mixed-use project currently under development on the south side of Singleton Boulevard between Herbert Street and Amonette Street (the “Columbus Project”) prior to, or in conjunction with, the development of Lot 2, Block 7087 shown and highlighted on **Exhibit A**; and

Exhibit A

- b. Within a reasonable time after the West Dallas Gateway Project remaining alignments are approved and adopted by the City and/or applications by WDI are made to the City for development plans or platting the Property, dedicate by plat or separate instrument as determined by the City, rights-of-way, easements and other access concessions deemed necessary for streets associated with the West Dallas Gateway Project. Preferred roadway alignment and right-of-way dedication plans for Amonette Street, Herbert Street and Bataan Street are depicted on **Exhibit B**, attached hereto; and

- c. WDI recognizes that **Exhibit B** does not show alignments for Herbert and Amonette Streets south of Main Street nor does it show an alignment for Bataan Street south of WDI owned property located on Main Street. WDI acknowledges and understands any approved alignment for the remaining portions of Herbert, Amonette and Bataan Streets will meet the following design requirements:
 - 1. Where possible, alignments will pass through property owned by WDI to allow right-of-way dedication by WDI, resulting in dedication credits that can be applied towards right-of-way abandonments necessitated by redevelopment projects on the Property;
 - 2. Alignments will provide a direct connection from the railroad crossing to West Commerce Street;
 - 3. Alignments should not create any additional turning movements for traffic traveling south on Herbert, Amonette and Bataan Streets to West Commerce Street.

- d. Meet Mixed Income Housing Requirements for Future Residential Development (“Mixed Income Housing Requirements”) as detailed below:
 - 1. WDI shall ensure that (i) at least ten percent (10%) of all multifamily residential rental units constructed on the Property shall be reserved for and solely leased to households earning at or below 80% percent of the area median family income for the Dallas metropolitan area as determined annually by HUD (“Eligible Household”) at a lease rate that is affordable to the Eligible Households, and (ii) that each of the reserved units shall solely be occupied by Eligible Households for a period of 15 years commencing on the date that the building in which the reserved unit is located receives its final certificate of occupancy from the City (the “Affordability Period”).

 - e. WDI shall be in default of its obligations hereunder if City determines that residential rental units have been constructed on the Property and are not being

Exhibit A

reserved for and leased to Eligible Households as described herein. This obligation shall be enforceable by the City by specific performance against WDI or the current owner of the Property, including payment by WDI to the City of its attorney's fees and costs of enforcement (subject to the limitations of section d(3)(b) below).

1. (a) WDI shall submit to the City annual reports beginning on January 1, 2017, verifying that the Property is in compliance with the Mixed Income Housing Requirements. (b) City shall have the right to inspect all rent rolls and other records that it deems necessary or useful in determining WDI's compliance with the Mixed Income Housing Requirements. City shall have access to such records upon 5 business days prior written request to WDI or its designated property manager. (c) Notwithstanding the foregoing, City shall not monitor WDI's compliance with the Mixed Income Housing Requirements contained herein and shall not issue any default notice related thereto until the earlier of (i) the date all residential units within the Columbus Project plus an additional 400 residential units have been constructed on the Property and a final certificate of occupancy has been issued or (ii) December 31, 2019.
2. Prior to construction on the Property of a project containing residential rental units, if WDI desires to include any such units toward the minimum amount of mixed-income housing units required, WDI shall record (or shall direct its affiliate or subsidiary to record) deed restrictions in a form acceptable to City and WDI to ensure compliance with the Mixed Income Housing Requirements, including the Affordability Period, including the City's enforcement rights related thereto, for the applicable portion of the Property.
3. If (a) any portion of the Property is sold during the period that begins on the date of the resolution by the Dallas City Council approving this Term Sheet and ends twenty years from the execution date of this Term Sheet, and (b) the buyer of the WDI Property is not WDI or an affiliate or subsidiary of WDI, and (iii) WDI desires to include any residential units to be constructed on said property toward the minimum amount of mixed-income housing units required, WDI shall execute (or direct its affiliate or subsidiary to execute) deed restrictions in a form to be mutually agreed upon by WDI and the City and record such executed deed restrictions in the real property records of Dallas County prior to the closing of the sale to ensure that the sold property will comply with the Mixed Income Housing Requirements. The deed restrictions will contain, at a minimum, the Mixed Income Housing Requirements, including the Affordability Period, and an agreement that the City may enforce the deed restrictions by specific performance, including collection of attorney's fees and costs of enforcement, and the deed restrictions shall include the City as a signatory thereto. When deed restrictions in the form described above have been recorded

Exhibit A

in the official real property records of Dallas County, Texas, WDI shall be released from its liability under sections d(1) and d(2).

4. Income-restricted units within a residential project receiving Tax Increment Finance (“TIF”) subsidy will be included in the calculation of the minimum amount of mixed-income housing units required in section (d)(1) above.
5. If the United States Department of Housing and Urban Development (“HUD”) imposes additional requirements on the City’s housing programs, Developer shall cooperate in good faith to reach a mutual agreement on reasonable modifications to the Mixed Income Housing Requirements and citywide housing guidelines to comply with such requirements.
- f. Submit design plans to the CityDesign Studio for review and design recommendations by the City of Dallas Urban Design Peer Review Panel (“UDPRP”) for proposed development projects on any portion of the Property located within the boundary of the West Dallas Sub-district of the Sports Arena TIF District, applying for TIF or other City subsidies and work collaboratively with the City Design Studio to address the UDPRP’s recommendations in a project’s design plans to ensure buildings, streets and open space proposed on the Property deliver a vibrant, livable and pedestrian oriented neighborhood consistent with the spirit and intent of the West Dallas Urban Structure and Guidelines.
- g. Property located within the West Dallas Sub-district of the Sports Arena TIF District and not applying for TIF or other City subsidies shall submit design plans for proposed development to the Office of Economic Development for TIF staff review of adjacency design compatibility.
- h. In formulating an amendment to and/or expansion of Planned Development (“PD”) 714, as further described in Section II below, the CityDesign Studio and UDPRP will review the proposed PD amendment and propose design recommendations. WDI and CityDesign Studio will work collaboratively to include UDPRP recommendations in a revised and/or expanded PD 714 to ensure buildings, streets and open space proposed deliver a vibrant, livable and pedestrian oriented neighborhood consistent with the spirit and intent of the West Dallas Urban Structure and Guidelines.
- i. Should WDI apply for or the City initiate an amendment and/or expansion of PD 714 to achieve density similar to PD 891, then WDI agrees to include and/or support:
 1. An open space requirement commensurate in size (as measured by a percentage of the overall PD area) and quality to open space required by PD 891; and

Exhibit A

2. Mixed Income Housing Requirements as outlined in Section I (d).

II. City Commitments.

City agrees to the following:

- a. City staff will work in good faith with WDI to present an amendment to all or a portion of PD 714 located south of the Union Pacific Railroad tracks to City Plan Commission (“CPC”) in order to achieve density similar to PD 891, and if such amendment is approved by the CPC, such amendment will be presented to the City Council for consideration. Any and all necessary zoning, replatting, abandonment, building inspection, or similar approval decisions, however, will be made by the appropriate body of the City or other entity, and such approval is solely within the discretion of that body.
- b. Credit the fair market value, as determined by an independent third-party appraisal authorized by the City’s Real Estate Division, of mutually agreed upon right-of-way dedications by plat or separate instrument as determined by the City, made by WDI for Amonette, Herbert, and Bataan Streets, and any other streets shown or added to the City’s thoroughfare plan for the area towards right-of-way abandonments necessitated by redevelopment projects on the Property in an amount of dollars per square foot equal to or greater than the amount of dollars per square foot being paid for the applicable abandonment, as determined by an independent third-party appraisal authorized by the City’s Real Estate Division. It is understood by WDI and City that the timing of certain right-of-way dedications and right-of-way abandonments may not be concurrent, and accordingly, WDI shall be allowed to carry forward or “bank” credits for past right-of-way dedications to apply to future abandonments.
- c. After finalization of the roadway alignments for the West Dallas Gateway Project, City shall work with WDI in good faith to identify additional right-of-way and easement abandonments necessary to allow for WDI to achieve its development plans for the Property; provided, further, that the credits derived in Section II(c) above may likewise be applied to the cost of abandonments contemplated by this section.
- d. City recognizes that the existing storm water and related utility infrastructure for the Property and surrounding property in the general vicinity of the Property not owned by WDI is inadequate, and therefore, City will work in good faith with WDI to designate improvements to said storm water and related infrastructure that could potentially be funded by a future bond issuance. If public funds are applied to said improvements in the

Exhibit A

future, City shall not seek any increase in the amount of mixed-income housing units required by any final agreement between the parties.

III. Additional Consideration.

- a. The parties acknowledge that a substantial inducement to WDI’s willingness to enter into any final agreement is completion of the West Dallas Gateway Project and an amendment to and/or expansion of PD 714 to achieve density similar to PD 891.

The commitments identified in this Term Sheet are the minimum requirements for any future Agreement between the City and WDI and its subsidiaries and affiliates for the commitment of public funds to the West Dallas Gateway project, subject to City Council approval.

The City and WDI agree to proceed promptly to present the Agreement to the City Council, as soon as practicable following the execution of this Term Sheet, including all documentation necessary, appropriate or desirable to carry out the transactions agreed to by the parties in this document. The authority to bind the City, however, is reserved to City Council and that body is entitled, in its absolute discretion (subject to state and federal law, City Charter, and City Code) to approve, disapprove or refuse to consider any proposed Agreement presented to said council.

RECOMMENDED BY DIRECTOR:

Frank Karl Zavitkovsky
Office of Economic Development

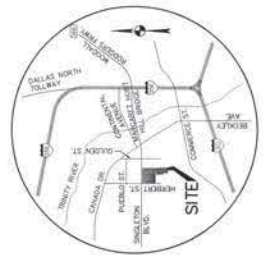
**CONSENT TO TERMS
DEVELOPER:**

West Dallas Investments, L.P.
a Texas Limited Partnership

By: _____
Jim Reynolds
Senior Vice President

Attachments

- Exhibit A** Final Plat for Columbus Realty Project
- Exhibit B** West Dallas Gateway Project – Preferred Roadway Alignment and ROW Dedications Plan



VICINITY MAP
MAP 530-440



- NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE, ZONE 4922, NAD(83) 83, EPOCH 2000.0 AS DERIVED FROM GPS RECORDS OBTAINED BY FIM METHOD.
 2. LOT-TO-LOT DIMENSIONS ARE NOT PERMITTED WITHOUT ENGINEERING SECTOR APPROVAL.
 3. THE PURPOSE OF THIS PLAN IS TO SUBMIT LOCAL BUILDING LOTS FOR DEVELOPMENT PURPOSES.
 4. ALL STRUCTURES ON LOTS 1 AND 2 TO BE REMOVED.
 5. COORDINATES, BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
 6. LOT 1, BLOCK A/7087 IS SUBJECT TO THE BACK FLOW RELEASE RECORDED IN INSTRUMENT NO. 2016002481, D.P.R.D.C.T.

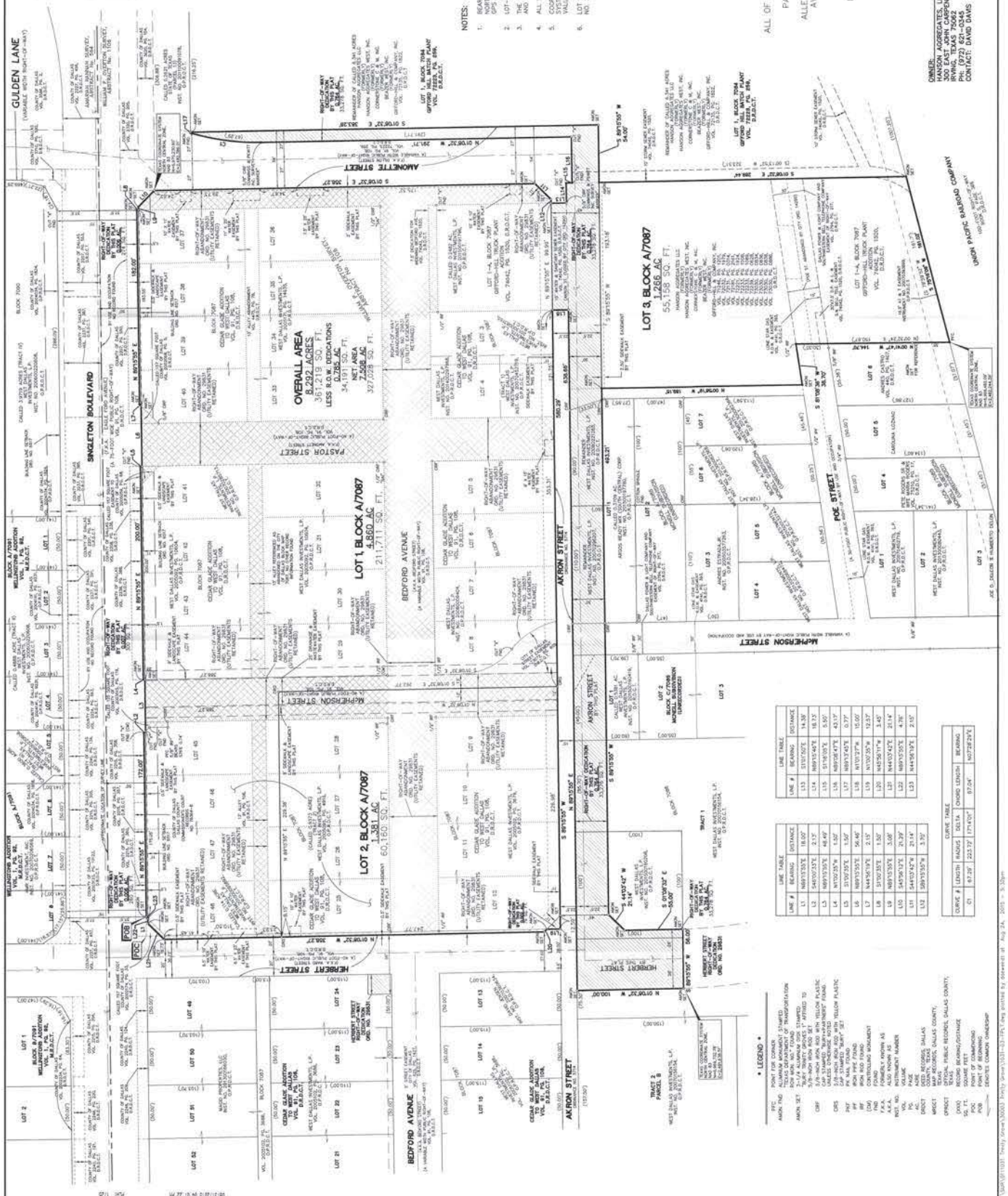
FINAL PLAT
TRINITY GROVES NO. 1
LOTS 1-3, BLOCK A/7087

REPLAT OF LOTS 3-12, 23-48, BLOCK 7087 OF TRINITY GROVES NO. 1, RECORDED IN VOLUME 91, PAGE 108, D.P.R.D.C.T. AND RECORDED IN VOLUME 91, PAGE 108, D.P.R.D.C.T. AND ALL OF LOT 1-A, BLOCK 7087 OF GIFFORD HILL TRUCK PLANT ADDITION, RECORDED IN VOLUME 74042, PAGE 1520, D.P.R.D.C.T. PART OF LOT 1, BLOCK 7084 OF GIFFORD HILL BATCH PLANT, RECORDED IN VOLUME 74042, PAGE 1520, D.P.R.D.C.T. ALLEY ABANDONMENTS, HERBERT STREET RIGHT-OF-WAY, BEDFORD AVENUE RIGHT-OF-WAY, MOPHERSON STREET RIGHT-OF-WAY, AMONETTE STREET RIGHT-OF-WAY ABANDONMENTS RECORDED IN VOLUME 11195, IN THE WILLIAM P. OVERTON SURVEY, ABSTRACT NO. 11195, CITY OF DALLAS, DALLAS COUNTY, TEXAS.

TOTAL ACRES - 9.292 ACRES
CITY PLAN FILE NO. S145-056
AUGUST 21, 2015

OWNER:
WEST DALLAS INVESTMENTS, LP
1000 WEST WILSON AVENUE
DALLAS, TEXAS 75202
PH: (972) 991-0011
CONTACT: JIM REYNOLDS
TRPLS REGISTRATION NO. 10107502

OWNER:
HANSON AGGREGATES, LLC
1000 WEST WILSON AVENUE
DALLAS, TEXAS 75202
PH: (972) 621-0548
CONTACT: LINDA JAMES
TRPLS REGISTRATION NO. 10107502



LINE TABLE

LINE #	BEARING	DISTANCE
1	S 89°53'00" W	18.00
2	S 89°53'00" W	14.30
3	N 89°53'00" E	18.35
4	N 89°53'00" E	5.90
5	N 89°53'00" E	46.40
6	N 89°53'00" E	43.17
7	N 89°53'00" E	0.77
8	N 89°53'00" E	56.46
9	N 89°53'00" E	15.00
10	N 89°53'00" E	3.40
11	N 89°53'00" E	21.14
12	N 89°53'00" E	4.70
13	N 89°53'00" E	2.10

AREA TABLE

LINE #	BEARING	DISTANCE	AREA
1	N 89°53'00" E	18.00	1.33
2	S 89°53'00" W	14.30	1.33
3	N 89°53'00" E	18.35	1.33
4	N 89°53'00" E	5.90	1.33
5	N 89°53'00" E	46.40	1.33
6	N 89°53'00" E	43.17	1.33
7	N 89°53'00" E	0.77	1.33
8	N 89°53'00" E	56.46	1.33
9	N 89°53'00" E	15.00	1.33
10	N 89°53'00" E	3.40	1.33
11	N 89°53'00" E	21.14	1.33
12	N 89°53'00" E	4.70	1.33
13	N 89°53'00" E	2.10	1.33

AREA TABLE

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11	N 89°53'00" E	21.14	1.33
12	N 89°53'00" E	4.70	1.33
13	N 89°53'00" E	2.10	1.33

- LEGEND
- 1. 3/4" HIGH IRON ROD SET
 - 2. 3/4" HIGH IRON ROD SET
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 - 100. 3/4" HIGH IRON ROD SET

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS
WHEREAS, WEST DALLAS INVESTMENTS, LP, AND HANSON AGGREGATES, LLC ARE THE OWNERS OF SEVERAL PARCELS OF LAND SITUATED IN THE COUNTY OF DALLAS, TEXAS...

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT WEST DALLAS INVESTMENTS, LP, AND HANSON AGGREGATES, LLC ACTING BY AND THROUGH COUNTY, TRAILS, AND GO HEREBY AGREEING, IT IS THE POLICY OF THE CITY OF DALLAS...

SURVYOR'S STATEMENT

TO ALL WHOM THESE PRESENTS SHALL COME, I HEREBY CERTIFY THAT THE SURVEY SUBMITTED BY THE STATE OF TEXAS, COUNTY OF DALLAS, HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION...

STATE OF TEXAS
COUNTY OF DALLAS
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
WITNESS MY HAND AND SEAL OF OFFICE THIS 21st DAY OF August, 2015.

STATE OF TEXAS
COUNTY OF DALLAS
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
WITNESS MY HAND AND SEAL OF OFFICE THIS 25th DAY OF August, 2015.

THENCE ALONG S40 EAST LINE, THE FOLLOWING:
SOUTH 01700'31" EAST, A DISTANCE OF 14.28 FEET TO A 3/4" HIGH IRON ROD WITH RED PLASTIC CAP STAMPED 'COMBOS & REITS INC. SURETY MARKET FOUNDED FOR CORNER...

FINAL PLAN
TRINITY GROVES NO. 1
LOTS 1-3, BLOCK A/7087
REPLAT OF LOTS 3-12, 25-48, BLOCK 7087 OF CEDAR GLADE ADDITION TO WEST DALLAS...

STATE OF TEXAS
COUNTY OF DALLAS
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
WITNESS MY HAND AND SEAL OF OFFICE THIS 31st DAY OF August, 2015.

THENCE ALONG S40 SOUTH RIGHT-OF-WAY LINE, OVER AND ACROSS S40 LOT 1-A, BLOCK 7084, A DISTANCE OF 0.77 FEET TO AN AMON SET FOR CORNER.
THENCE SOUTH 01700'31" WEST, A DISTANCE OF 38.28 FEET TO AN AMON SET FOR CORNER...

STATE OF TEXAS
COUNTY OF DALLAS
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
WITNESS MY HAND AND SEAL OF OFFICE THIS 31st DAY OF August, 2015.

STATE OF TEXAS
COUNTY OF DALLAS
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
WITNESS MY HAND AND SEAL OF OFFICE THIS 31st DAY OF August, 2015.

THENCE ALONG THE NORTH, EAST AND SOUTH LINES OF S40 AMBRETTE STREET AMBROVATION, THE FOLLOWING:
NORTH 89150'55" EAST, A DISTANCE OF 3.08 FEET TO AN AMON SET FOR CORNER.
SOUTH 45360'12" EAST, A DISTANCE OF 21.29 FEET TO AN AMON SET FOR CORNER...

CITY PLAN FILE NO. S145-056
AUGUST 21, 2015
OWNER: WEST DALLAS INVESTMENTS, LP
BURY-COPELAND, INC.
DALLAS, TEXAS 75224

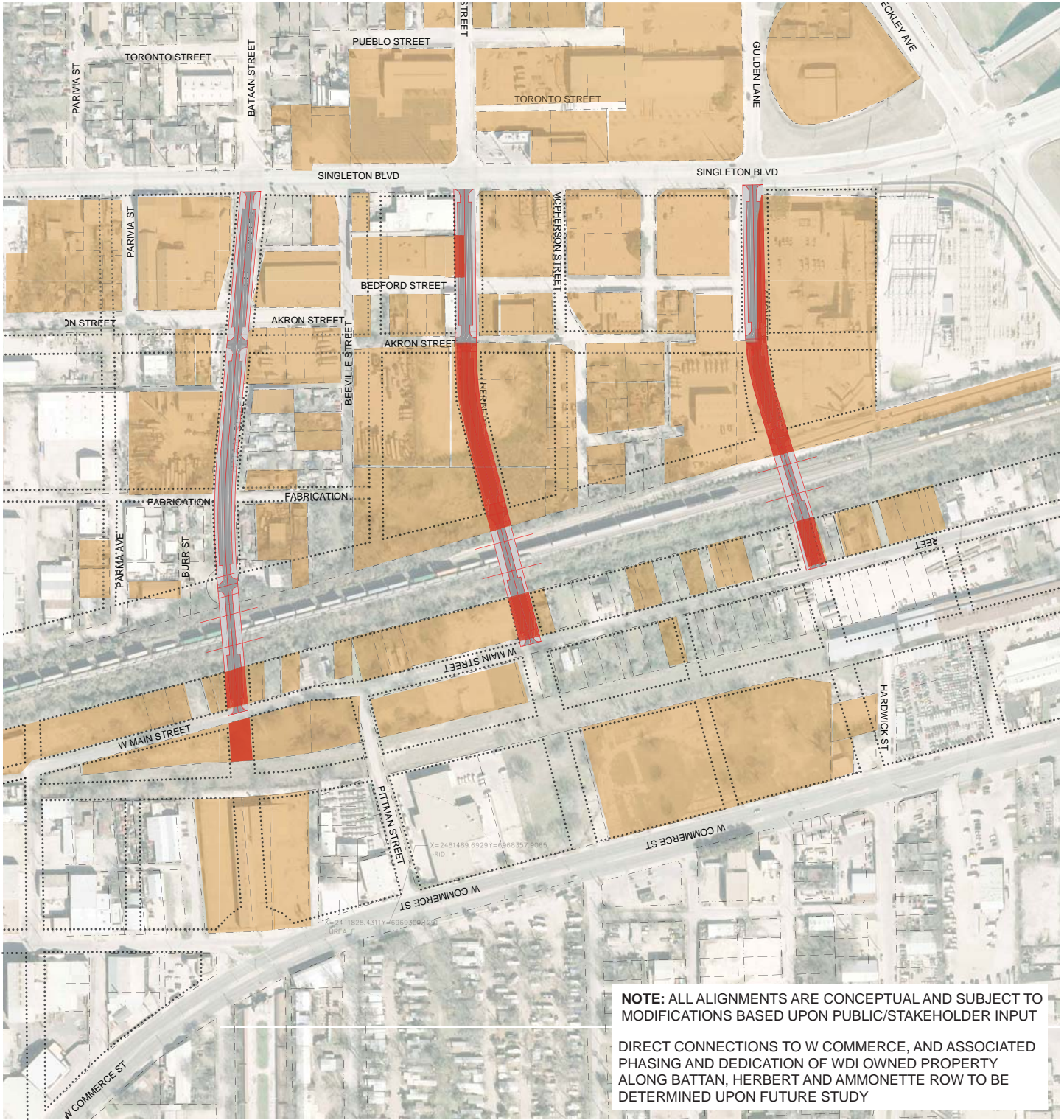
OWNER: HANSON AGGREGATES, LLC
BURY-COPELAND, INC.
DALLAS, TEXAS 75224
CONTACT: DAVID DAVIS

CONTINUING A COMPUTED AREA OF 381.219 SQUARE FEET OR 8.292 ACRES OF LANDS
THENCE NORTH 44300'31" WEST, A DISTANCE OF 3.70 FEET TO AN AMON SET FOR CORNER IN THE EAST LINE OF THE AFORESAID LOTS 1-4, BLOCK 7087, OFFROAD-HILL TRUCK PLANT ADDITION...

Exhibit B

West Dallas Gateway Project

Preferred Roadway Alignment and ROW Dedications Plan



- West Dallas Investments
- ROW Dedications
- Proposed Streets
- Future Conceptual Development Blocks

