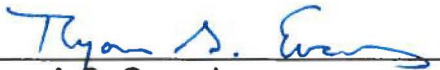


**JANUARY 27, 2016 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated January 27, 2016. 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

1-22-16

Date



Jeanne Chipperfield
Chief Financial Officer

1/22/16

Date

RECEIVED

2016 JAN 22 PM 4: 20

CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, JANUARY 27, 2016
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 - 37

CONSENT ADDENDUM

Items 1 - 4

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 38 - 41
Addendum Item 5

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 42 - 56
Addendum Item 6

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

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

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

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

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 27, 2016
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

City Attorney's Office

1. Authorize settlement of the lawsuit styled Sherrard Dewayne Taylor v. City of Dallas, et al., Cause No. CC-12-06225-C - Not to exceed \$40,000 - Financing: Current Funds

Intergovernmental Services

2. Authorize payment of annual membership fees to the North Texas Commission and continuation of arrangements for providing specialized municipal-related services to the City - Not to exceed \$60,000 - Financing: Current Funds

Sustainable Development and Construction

3. An ordinance abandoning an alley to West Dallas Investments, LP, the abutting owner, containing a total of approximately 1,786 square feet of land, located near the intersection of Sylvan Avenue and Singleton Boulevard and providing for the dedication of approximately 1,536 square feet of land needed for right-of-way - Revenue: \$5,400, plus the \$20 ordinance publication fee

Trinity Watershed Management

4. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Rainier Swiss Avenue Investors, LLC, a Texas limited liability company, et al., Cause No. CC-15-04815-D, pending in Dallas County Court at Law No. 4, to acquire approximately 29,401 square feet of land, located on Swiss Avenue at its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$135,804 (\$132,304 being the amount of the award, plus closing costs and title expenses not to exceed \$3,500); an increase of \$32,341 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 27, 2016**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

Business Development & Procurement Services

5. Authorize **(1)** an executive search contract with Major, Lindsey & Africa, LLC for professional search services to identify and recruit qualified candidates for the position of City Attorney; and **(2)** an increase in appropriations in the amount of \$100,000, from \$57,926,112 to \$58,026,112 in the Non-Departmental budget - Not to exceed \$100,000 - Financing: Contingency Reserve Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - INDIVIDUAL

6. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the southwest corner of Old Seagoville Road and South Masters Drive
Recommendation of Staff and CPC: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions
Z145-321(SM)

CORRECTION:

Planning and Urban Design

40. Authorize a professional services contract with Moore, Iacofano, Goltsman, Inc., (MIG, Inc.) for the preparation of an update to the City's Downtown Dallas 360 Plan adopted by City Council on April 13, 2011 - Not to exceed \$250,000 - Financing: Downtown Connection TIF District Funds

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 27, 2016**

DELETION:

Sustainable Development and Construction

32. A resolution authorizing acceptance of the only bid received from SLF III - The Canyon in Oak Cliff, L.P. for approximately 12.993 acres of land located near the intersection of Pinnacle Park Boulevard and Falls Bluff Drive in exchange for approximately 23.78 acres of unwanted and unneeded City-owned land located near the intersection of Pinnacle Park Boulevard and Pinnacle Point Drive - Revenue: \$7,500

ADDENDUM DATE January 27, 2016

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			N/A	C	ATT, POL	\$40,000.00	NA	NA	Authorize settlement of the lawsuit styled Sherrard Dewayne Taylor v. City of Dallas, et al., Cause No. CC-12-06225-C - Not to exceed \$40,000 - Financing: Current Funds
2			N/A	C	IGS, ECO, OFS	\$60,000.00	NA	NA	Authorize payment of annual membership fees to the North Texas Commission and continuation of arrangements for providing specialized municipal-related services to the City - Not to exceed \$60,000 - Financing: Current Funds
3			6	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning an alley to West Dallas Investments, LP, the abutting owner, containing a total of approximately 1,786 square feet of land, located near the intersection of Sylvan Avenue and Singleton Boulevard and providing for the dedication of approximately 1,536 square feet of land needed for right-of-way - Revenue: \$5,400, plus the \$20 ordinance publication fee
4			2	C	TWM, ATT	\$135,804.00	NA	NA	Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Rainier Swiss Avenue Investors, LLC, a Texas limited liability company, et al., Cause No. CC-15-04815-D, pending in Dallas County Court at Law No. 4, to acquire approximately 29,401 square feet of land, located on Swiss Avenue at its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$135,804 (\$132,304 being the amount of the award, plus closing costs and title expenses not to exceed \$3,500); an increase of \$32,341 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds
5			N/A	I	PBD, HRD	\$100,000.00	0.00%	0.00%	Authorize (1) an executive search contract with Major, Lindsey & Africa, LLC for professional search services to identify and recruit qualified candidates for the position of City Attorney; and (2) an increase in appropriations in the amount of \$100,000, from \$57,926,112 to \$58,026,112 in the Non-Departmental budget - Not to exceed \$100,000 - Financing: Contingency Reserve Funds
6			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the southwest corner of Old Seagoville Road and South Masters Drive

TOTAL \$335,804.00

ADDENDUM ITEM # 1

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 27, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Police

CMO: Warren M.S. Ernst, 670-3491
Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Sherrard Dewayne Taylor v. City of Dallas, et al., Cause No. CC-12-06225-C - Not to exceed \$40,000 - Financing: Current Funds

BACKGROUND

Sherrard Dewayne Taylor filed a lawsuit against the City of Dallas and three Dallas police officers seeking compensation for an alleged unlawful vehicle search and wrongful arrest occurring on October 16, 2013. The City and the officers have reached a proposed settlement. Plaintiff is represented by The Farmer Law Group, PLLC.

This item is on the addendum because a proposed settlement was just reached.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed by memorandum regarding this item.

FISCAL INFORMATION

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

\$40,000.00 - Current Funds

January 27, 2016

WHEREAS, a lawsuit styled Sherrard Dewayne Taylor v. City of Dallas, et al., Cause No. CC-12-06225-C, was filed by the plaintiff seeking compensation for an alleged unlawful vehicle search and wrongful arrest occurring on October 16, 2013; and,

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay The Farmer Law Group, PLLC, and all other parties having an interest in the settlement proceeds, the total amount of \$40,000.00; and,

WHEREAS, it is in the best interest of the City to settle this lawsuit; **Now, Therefore**,

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

Section 1. That the settlement in the lawsuit styled Sherrard Dewayne Taylor v. City of Dallas, et al., Cause No. CC-12-06225-C, in an amount not to exceed \$40,000.00, is hereby approved.

Section 2. That the Chief Financial Officer is authorized to pay The Farmer Law Group, PLLC, and all other persons having an interest in the settlement, the amount of \$40,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTORM001.

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.

ADDENDUM ITEM # 2

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 27, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Intergovernmental Services
Office of Economic Development
Office of Financial Services

CMO: A. C. Gonzalez, 670-3297
Ryan S. Evans, 671-9837
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize payment of annual membership fees to the North Texas Commission and continuation of arrangements for providing specialized municipal-related services to the City - Not to exceed \$60,000 - Financing: Current Funds

BACKGROUND

This item is on the addendum as moved forward based on the Economic Development Committee action on January 19, 2016.

Dallas was a founding member of the North Texas Commission (NTC) and has continued its membership for over 40 years. Membership for the Commission is comprised of 1/3 governmental entities, 1/3 business, and 1/3 higher education institutions across 12 counties.

NTC is uniquely positioned to spur the region into action due to its broad membership and the fact that the Commission has the best interest of the region at its core. The organization focuses on marketing, collaboration and advocacy. The NTX publication reaches 20,000 individuals world wide and markets North Texas as a destination for businesses and individuals. NTC fosters collaboration with leaders on regional goals and initiatives and advocates on critical issues with no city or county boundaries.

Arrangements with this professional organization provides the City of Dallas an avenue for great communication and cooperation with other municipalities and government entities, access to research and information of benefit to the City, as well as providing consultation with other agencies on the needs of the region, state and nation.

BACKGROUND (Continued)

The North Texas Commission is the only regional entity that convenes public and private partners from our 12-county area to address big-picture issues, including upcoming legislation such as transportation, air quality and water issues.

Currently, the North Texas Commission is partnering with the University of Texas at Arlington on a Dallas initiated project to create an asset map of the region. This user-friendly dashboard will allow jurisdictions in the region to analyze the scope of their services through data that can be used to find the latest trends in civic and municipal data to illustrate characteristics and gaps of the North Texas region. The data will be used to help shape and pursue effective policies and build collaboration and cross-sector partnerships, promoting the assets and addressing the challenges in North Texas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized membership to the North Texas Commission on October 10, 2011, by Resolution No. 11-2720.

Authorized membership to the North Texas Commission on October 10, 2012, by Resolution No. 12-2522.

Authorized membership to the North Texas Commission on October 23, 2013, by Resolution No. 13-1860.

Authorized membership to the North Texas Commission on November 12, 2014, by Resolution No. 14-1889.

The Economic Development Committee was briefed on January 19, 2016 and recommended approval by the full council.

FISCAL INFORMATION

Current Funds - \$60,000.00

ETHNIC COMPOSITION

Hispanic Female	5	Hispanic Male	10
Black Female	3	Black Male	3
White Female	26	White Male	64
Other Female	1	Other Male	2

January 27, 2016

WHEREAS, arrangements with professional organizations provide the City of Dallas access to research and information of benefit to the City, enhanced communication with other municipalities, opportunities for information exchange and professional development, as well as effective lobbying on matters of municipal interest; and

WHEREAS, the City of Dallas continues to benefit through its relationships with these professional organizations;

Now, Therefore,

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

Section 1. That the City is hereby authorized to continue arrangements with the North Texas Commission for fiscal year 2015-2016.

Section 2. That the Chief Financial Officer is hereby authorized to encumber and disburse an amount not to exceed \$60,000 from Fund 0001, Dept. ECO, Unit 1164, Object 3340 Encumbrance CT ECO161164K053, Vendor No. 193362, for payment of annual fees to and for the North Texas Commission.

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: January 27, 2016
COUNCIL DISTRICT(S): 6
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 44P

SUBJECT

An ordinance abandoning an alley to West Dallas Investments, LP, the abutting owner, containing a total of approximately 1,786 square feet of land, located near the intersection of Sylvan Avenue and Singleton Boulevard and providing for the dedication of approximately 1,536 square feet of land needed for right-of-way - 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 an alley to West Dallas Investments, LP, the abutting owner. The area will be included with the property of the abutting owner for the pending sale to Orange Development for the construction of a CVS Pharmacy. The owner will dedicate approximately 1,536 square feet of land needed for right-of-way. The abandonment fee is based on an independent appraisal.

Notices were sent to 15 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

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

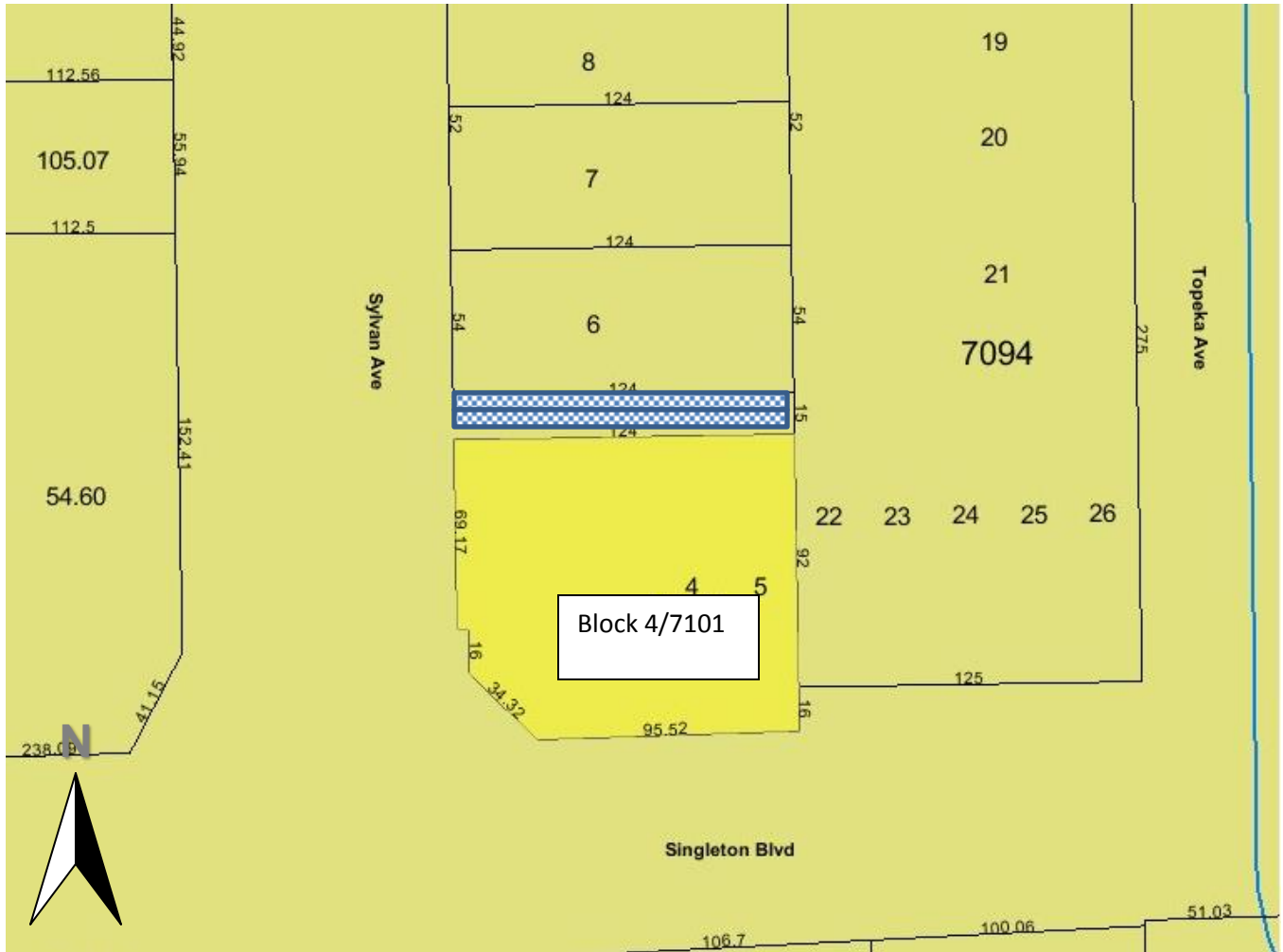
OWNER

West Dallas Investments, LP

Philip J. Romano, Member

MAP

Attached



Log: 42195

Applicants: West Dallas Investments, LP and Yawez LLC

Mapsco: 44P

Abandonment: 

ORDINANCE NO. _____

An ordinance providing for the abandonment of an alley located in City Block 4/7101 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to West Dallas Investments, LP; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; 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 West Dallas Investments, LP, a Texas limited partnership, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and **WHEREAS**, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth; **Now, Therefore,**

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

SECTION 1. That the tracts of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10 and 11, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts 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, future effective date 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 and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

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

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, 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 a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within 18 months of the effective date of this ordinance showing the fee simple dedication of not less than 1,536 square feet of needed right-of-way in City Block 7101. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) maintain 100 feet of right-of-way on Sylvan Avenue and 88 feet of right-of-way on Singleton Boulevard in accordance with City of Dallas Thoroughfare Plan, Section 51-9.101.
- b) at no time during or after the project, cause any delay to emergency traffic or cause interruption to water supply in the area.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, 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, and the filing of the final replat set forth in Section 9 and completion of the dedication set forth in Section 9 the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of 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 13. 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  BY 
Assistant City Attorney Assistant Director

Passed _____.

ALLEY ABANDONMENT

TIPTON'S ADDITION NO. 3

DALLAS CITY BLOCK 4/7101

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

BEING a 893 square feet tract of land situated in the A HANNAH Survey, Abstract No. 564, in the City of Dallas, Dallas County, Texas, and being a portion of a 15-foot alley situated in City of Dallas Block 4/7101, Official City of Dallas Block numbers, created by plat of Tipton's Addition No. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 11, Page 463, Map Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner and the Northwest corner of Lot 1, Block 4/7101, said Tipton's Addition No. 3, and the Northwest corner of a tract of land described in Special Warranty Deed to West Dallas Investments, L.P. as recorded in County Clerk's Instrument No. 20080153903, Official Public Records, Dallas County, Texas, said iron rod being the intersection of the East right-of-way line of Sylvan Avenue, (variable width right-of-way), created by Judgement in Cause Number 109963-A, styled City of Dallas, et al., Vs. Tom L. Tipton, et al., County Court of Dallas County at Law No. 1, recorded in Volume 4772, Page 301, Deed Records, Dallas County, Texas, and the South right-of-way line of said 15-foot alley;

THENCE North 89 deg 17 min 12 sec East, along the South right-of-way line of said 15-foot alley, a distance of 5.00 feet to the POINT OF BEGINNING, said point being a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner;

THENCE North 00 deg 42 min 48 sec West, along the East right-of-way line of said Sylvan Avenue, a distance of 7.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner;

THENCE North 89 deg 17 min 12 sec East, departing the East right-of-way line of said Sylvan Avenue, over and across said 15-foot alley, a distance of 119.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner, said iron rod being situated on the East right-of-way line of said 15-foot alley and the west line of Lot 22, Block 7094, created by plat of the Close In Addition, an addition to the City of Dallas, Dallas County, Texas, recorded in Volume 4, Page 227, Map Records, Dallas County, Texas;

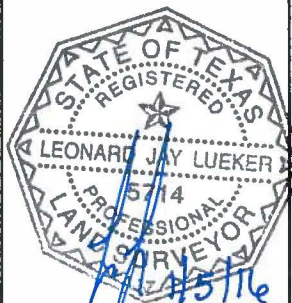
THENCE South 00 deg 42 min 48 sec East, along the East right-of-way line of said 15-foot alley and the West line of said Lot 22, a distance of 7.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner, said iron rod being the Northeast corner of Lot 5, Block 4/7101, of said Tipton's Addition and the Southeast corner of said 15-foot alley;

THENCE South 89 deg 17 min 12 sec West, along the South right-of-way line of said 15-foot alley and the North line of Lots 1, 2, 3, 4, and 5, Block 4/7101, of said Tipton's Addition, a distance of 119.00 feet to the POINT OF BEGINNING; CONTAINING within these metes and bounds 0.020 acres or 893 square feet of land, more or less.

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) Plat bearing North along the East right-of-way line of Sylvan Avenue, recorded in Volume 85186, Page 2991, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/license No. 10086600 Expires 12-31-16
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Scale: N/A
Date: 01.05.16
Dwg. File: 70958-ALLEY-ABAND-1
Project No.: 70958



(For SPRG use only)

Reviewed by: JL
Date: 1-22-16
SPRG No. 3539

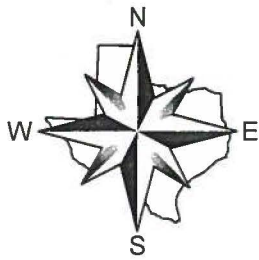
SHEET
1
OF
2

ALLEY ABANDONMENT

TIPTON'S ADDITION NO. 3¹

DALLAS CITY BLOCK 4/7101

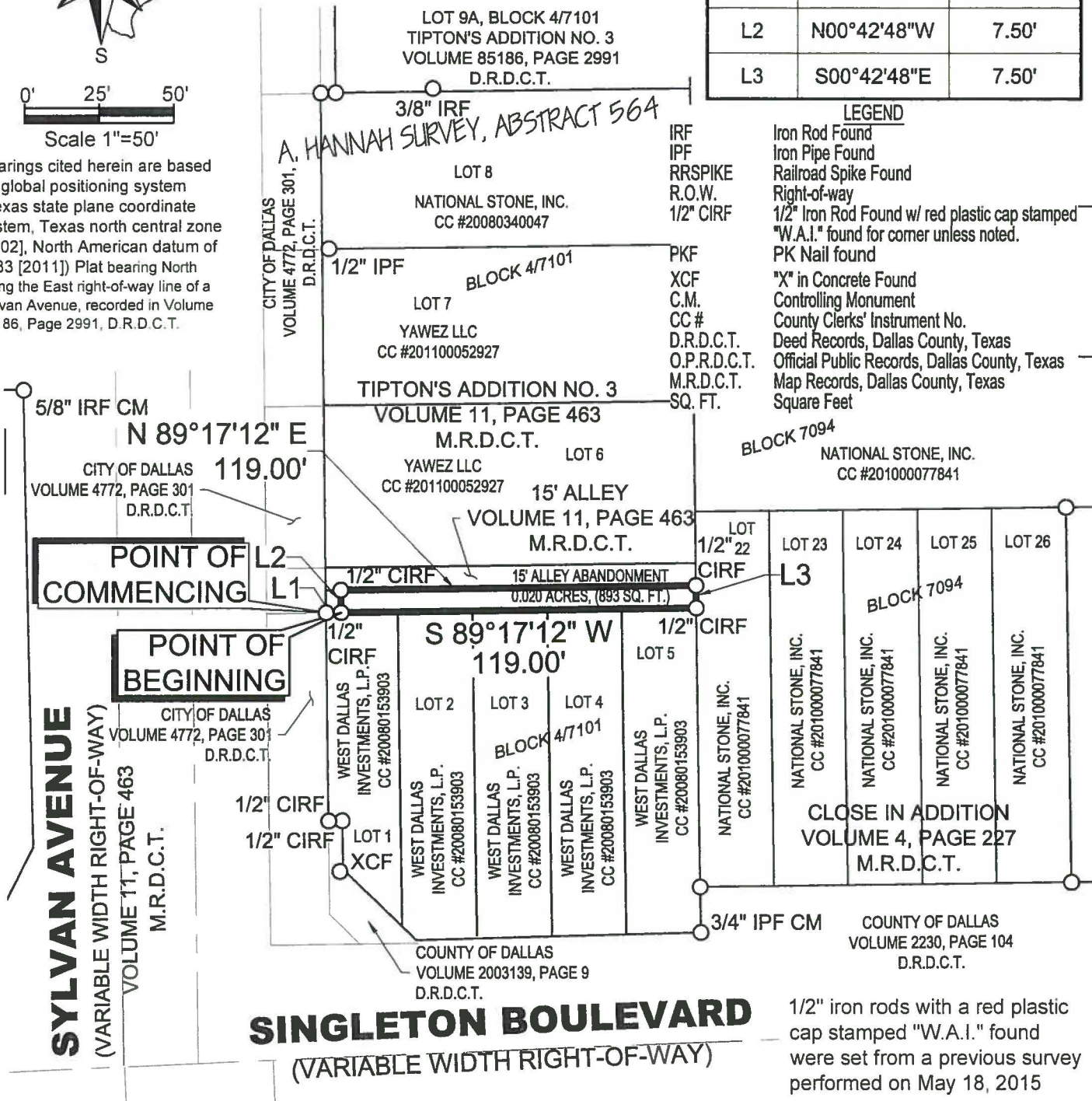
CITY OF DALLAS, DALLAS COUNTY, TEXAS



Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) Plat bearing North along the East right-of-way line of a Sylvan Avenue, recorded in Volume 85186, Page 2991, D.R.D.C.T.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°17'12"E	5.00'
L2	N00°42'48"W	7.50'
L3	S00°42'48"E	7.50'

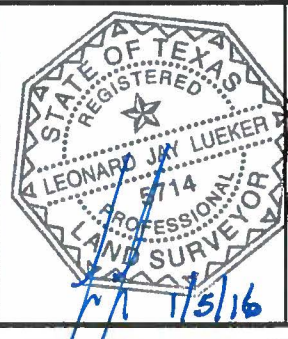
LEGEND
 IRF Iron Rod Found
 IPF Iron Pipe Found
 RRSPIKE Railroad Spike Found
 R.O.W. Right-of-way
 1/2" CIRF 1/2" Iron Rod Found w/ red plastic cap stamped "W.A.I." found for corner unless noted.
 PK Nail found
 "X" in Concrete Found
 Controlling Monument
 County Clerks' Instrument No.
 Deed Records, Dallas County, Texas
 Official Public Records, Dallas County, Texas
 Map Records, Dallas County, Texas
 Square Feet



POINT OF COMMENCING
POINT OF BEGINNING

Winkelmann & Associates, Inc.
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS
 6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230
 (972) 480-7090 (972) 480-7099 FAX
 Texas Engineers Registration No. 89
 Firm Registration/icense No. 10086600 Expires 12-31-16
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Scale: 1" = 50'
 Date: 01.05.16
 Dwg. File: 70958-ALLEY-ABAND-1
 Project No.: 70958



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 Reviewed by: JL
 Date: 1-22-16
 SPRG No. 3539

SHEET
2
OF
2

ALLEY ABANDONMENT

TIPTON'S ADDITION NO. 3

DALLAS CITY BLOCK 4/7101
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A - TRACT 2

BEING a 893 square feet tract of land situated in the A HANNAH Survey, Abstract No. 564, in the City of Dallas, Dallas County, Texas, and being a portion of a 15-foot alley situated in City of Dallas Block 4/7101, Official City of Dallas Block numbers created by plat of Tipton's Addition No. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 11, Page 463, Map Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner and the Southwest corner of Lot 6, Block 4/7101, said Tipton's Addition No. 3, and the Southwest corner of a tract of land described in Warrant Deed to Yawez LLC. as recorded in County Clerk's Instrument No. 201100052927, Official Public Records, Dallas County, Texas, said iron rod being the intersection of the East right-of-way line of Sylvan Avenue, (variable width right-of-way) created by Judgement in Cause Number 109963-A, styled City of Dallas, et al., Vs. Tom L. Tipton, et al., County Court of Dallas County at Law No. 1, recorded in Volume 4772, Page 301, Deed Records, Dallas County, Texas, and the North right-of-way line of said 15-foot alley;

THENCE North 89 deg 17 min 12 sec East, along the North right-of-way line of said 15-foot alley and South line of said Lot 6, a distance of 5.00 feet to the POINT OF BEGINNING, said point being a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner;

THENCE North 89 deg 17 min 12 sec East, along the North line of said 15-foot alley and South line of said Lot 6, a distance of 119.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for the Southeast corner of said Lot 6 and the Northeast corner of said 15-foot alley, said iron rod being situated on the East line of said 15-foot alley and the west line of Lot 22, Block 7094, created by plat of the Close In Addition, an addition to the City of Dallas, Dallas County, Texas, recorded in Volume 4, Page 227, Map Records, Dallas County, Texas;

THENCE South 00 deg 42 min 48 sec East, along the East right-of-way line of said 15-foot alley and the West line of said Lot 22, a distance of 7.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner;

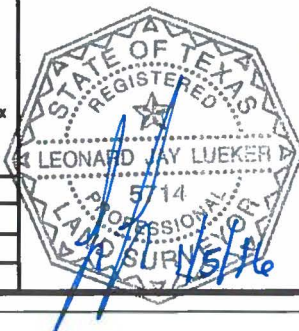
THENCE South 89 deg 17 min 12 sec West, departing the West line of said Lot 22, over and across said 15-foot alley, a distance of 119.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner situated on the East right of way line of said Sylvan Avenue;

THENCE North 00 deg 42 min 48 sec West, along the East right-of-way line of said Sylvan Avenue, a distance of 7.50 feet to the POINT OF BEGINNING; CONTAINING within these metes and bounds 0.020 acres or 893 square feet of land, more or less.

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) Plat bearing North along the East right-of-way line of Sylvan Avenue, recorded in Volume 85186, Page 2991, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090
DALLAS, TEXAS 75230 (972) 480-7099 FAX
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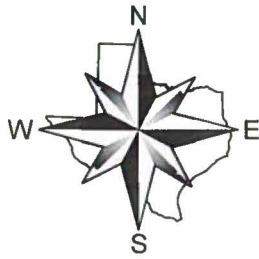
Scale: N/A
Date: 01.05.16
Dwg. File: 70958-ALLEY-ABAND-2
Project No.: 70958



(For SPRG use only)
Reviewed by: JL
Date: 1-22-16
SPRG No. 3540

SHEET
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ALLEY ABANDONMENT
TIPTON'S ADDITION NO. 3
 DALLAS CITY BLOCK 4/7101
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

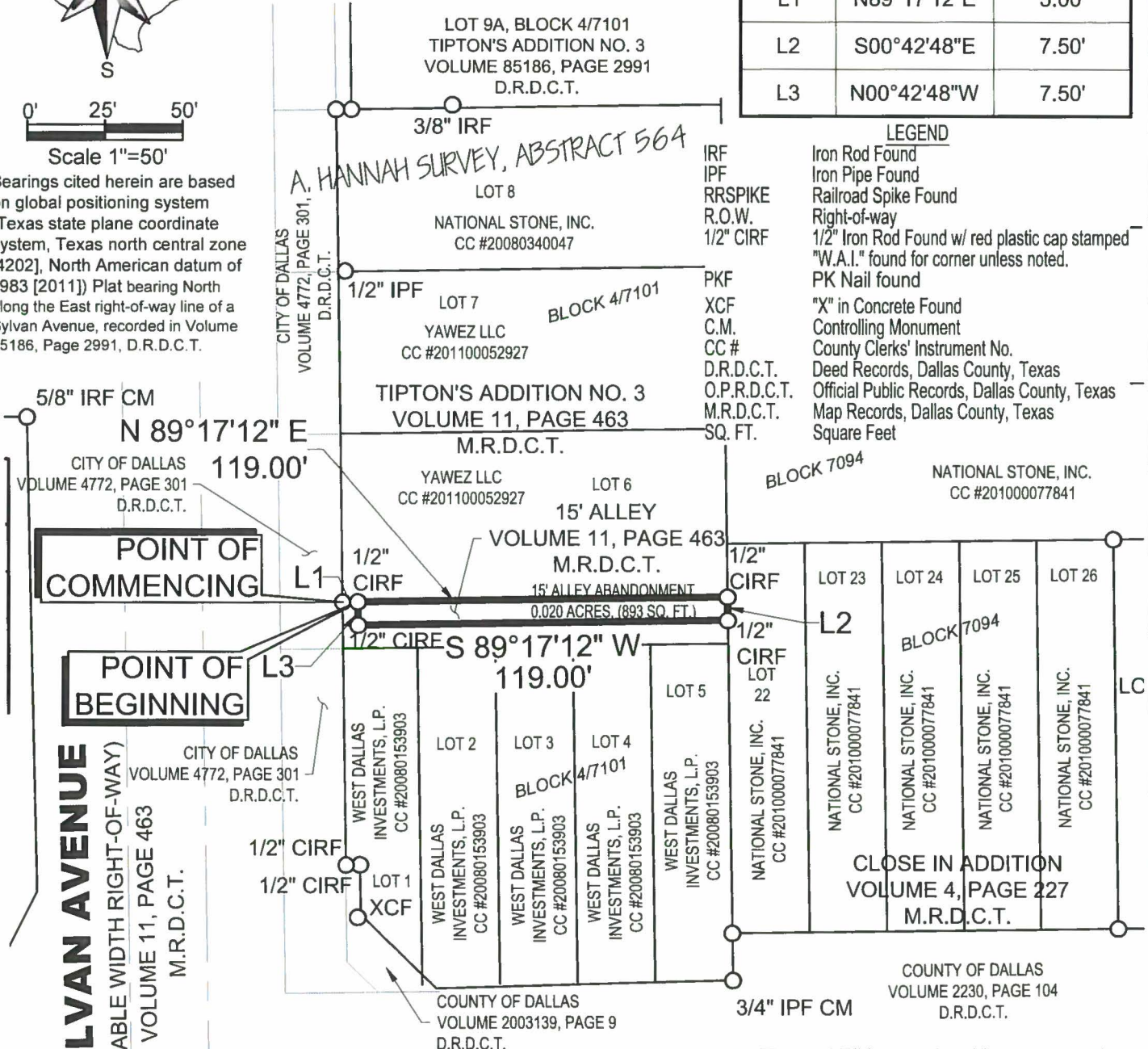


0' 25' 50'
 Scale 1"=50'

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) Plat bearing North along the East right-of-way line of a Sylvan Avenue, recorded in Volume 85186, Page 2991, D.R.D.C.T.

LINE TABLE		
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L3	N00°42'48"W	7.50'

LEGEND
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 RRSPIKE Railroad Spike Found
 R.O.W. Right-of-way
 1/2" Iron Rod Found w/ red plastic cap stamped "W.A.I." found for corner unless noted.
 1/2" CIRF PK Nail found
 "X" in Concrete Found
 Controlling Monument
 County Clerks' Instrument No.
 Deed Records, Dallas County, Texas
 Official Public Records, Dallas County, Texas
 Map Records, Dallas County, Texas
 Square Feet



SINGLETON BOULEVARD
 (VARIABLE WIDTH RIGHT-OF-WAY)

1/2" iron rods with a red plastic cap stamped "W.A.I." found were set from a previous survey performed on May 18, 2015.

Winkelmann & Associates, Inc.
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230
 (972) 490-7090 (972) 490-7099 FAX

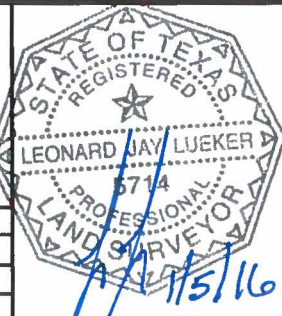
Texas Engineers Registration No. 89
 Firm Registration/license No. 10086600 Expires 12-31-16
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Scale: 1" = 50'

Date: 01.05.16

Dwg. File: 70958-ALLEY-ABAND-2

Project No.: 70958



(For SPRG use only)

Reviewed by:
 Date:
 SPRG No. 3540

SHEET
2
OF
2

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 27, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Trinity Watershed Management
City Attorney's Office

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

MAPSCO: 46E

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Rainier Swiss Avenue Investors, LLC, a Texas limited liability company, et al., Cause No. CC-15-04815-D, pending in Dallas County Court at Law No. 4, to acquire approximately 29,401 square feet of land, located on Swiss Avenue at its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$135,804 (\$132,304 being the amount of the award, plus closing costs and title expenses not to exceed \$3,500); an increase of \$32,341 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

BACKGROUND

This item is being placed on the addendum requesting Council approval prior to the deadline to file objections to the Award of the Special Commissioners.

On March 25, 2015, the City Council authorized the acquisition of this property, by Resolution No. 15-0561. The property owner was offered \$99,963, which was based on a written appraisal from an independent certified appraiser. The appraisal was updated November 10, 2015, and the offer amount was revised to \$105,844. The property owner did not accept the offer and the City filed an eminent domain proceeding to acquire the property. After a hearing before the Special Commissioners on January 7, 2016, the property owner was awarded \$132,304. This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is \$32,341 more than the City Council originally authorized for this acquisition, plus closing costs and title expenses not to exceed \$3,500.

BACKGROUND (Continued)

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on March 25, 2015, by Resolution No. 15-0561.

Council was briefed by memorandum regarding this item.

Information about this item will be provided to the Public Safety Committee on January 25, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$135,804 (\$132,304 being the amount of the award, plus closing costs and title expenses not to exceed \$3,500)

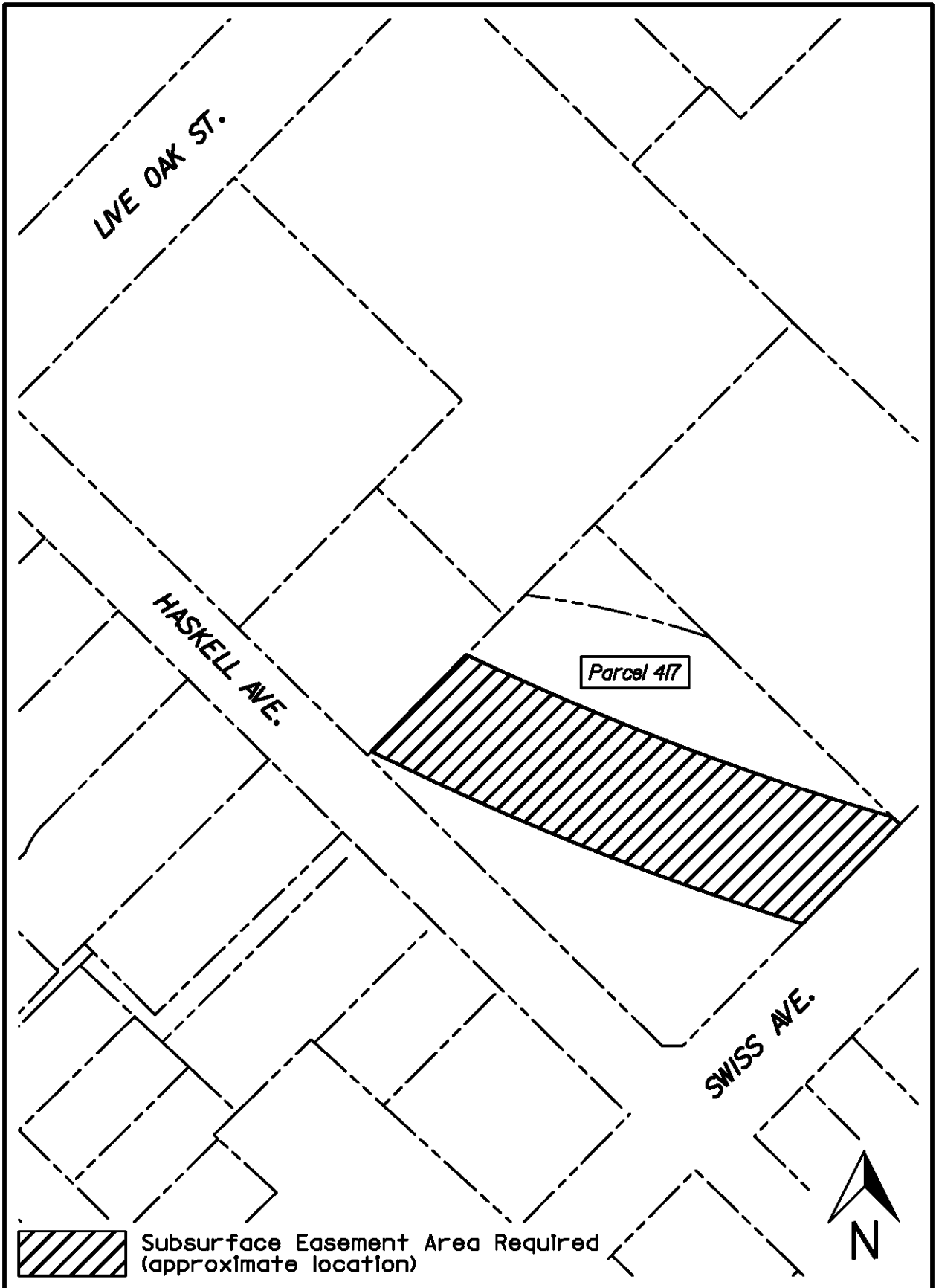
OWNER

Rainier Swiss Avenue Investors, LLC

J. Kenneth Dunn, Manager

MAP

Attached



Subsurface Easement Area Required
(approximate location)



January 27, 2016

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS AWARD AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED, SETTLEMENT OF THE CONDEMNATION LAWSUIT FOR AN AMOUNT NOT TO EXCEED THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION PROCEEDING: Cause No. CC-15-04815-D, in Dallas County Court at Law No. 4, and styled City of Dallas v. Rainier Swiss Avenue Investors, LLC, a Texas limited liability company, et al., filed pursuant to City Council Resolution No. 15-0561.

PROPERTY: Located under approximately 29,401 square feet of land in Dallas County, as described in the CONDEMNATION PROCEEDING.

PROJECT: Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project

OFFICIAL OFFER: \$99,963.00

AWARD: \$132,304.00

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$3,500.00

AUTHORIZED AMOUNT: Not to exceed: \$135,804.00

DESIGNATED FUNDS: AWARD payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525F31-1, CLOSING COSTS AND TITLE EXPENSES payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525F32.

WHEREAS, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and,

WHEREAS, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made the AWARD, which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the PROPERTY; and,

January 27, 2016

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD;

Now, Therefore,

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

SECTION 1. That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with the County Clerk and in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 2. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

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.

APPROVED AS TO FORM

Warren M. S. Ernst
City Attorney

By: _____


Assistant City Attorney

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 27, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Business Development & Procurement Services
Human Resources

CMO: Jeanne Chipperfield, 670-7804
A. C. Gonzalez, 670-3302

MAPSCO: N/A

SUBJECT

Authorize **(1)** an executive search contract with Major, Lindsey & Africa, LLC for professional search services to identify and recruit qualified candidates for the position of City Attorney; and **(2)** an increase in appropriations in the amount of \$100,000, from \$57,926,112 to \$58,026,112 in the Non-Departmental budget - Not to exceed \$100,000 - Financing: Contingency Reserve Funds

BACKGROUND

This item is on the addendum to move forward by Council direction.

In November 2015, City Attorney, Warren M.S. Ernst announced his retirement. The Mayor appointed a Council Search Committee who directed the City Manager to initiate the process of hiring an executive search firm to identify qualified candidates for the position of City Attorney.

Major, Lindsey & Africa, LLC, an executive search firm specializing in the recruitment of attorneys, is the recommended firm to conduct a nationwide search for qualified candidates for the City Attorney position. The recruitment effort will target local and national candidates for consideration by the City Council. Professional fees for the City Attorney search effort will not exceed \$100,000.

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 1,026 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 BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$100,000.00 - Contingency Reserve Funds

M/WBE INFORMATION

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

1,026 - 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

Major, Lindsey & Africa, LLC

White Male	82	White Female	133
Black Male	6	Black Female	19
Hispanic Male	4	Hispanic Female	8
Other Male	8	Other Female	21

PROPOSAL INFORMATION

Proposals were solicited from individuals currently engaged in the field of executive search services. Responses to the Request for Proposal were received from the following seven entities and evaluated by the City Attorney Recruitment Committee:

- Major, Lindsey & Africa, LLC
- Gibson Arnold & Associates, Inc.*
- Reaction Search International, Inc.
- Cooperative Personnel Services dba CPS HR Consulting
- Ralph Anderson & Associates*
- Newhouse Noblin, LLC
- Taylor Winfield**

PROPOSAL INFORMATION (Continued)

The City Council's City Attorney Search Committee recommends that the contract for the City Attorney recruitment effort be awarded to Major, Lindsey & Africa, LLC.

*Non-responsive

**Withdrawn from the process

OWNER

Major, Lindsey & Africa, LLC

Simon Robinson, President
Gregory Richter, Vice President
Miriam Frank, Vice President
Stephen Foreman, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** an executive search contract with Major, Lindsey & Africa, LLC for professional search services to identify and recruit qualified candidates for the position of City Attorney; and **(2)** an increase in appropriations in the amount of \$100,000, from \$57,926,112 to \$58,026,112 in the Non-Departmental budget - Not to exceed \$100,000 - Financing: Contingency Reserve Funds

Major, Lindsey & Africa, LLC is a non-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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$100,000.00	100.00%
TOTAL CONTRACT	\$100,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

January 27, 2016

WHEREAS, Warren M.S. Ernst announced his retirement effective April 29, 2016; and,

WHEREAS, the retirement announcement of Warren M.S. Ernst necessitates the acquisition of professionals to conduct a nationwide search to recruit local and national candidates for consideration by the City Attorney Search Committee; and,

WHEREAS, the City desires to engage the services of Major, Lindsey & Africa, LLC to facilitate the City Attorney recruitment process;

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute an executive search contract with Major, Lindsey & Africa, LLC, after approval as to form by the City Attorney, for professional search services to identify qualified candidates for the position of City Attorney; that the period for the performance of such services shall begin on January 27, 2016 and shall end at the appointment of the new City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to transfer funds in an amount not to exceed \$100,000.00 from Fund 0001, Dept. NBG, Unit 1000, Revenue Source RTRF, to Fund 0001, Dept. BMS, Unit 1991, Revenue Source 9229; and a clearing entry, in the same amount, to Fund 0001, Dept. BMS, BSA 0991 (Debit) and to Fund 0001, Dept. BMS, BSA 0950 (Credit).

Section 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$100,000.00 in Fund 0001, Dept. BMS, Unit 1991, Object 3070; increase total General Fund expenditure appropriations by \$100,000.00 from \$1,144,800,000.00 to \$1,144,900,000.00; and increase total General Fund revenue appropriations by \$100,000.00 from \$1,144,800,000.00 to \$1,144,900,000.00.

Section 4. That the Chief Financial Officer is hereby authorized to pay a fee to Major, Lindsey & Africa, LLC in accordance with the terms stipulated in the contract; from Fund 0001, Dept BMS, Unit 1991, Object 3070, Vendor #VS90362, Encumbrance # BMS1991ATT, in an amount not to exceed \$100,000.00.

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

ADDENDUM ITEM # 6

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: January 27, 2016
COUNCIL DISTRICT(S): 5
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 59 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the southwest corner of Old Seagoville Road and South Masters Drive

Recommendation of Staff and CPC: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions
Z145-321(SM)

FILE NUMBER: Z145-321(SM)

DATE FILED: August 7, 2015

LOCATION: Southwest corner of Old Seagoville Road and South Masters Drive

COUNCIL DISTRICT: 5

MAPSCO: 59Y

SIZE OF REQUEST: Approximately 23 acres

CENSUS TRACT: 117.01

APPLICANT/ OWNER: A+ Charter Schools, DBA A+ Academy

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for a Planned Development District for R-7.5(A) Single Family District uses and a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to renovate the existing 58,940-square-foot, two-story building and build an 80,000-square-foot, single-story addition and athletic fields for an open-enrollment charter school with 60 high school classrooms. Changes to parking, landscaping, and sign regulations are requested.

CPC RECOMMENDATION: **Approval** of a Planned Development District, subject to a development plan and conditions; and **approval** of a Specific Use Permit for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval** of a Planned Development District, subject to a development plan and conditions; and **approval** of a Specific Use Permit for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval of the planned development district based upon:

1. *Performance impacts upon surrounding property* – A specific use permit will allow a subsequent review of the school to monitor the effects on the neighborhood. No direct performance impacts are foreseen upon the surrounding properties at this time.
2. *Traffic impact* – The traffic management plan is sufficient. However, staff is concerned that the proximity to DISD’s Grady Spruce High School could adversely impact the existing high school as the proposed separation between the existing high school and the proposed addition is approximately 900 feet. The prescribed traffic impact study updates should address and mitigate adverse traffic impacts if any should occur.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan indicates that this area is a Residential Neighborhood.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The request proposes a planned development district because (1) the proposed signs do not comply with the non-business sign regulations; (2) they would like to provide ornamental fencing in lieu of solid parking lot screening fences where adjacent to residential districts; (3) they would like to dedicate a tree preservation area where a covenant easement in straight zoning would achieve the same objectives proposed; and (4) fencing and retaining walls for athletic fields and athletic structures within the 25-foot residential setback. The justification for a planned development district is to bypass the board of adjustment for items 1, 2, and 4 and to memorialize the tree preservation area in the planned development regulations as opposed to a conservation easement.

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The request is designed to be compatible with the surrounding uses; however, staff recommends an initial period of five years to allow for a subsequent review.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The request is intended to promote the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The request is not foreseen to be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request conforms with all applicable zoning regulations of the proposed planned development district.

BACKGROUND INFORMATION:

- The plat for the site was recorded in the County of Dallas deed records June 25, 1999.
- On August 14, 1998, a permit was issued for a new church building and surface parking.
- In May 2005, permits were issued to complete the work from the 1998 permit and to expand the surface parking lot to the north.
- The church vacated the property in 2014.

Zoning History: There have been no recent zoning cases in the vicinity in the last five years.

<u>Thoroughfare/Street</u>	<u>Designation</u>	<u>Dimension Explanation</u>
South Masters Drive	Principal Arterial	Minimum-6 lanes-Divided; 100' ROW
Old Seagoville Road	Minor Arterial	Standard-4 lanes-Divided; 60' ROW
Cushing Drive	Local	30' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

Land Use Compatibility:

The request site is developed with improvements that previously supported a recently constructed institutional (church) use inside of a two-story building containing approximately 60,000 square feet. The applicant requests to construct a one-story addition with approximately 80,000 square feet of floor area for a total of 60 high school classrooms and additional surface parking on the 23-acre lot. The site also is conveniently located on the corner of two thoroughfares so that carpool queue lines can access and exit the site to adequate roadways.

Surrounding uses consist of single family on all sides with the exception of a small undeveloped commercial property to the northeast, and Grady Spruce High School to the northwest.

Staff recommends approval of the planned development regulations because the applicant has added a specific use permit so that potential negative impacts could be reviewed within five years of approval.

Landscaping: The site possesses mature plantings in the tree preservation zone identified on the development plan. As noted on the site plan, there are a couple of expansion areas that will accommodate future classrooms. Article X requires landscaping when either of the following occurs: 1) increase in nonpermeable surface area increases by 2,000 square feet, or 2) issuance of a building permit that increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor area of buildings within the most recent 24-month period. One modification to landscaping that is proposed is to allow trees preserved in the tree preservation zone to count towards mitigation requirements so that when or if trees are removed for additions to the site, the mature trees in the tree preservation zone may count towards site tree requirements outside of the normally defined artificial lot. Staff encourages preserving mature trees, however the proposed language simply substitutes a conservation easement in straight zoning that would allow the same tree preservations as proposed in the planned development district.

Staff recommends approval of the planned development district in order to simplify the processes required of the applicant.

Signs: The request provides for larger and taller detached signs than the regulations for non-business districts allow. The non-business districts allow 50 square feet in effective area for a detached sign that may not exceed 25 feet in height and the request is to allow a detached sign that is 28 feet in height and 14 feet in width as shown in the location in the development plan. The request also allows one larger attached sign with an effective area that is limited to 25 percent the total facade, than the non-business district which limits an effective area to 40 square feet.

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Staff recommends approval as the proposed sign locations are set back a significant distance to accommodate larger signs and in order to simplify the processes required of the applicant.

Parking: The request is providing the minimum number of off street parking spaces required for a high school per the Dallas Development Code which equates to 9½ spaces per high school classrooms. If 60 high school classrooms are constructed as shown on the attached development plan, 570 off-street parking spaces are required. The request is showing that a minimum of 583 spaces will be provided.

CPC Action – January 7, 2016:

Motion: It was moved to recommend **approval** of a Planned Development District for R-7.5(A) Single Family District uses, subject to a development plan and conditions; and **approval** of a Specific Use Permit for an open-enrollment charter school for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan and revised conditions (as briefed) on property zoned an R-7.5(A) Single Family District on the southwest corner of Old Seagoville Road and South Masters Drive.

Maker: Shidid
Second: Anglin
Result: Carried: 11 to 0

For: 11 - Anglin, Houston, Davis, Shidid,
Anantasomboon, Abtahi, Haney, Jung, Schultz,
Peadon, Ridley

Against: 0
Absent: 4 - Emmons, Housewright, Murphy, Tarpley
Vacancy: 0

Notices: Area: 500 Mailed: 187
Replies: For: 8 Against: 11

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Against: None

List of Partners, Principals, and Officers

Theda Marie Green, President

Ernest Crowley, Member

Charles Oliver, Secretary

Jeanne Campbell, Member

Karen Belknap, Member/Founder

Dr. Jim Lang, Chief Administrative Officer

“ARTICLE _____.

PD _____.

SEC. 51P-_____.101. LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located at the southwest corner of Masters Drive and Old Seagoville Road. The size of PD _____ is approximately 23 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) SIMULATED LOT means the land area that includes any new building footprint and a minimum of 25 feet around the building footprint.

(2) TREE PRESERVATION ZONE means a defined area within Tract 2 reserved for the preservation of native old growth trees and the sustaining land area, for the purpose of retaining a remnant of North Texas prairie land heritage trees to the fulfillment of their natural lives.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- _____.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ___A: development plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ___A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- _____.106. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.

SEC. 51P- _____.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(c) The following accessory use is permitted by SUP only:

- Accessory community center (private).

SEC. 51P- _____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Public or private school.

(1) Front yard. Minimum front yard is 25 feet.

(2) Side and rear yard. Minimum side and rear yard is 25 feet. Lighting, retaining walls, protective athletic field netting with supporting poles, and goals are permitted in the side yard along Masters Drive.

(3) Floor area ratio. Maximum floor area ratio is 1.

(4) Height.

(A) Tract 1.

(i) Except as provided in this subparagraph, maximum structure height is 36 feet.

(ii) Structures erected prior to October 1, 2015 may not exceed 66 feet in height.

(B) Tract 2.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: An elevator penthouse or bulkhead, mechanical equipment room, cooling tower, tank designed to hold liquids, ornamental cupola or dome, skylights, clerestory, visual screens which surround roof mounted mechanical equipment, amateur communications tower, parapet wall limited to a height of four feet, and an amateur communications tower may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys and vent stacks may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 50 feet for light standards for recreational uses accessory to a public or private school,

(bb) 35 feet for netting and support poles for recreational uses accessory to a public or private school, and

(cc) 30 feet for all other structures.

(5) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(6) Lot size. Minimum lot size is 7,500 square feet.

(7) Stories. Maximum number of stories above grade is two.

SEC. 51P-____.109.

FENCES.

For a public or private school:

(1) a maximum seven-foot wrought iron ornamental fence may be located in any required yard.

(2) any fence that exceeds four feet in height and is located within 25 feet of a street must be a minimum of 50-percent open.

SEC. 51P- _____.110. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a public or private school, off-street parking is allowed in required yards and screening must be in the locations shown on the development plan utilizing one or more of the following methods to separately or collectively attain a minimum height of three feet above the parking surface:

(A) Brick, stone or concrete masonry, stucco, concrete, or wood wall or fence.

(B) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.

(C) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

SEC. 51P- _____.110. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Off-street parking is allowed in required yards for a public or private school.

SEC. 51P- _____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.112. LANDSCAPING AND TREE PRESERVATION, REMOVAL, AND REPLACEMENT.

(a) In general. Except as provided in this section, landscaping and tree preservation, removal, and replacement must be provided in accordance with Article X.

(b) Public or private school.

(1) Tracts 1 and 2: simulated lot.

(A) A simulated lot does not require public street frontage.

(B) A simulated lot has no maximum aggregate land area.

(2) Tract 2: tree preservation zone.

(A) The tree preservation zone must remain as shown on the development plan and is restricted to the maintenance and preservation of the trees and property, in compliance with city regulations, and for the educational and aesthetic enrichment of students and the community. The tree preservation zone must be maintained for the healthy and growing conditions of the trees.

(i) No tree may be removed within the tree preservation zone unless approved by the building official.

(ii) The building official may approve removal of the tree preservation zone from the development plan if 75 percent of the preserved trees are required to be removed due to public safety concerns or natural death in accordance with Article X.

(B) The ability to receive site tree credits for retained trees located within the tree preservation zone in Tract 2 as described in Section 51A-10.125(a)(3)(B) may be applied to any tree mitigation required in Tract 1 for the construction of the proposed building shown on the development plan.

(C) New construction is prohibited within the tree preservation zone in Tract 2. New construction must be located a minimum of 20 feet from the edge of the tree canopy of any tree located within the tree preservation zone. Construction or restoration of a perimeter fence or tree 'identification signage' is allowed.

(D) Permeable walking paths and bench seating are permitted within the tree preservation zone.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.113. SIGNS.

(a) In general. Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Public or private school.

(1) Two detached premise signs are permitted in Tract 1. One detached premise sign that is shown on the development plan is limited to 28 feet in height and 14 feet in width.

(2) One detached premise sign is permitted in Tract 2.

(3) Monument signs are restricted to 10 feet in height and 12 feet in width.

(4) Attached signs must be premise signs or convey a noncommercial message.

(A) All signs and their words must be mounted parallel to and may project 18 inches maximum from the building surface to which they are attached.

(B) The maximum effective area of all attached signs on each facade is 25 percent of the total area of the facade.

(C) Maximum of eight words are allowed on each facade and may contain any character with a maximum height of 11 feet 2 inches.

SEC. 51P- ____ .114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P- ____ .115. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.”

**CONDITIONS FOR A SPECIFIC USE PERMIT
FOR AN OPEN-ENROLLMENT CHARTER SCHOOL**

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING. Landscaping must be provided and maintained in accordance with Article X prior to the issuance of an amended certificate of occupancy for any new construction to be located within each respective area identified on the site plan as future classrooms.
5. CLASSROOMS: Maximum number of classrooms is 60.
6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 5:00 p.m., Monday through Friday.
7. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. OFF-STREET PARKING: Parking must be located as shown on the attached site plan.
9. TRAFFIC MANAGEMENT PLAN:
 - A. In general. The operation of a public or private school must comply with the traffic management plan (Exhibit ____B).
 - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way without written approval from the director of public works and transportation. Queuing within the city right-of-way must not impede maneuvering for emergency vehicles.
 - C. Traffic study.
 - i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2017. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the Director by November 1st of each odd numbered year.

ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different times over a two-week period, and must contain an analysis of the following:

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

i. A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

ii. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

TRAFFIC MANAGEMENT PLAN FOR
A+ ACADEMY HIGH SCHOOL
IN DALLAS, TEXAS

Prepared for:
A+ Charter Schools, Inc.
8225 Bruton Road
Dallas, Texas 75217

Prepared by:

Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740



July 30, 2015

Revised
August 31, 2015

Z145-321

DeShazo Project No. 15119.04

Traffic Management Plan for
A+ Academy High School
~ DeShazo Project No. 15119.04 ~

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- Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

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- Exhibit 1. Recommended Site Circulation Plan

APPENDIX



Traffic. Transportation Planning. Parking. Design.

400 S. Houston Street, Suite 330
Dallas, TX 75202
ph. 214.748.6740
deshazogroup.com

Technical Memorandum

To: Dr. Jim Lang — *A+ Charter Schools, Inc.*
Cc: *Audra Buckley — Permitted Development*
From: *DeShazo Group, Inc.*
Date: August 31, 2015
Re: Traffic Management Plan for A+ Academy High School in Dallas, Texas (Case No. Z145-321)
DeShazo Project Number 15119.04

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by A+ Charter Schools, Inc. to prepare a traffic management plan (TMP) for a proposed A+ Academy High School ("the school"). The school is planned to serve 600 students from 7th through 12th grade. A preliminary site plan, prepared by Claycomb Associates, Architects, is provided as reference in this report.

PURPOSE

The proposed school site is located at 445 S. Masters Drive and zoned R-7.5(A) (a Single Family District). Zoning provisions permit the development of a private school under specific stipulations of a Specific Use Permit. As part of the approval process, the City of Dallas requires submittal of a TMP as a record of the preferred traffic control strategies and to ensure safe and efficient traffic operations. The plan is intended to assess anticipated traffic conditions during the morning drop-off and afternoon pick-up activities on the basis of satisfying these objectives. By consent of the TMP submittal, the school agrees to the strategies presented herein. In addition, the school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of school carpool operations will also inherently improve. This TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

The analysis summarized below identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. The use of designated parking and queuing areas is necessary to minimize the operational impact on the adjacent properties and the public street system.

School Operational Characteristics

Table 1 summarizes the proposed operational characteristics for Shelton School:

Table 1. Proposed School Operational Characteristics

Student Enrollment:	Grades 7–12 th 600
School Staff:	38 staff members
Daily Arrival Schedule:	Grades 7–12 th 7:45 AM
Daily Departure Schedule:	Grades 7–12 th 3:30 PM
Students Travelling by Modes Other Than Drop-off/Pick-up:	School/Public Bus, Walk 0% Student Drivers..... 5%

NOTE #1: The school may hold events that generate traffic outside of traditional peak periods. While some measures presented in this report may also apply, this analysis evaluates traffic characteristics associated only with traditional school peak periods.

NOTE #2: To the highest degree practical, accounts of existing conditions in this report are based upon information provided by the Client and supported by DeShazo’s professional judgment and experience with other similar projects. Proposed conditions are intended to reflect the anticipated day-to-day conditions at full-occupancy.

Site Access and Circulation

A total of three driveways serve the proposed school site. As depicted in **Exhibit 1**, Driveway A is an existing driveway on S. Masters Drive. Driveway B on Cushing Drive will remain gated to restrict school traffic access to the residential neighborhood. A third driveway serves the north end of the school property on Old Seagoville Road; it will only serve goods and service, faculty and staff vehicles.

Inbound and outbound access at Driveway A will remain open during peak hours of school traffic. However, student pick-up-related traffic will be informed to enter the site through the driveway on S. Masters Drive. Passenger vehicles will directly proceed to form a queue towards the loading/unloading area along the designated route. Traffic circulation may be demarcated by pavement markings, traffic signs, or both as shown in **Exhibit 1**. Once in queue, traffic will operate as a single line of vehicles with the opportunity to exit and park before reaching the loading/unloading area. Vehicles should have no problem exiting sequentially upon leaving the loading/unloading area. Exiting traffic will drive along the designated route towards Driveway A on S. Masters Drive.

Passenger Unloading/Loading

During morning drop-off periods, vehicular traffic will enter the school site to unload students directly at the designated unloading areas. Alternatively, parents may also be permitted to proceed toward the visitor-designated parking area and walk students to the building. During pick-up periods, vehicular traffic will again enter the queue to load passengers or park in a designated visitor parking space to wait for the student(s) to arrive. Parents who have parked may choose to walk to the building to greet their child.

The school should enforce a managed loading protocol during the afternoon pick-up periods whereby vehicles enter and circulate through a prescribed route and form a systematic queue in a timely and organized manner. School staff will be positioned at strategic locations assist in the TMP operations. Students will be released from school at the specified dismissal time and proceed to identify their vehicle either at the loading zone or waiting in the visitor-designated parking area. However, the school should encourage parent participation in the queue formation to optimize traffic operations. Once loaded, egress traffic will carefully proceed along the designated route to exit the school site through Driveway A.

Vehicle Queuing

The goal for any school is to accommodate all vehicular queuing and drop-off/pick-up procedures on private property. In lieu of any published, standardized technique for projecting necessary queue lengths, DeShazo developed a proprietary methodology for estimating peak vehicular queue based upon historical studies conducted at various school sites.

School observations consistently indicate that maximum queues occur during the afternoon peak period when students are being picked-up—the morning period is typically not a significant traffic issue since drop-off activities are more temporally distributed and occurs much more quickly than student pick-up. The projected peak number of vehicles during each dismissal time is provided in Table 2. A detailed summary of these calculations is provided in the Appendix.

Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

	Grades 7-12 <i>600 students at 3:30 PM</i>
Approx. Peak Number of Vehicles	61 vehicles

Recommendations

School traffic delays and congestion during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is most critical, while the morning traffic operations require nominal active management. The following recommendations are provided by DeShazo to the school for the management of traffic specifically generated by the school during the afternoon periods.

DeShazo recommends implementation of the traffic circulation plan depicted in Exhibit 1 based upon a review of the proposed site and the anticipated needs of traffic during peak conditions. This plan was designated to optimize the on-site vehicular circulation and retention of queued vehicles in a manner that promotes safety and operational efficiency. The recommended plan provides a designated route for each queue and its respective loading zone.

Case No. Z145-321

*DeShazo Group, Inc.
August 31, 2015*

The proposed queue shown in **Exhibit 1** provides 1,480 linear feet of on-site vehicular storage for up to 63 vehicles at 23.5 feet each. In addition, a total of 544 off-street parking spaces are proposed to serve the parking needs for the school. This capacity is expected to accommodate the projected vehicular demand.

The TMP also includes a recommended configuration of temporary traffic control devices (such as traffic cones) that shall be installed on a daily basis when typical traffic conditions are expected. An appropriate number of school staff should be assigned to fulfill the duties of student supervision, traffic control, and other related duties as generally depicted on the plan.

Staff directing traffic at the intersecting point of two queue lanes (and other areas, where appropriate) should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages (and symbols) for STOP and for SLOW (i.e., proceed slowly). Optional additional equipment used by staff may include whistles (for audible warnings) and flashlights (for visual warnings) in order to better-gain the attention of motorists.

The full cooperation of all school staff members, students, and parents is crucial for the success of any traffic management plan. Proper training of school staff on duties and expectations pertaining to the plan is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended. In general, the following practices should be enforced.

- Passenger loading and unloading within public right-of-way should be avoided at all times to maximize personal safety. All queuing and parking should be accommodated within the school site boundaries. For circumstances where this cannot be avoided, coordination with City staff responsible for traffic operations in the area should occur so that appropriate mitigation measures can be investigated.
- No person(s) other than deputized officers of the law should engage or attempt to influence traffic operations in public right-of-way to minimize liabilities, if at all needed.
- Reserved parking areas should be clearly marked for parents and visitors to identify staff and student parking to optimize traffic operations. The recommended parking assignment shown in **Exhibit 1** is meant to assign school staff (i.e., reserved) to spaces that may potentially be blocked by ingress queue under the assumption that those school staff do not arrive/depart the campus during student pick-up period(s). Likewise, the proposed student parking is intended to be located outside of the queue operations.

SUMMARY

This TMP is to be used by A+ Academy High School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The traffic management plan presented in **Exhibit 1** was developed with the intent of optimizing safety and efficiency and the goal of accommodating within the site vehicular traffic generated by the school at peak traffic periods. The details of this plan shall be reviewed by the school on a regular basis to confirm its effectiveness.

END OF MEMO

*A+ Academy High School
Traffic Management Plan
Page 4*

Z145-321(SM)

Case No. Z145-321

*DeShazo Group, Inc.
August 31, 2015*

Appendix

*A+ Academy High School
Traffic Management Plan
Appendix*

PROJECT INFORMATION

School Name: A+ Academy High School Grades: 7-12th
 City, State: Dallas, Texas District: _____
 School Type: Charter School Date: 8/31/2015

A. BASE DATA

- Scenario: Dismissal at 3:30 PM
- Anticipated Enrollment:
- Mode Split:

	Est.	
Drop-Off/Pick-Up	95%	(570)
Bus/Van/Transit	0%	(0)
Walking	0%	(0)
After School	0%	(0)
Student Drivers	5%	(30)
- Net Queue Generators:

B. TRIP GENERATION

- Enrollment: 570 Students
- ITE Land Use 536 (9th Ed.):

	Trip Ends	Inbound	Outbound
AM	$T=0.77x + 19.92$	61%	39%
PM	$T=0.43x + 79.59$	42%	58%
- Adjustment Factor*:
- Calculated Trip Generation:

	Total	Inbound	Outbound
AM Peak	516	315	201
PM Peak	325	136	188

C. PM/AFTERNOON QUEUE MODEL

i) Projected Inbound PM Peak Hour Trips: $T_{in} =$

ii) Estimated % of PM-Inbound Trip Ends in Peak Queue: $F_Q =$

iii) Theoretical Peak Queue:
 $Q_{min} = T_{in} \times F_Q =$ \times $=$ 61 vehicles in theoretical peak queue

iv) Adjusted Peak Queue:

- Traffic Management In Effect: → $F_m =$
[i.e., coordinated inbound traffic/queuing plan; range: 0.00-0.47]
- Mixed Traffic Circulation: → $F_c =$
[i.e. apportioned location for each mode of transp.; range: 0.00-0.25]
- Parking Allocation: → $F_p =$ (Parking expected, see Report for details)
[i.e. portion of theoretical peak queue heading to a parking stall; 0.00 for mandatory queues]

v) Projected Peak Queue:

$Q_{proj} = Q_{min} \times (1 + F_m - F_c - F_p)$ **61 vehicles (1434 LF @ 23.5 feet/vehicle)**

*Calculations may yield trip generation values greater than those otherwise derived using the standard ITE equations for public schools. Adjustment factors applied in this analysis (if any) were investigated and considered appropriate based on empirical data and previous studies from other schools of similar size.

Proposed Development Plan / Site Plan



AT CHARTER SCHOOLS, INC.
 AT ACADEMY HIGH SCHOOL
 1000 W. SOUTH MASTERS DRIVE, DALLAS, TEXAS 75277

CLAYCOMB ASSOCIATES ARCHITECTS
 1000 W. SOUTH MASTERS DRIVE, DALLAS, TEXAS 75277
 SHEET NO. **0.01**

TRACT-1 DATA TABLE

LAND USE: OPEN ENROLLMENT CHARTER SCHOOL

TOTAL LOT AREA:	783,131 SF (17,831 ACRES)
EXISTING FLOOR AREA:	36,840 SF
NEW FLOOR AREA:	1,320,000 SF
TOTAL FLOOR AREA EXISTING AND PROPOSED:	1,356,840 SF
LOT COVERAGE:	15%
LANDSCAPE/OPEN SPACE:	316,001 SF
DRIVES:	285,140 SF
INTERNAL SIDEWALKS:	23,000 SF
SETRACES:	20' MINIMUM
FRONT YARD:	20' MINIMUM
SIDE YARDS:	20' MINIMUM

NUMBER OF STOREYS:	2 STORY
MAXIMUM BUILDING HEIGHT:	30' FEET
EXISTING BUILDING:	34' FEET
NEW BUILDING ADDITION:	34' FEET

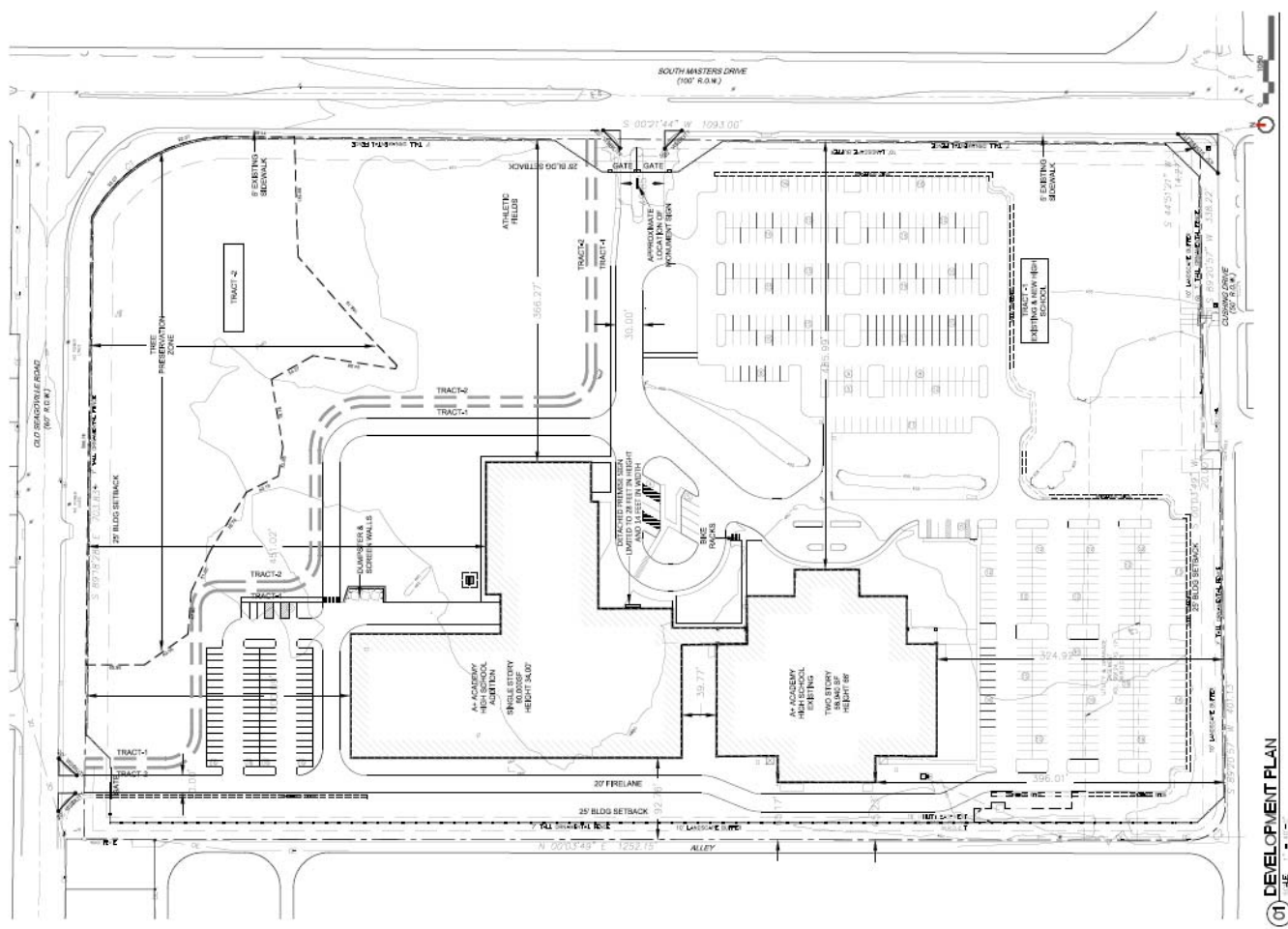
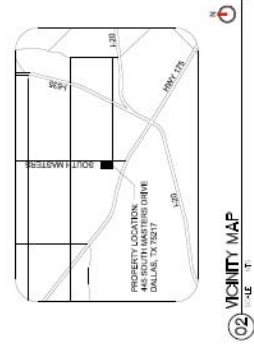
OFF-STREET PARKING: HIGH SCHOOL PARKING REQUIREMENT:

NUMBER OF CLASSROOMS:	40
TOTAL SPACES REQUIRED:	80
TOTAL SPACES PROVIDED:	482 SPACES
COMPACT SIZE:	77 SPACES
HANDICAPPED ACCESSIBLE:	13 SPACES
TOTAL SPACES:	62 SPACES

TRACT-2 DATA TABLE

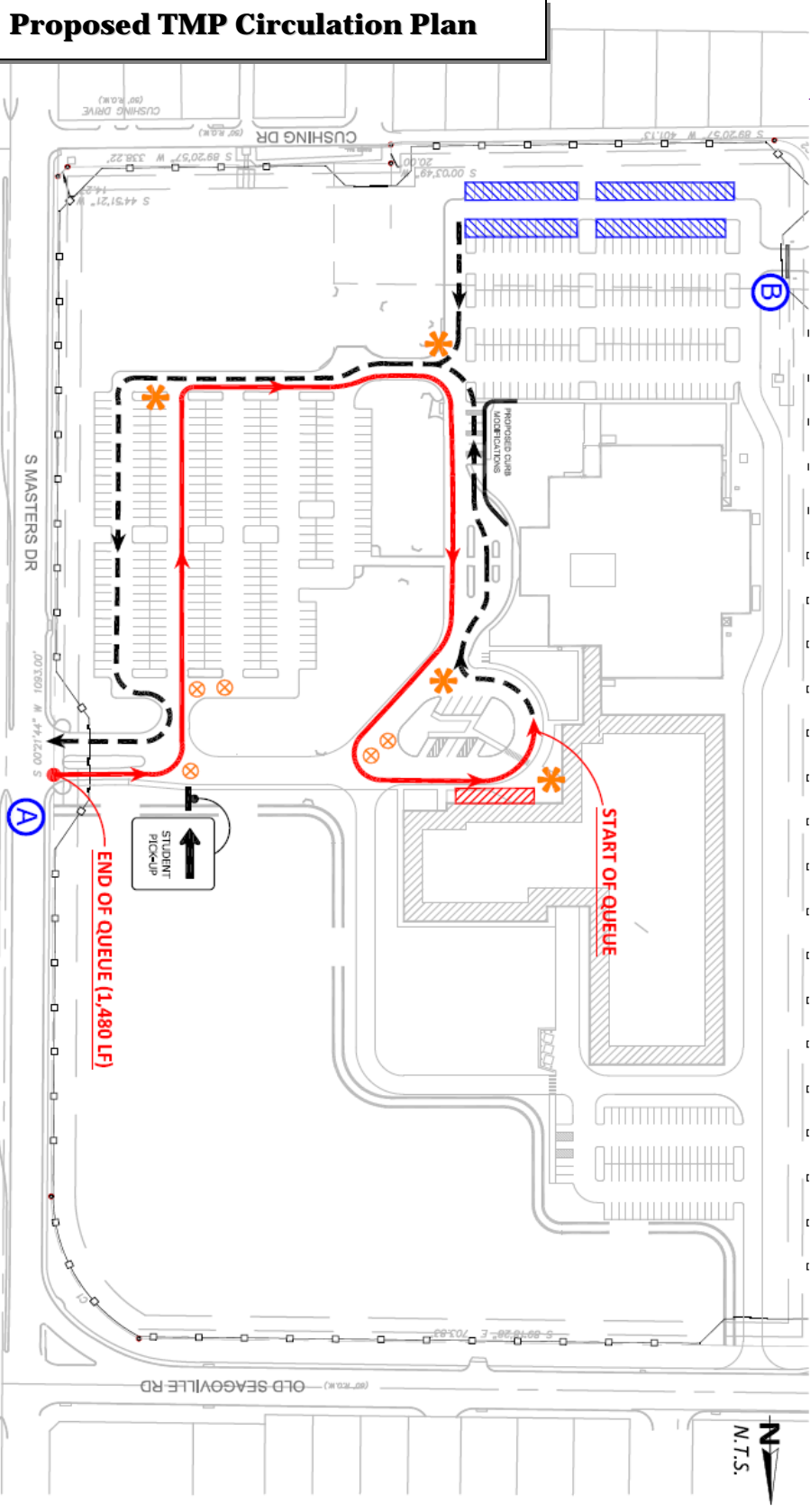
LAND USE: RECREATIONAL AREA

TOTAL LOT AREA:	238,140 SF (5.47 ACRES)
SETRACES:	20' MINIMUM
FRONT YARD:	20' MINIMUM
SIDE YARDS:	20' MINIMUM
REAR YARD:	20' MINIMUM



ZONING CASE NUMBER: #Z145-321

01 DEVELOPMENT PLAN



Proposed TMP Circulation Plan

Legend

- School Staff
- Loading/Unloading
- Provided Queue
- Outbound Route
- Traffic Cones
- Student Parking
- Driveway Location
- Traffic Sign

*Vehicular queue calculated at 23.5 feet/passenger car based on field observations.

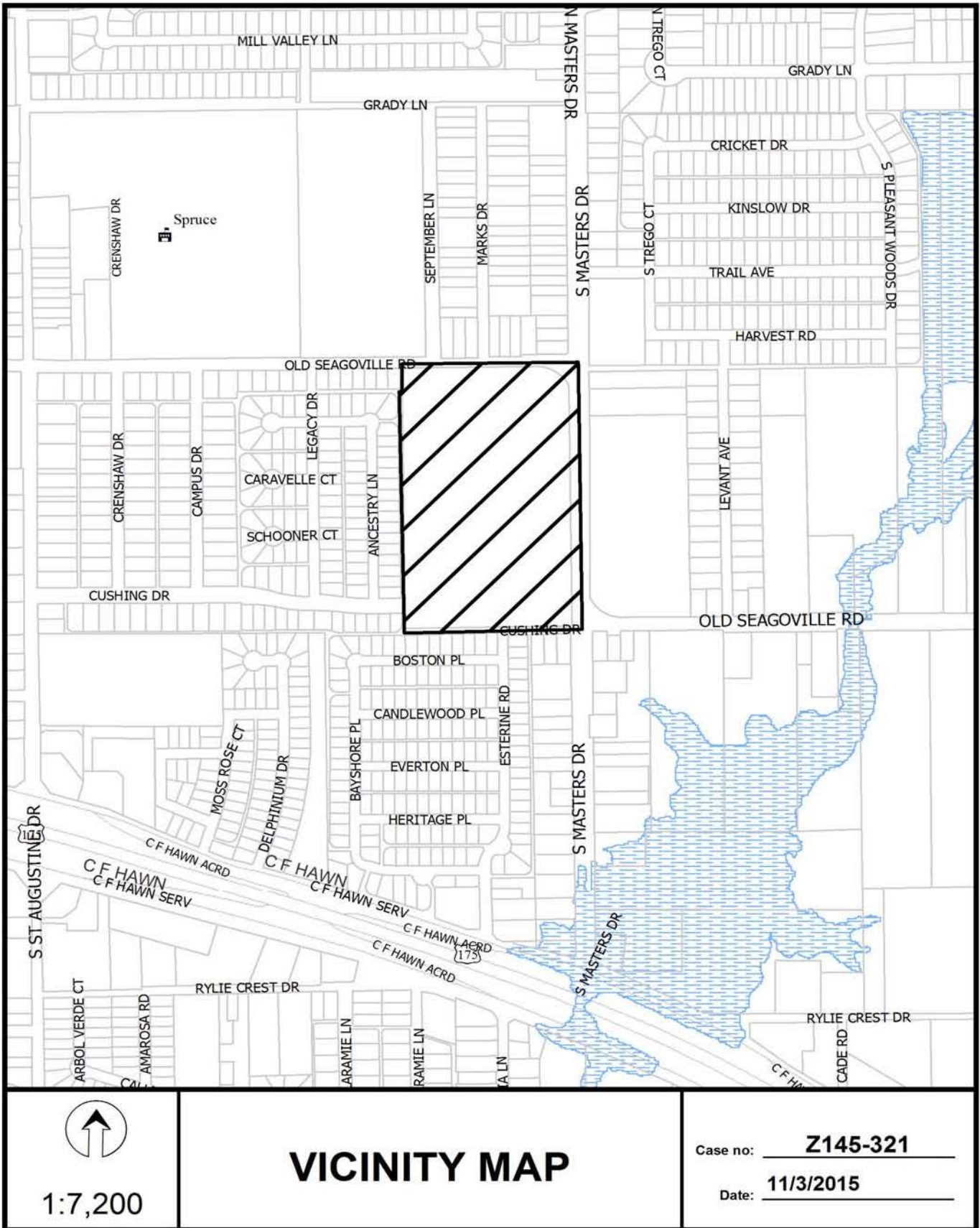
Student Group		Schedule		Traveling Modes		Vehicular Traffic Demand	
Grades 7-12	600 Students	7:45 AM-3:30 PM	Pick Up: 95% Transit: 0% Self-Drive: 5%	Capacity: 1,480 LF (63 cars)	Maximum: 1,434 LF (61 cars)	Surplus: 46 LF (2 cars)	

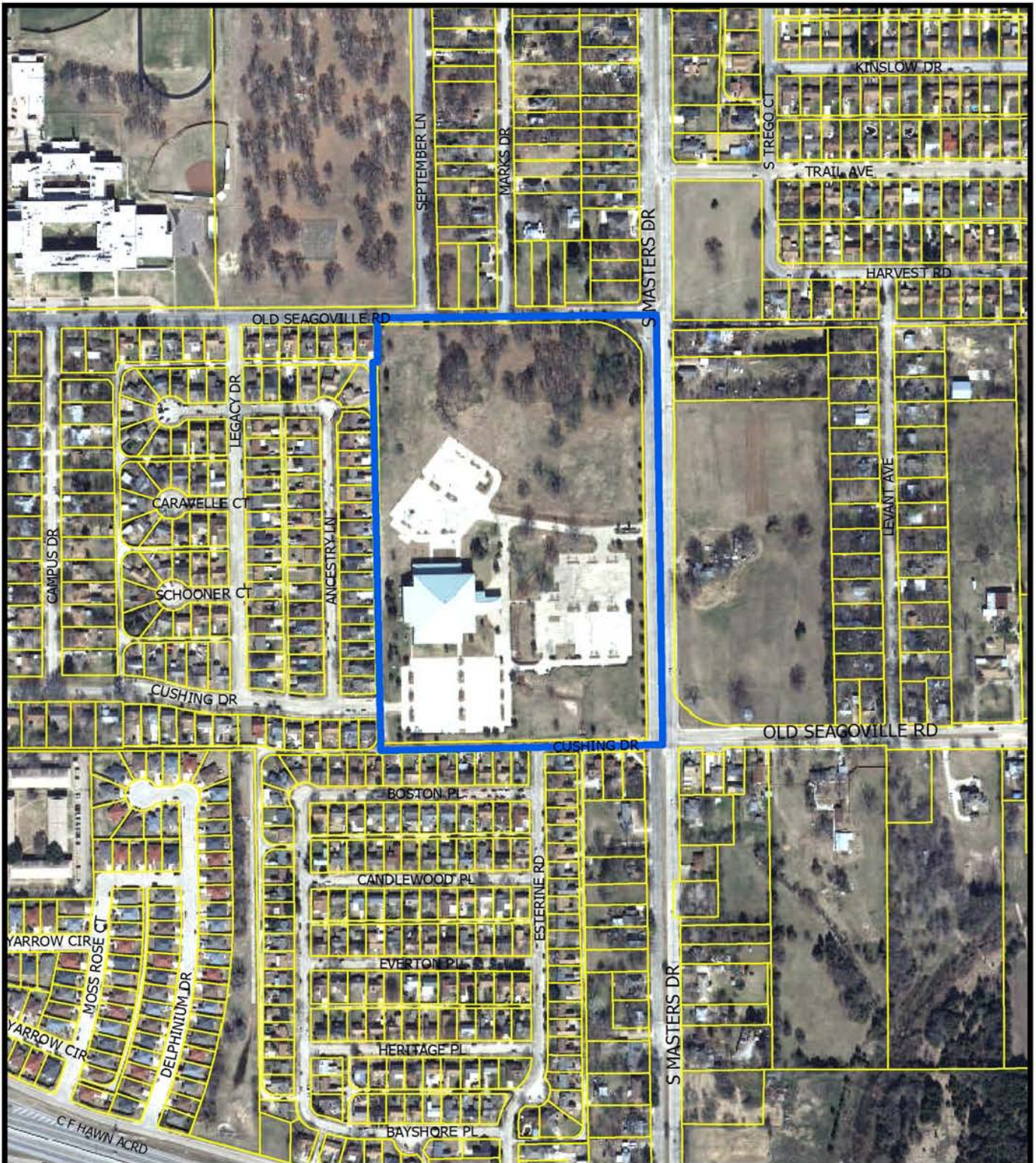
The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. This TMP was developed to prevent queuing of drop-off/pick-up related vehicles within the city rights-of-way. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

I, David Navarro, P.E. #106200, certify that the results of the queuing analysis—upon complete enforcement of this Traffic Management Plan—indicate that no queuing of vehicles will extend into City of Dallas rights-of-way as a result of internal queuing constraints during the study peak hours of school operation.

EXHIBIT 1
Traffic Management Plan
A+ Academy High School
445 S. Masters Drive, Dallas, Texas.

DesHazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748-6740



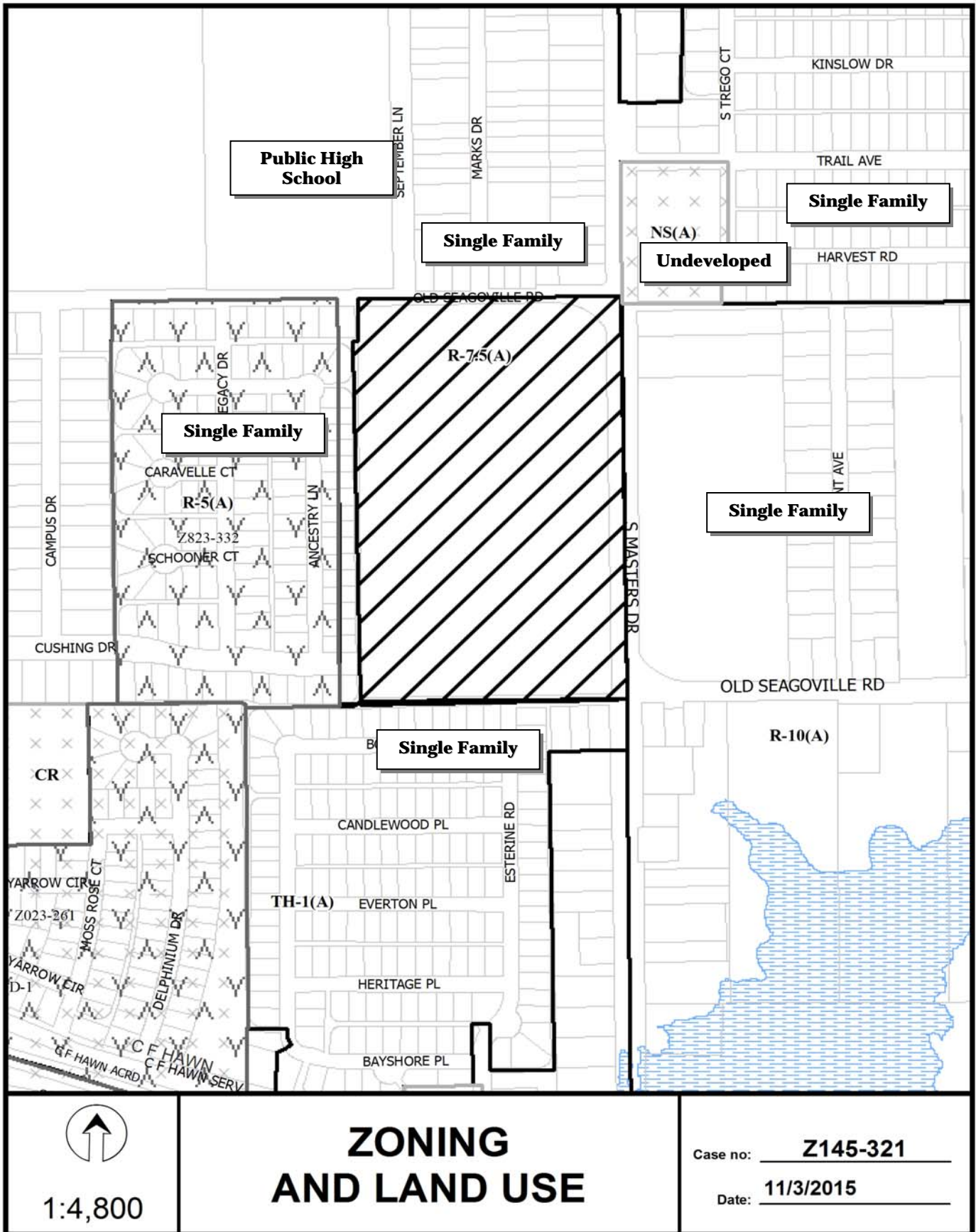


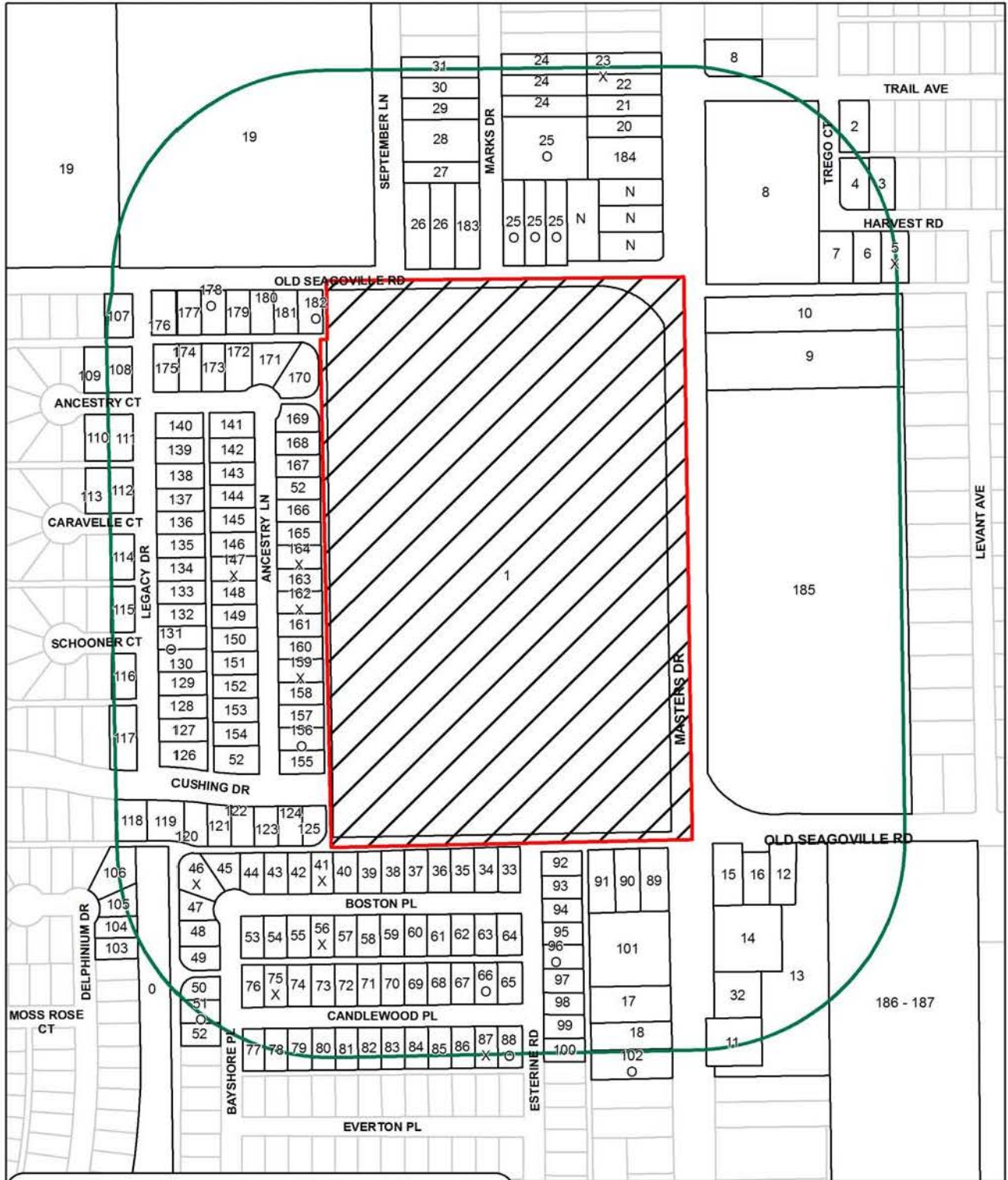
1:4,800

AERIAL MAP

Case no: Z145-321

Date: 11/3/2015





187	Property Owners Notified (201 parcels)
10	Replies in Favor (13 parcels)
11	Replies in Opposition (11 parcels)
500'	Area of Notification
1/7/2016	Date

Z145-321
CPC



1:3,600

01/15/2016

Reply List of Property Owners**Z145-321**

187 Property Owners Notified 10 Property Owners in Favor 11 Property Owners Opposed

Reply	Label #	Address	Owner
	1	445 MASTERS DR	EVANGELICAL CHRISTIAN CREDIT UNION
	2	10302 TRAIL AVE	RODRIGUEZ MARTIN C ET AL
	3	10305 HARVEST RD	GRANDBERRY HELEN M
	4	10301 HARVEST RD	HELMS JERI ANN
X	5	10310 HARVEST RD	PEDFORD CHARLES E &
	6	10306 HARVEST RD	SMITH ARTHUR W JR
	7	10302 HARVEST RD	VALDEZ GUADALUPE & ALMA R
	8	900009 MASTERS DR	FIGUEROA JOSE
	9	310 MASTERS DR	GONZALEZ FELIPE & FEBE
	10	302 MASTERS DR	LEMUS JOSE & ALMA
	11	540 MASTERS DR	MCCOY L C
	12	10216 SEAGOVILLE RD	HERNANDEZ NOELIA &
	13	10302 SEAGOVILLE RD	MOLINA RAUL L
	14	520 MASTERS DR	ZUNIGA RAMIRO &
	15	10200 SEAGOVILLE RD	GORROSTIETA AGUSTIN &
	16	10208 SEAGOVILLE RD	GUZMAN JAVIER
	17	531 MASTERS DR	HARO JULIO
	18	505 MASTERS DR	CASAS REALIDAD LP
	19	9733 OLD SEAGOVILLE RD	Dallas ISD
	20	221 MASTERS DR	ZAVALA JOAQUIN
	21	215 MASTERS DR	SUSTAITA SEBASTIAN & MARIA
	22	211 MASTERS DR	SANCHEZ SERGIO
X	23	209 MASTERS DR	MORENO SANDRA
	24	220 MARKS DR	CALLES CRISTOBAL D
O	25	232 MARKS DR	EVANS CONNIE JUNE
	26	10019 SEAGOVILLE RD	MENDEZ ESMERALDA

01/15/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	231 MARKS DR	KAKRADA DELALI & GRACE
	28	227 MARKS DR	DELAROSA RICHARD
	29	219 MARKS DR	GONZALES RAMONA
	30	215 MARKS DR	ZAVALA JOAQUIN & ELVA S
	31	211 MARKS DR	YBARRA MARY J
	32	534 MASTERS DR	METTERS BARBARA
	33	10051 BOSTON PL	DELAROSA MARIA DOLORES
	34	10047 BOSTON PL	RIVERS SAUL KUBA
	35	10043 BOSTON PL	FLORES ASUNCION B
	36	10039 BOSTON PL	NOLLEY TOMMIE LEWIS JR &
	37	10035 BOSTON PL	RUIZ ANTONIO
	38	10031 BOSTON PL	LUTHER MERILYN SMITH
	39	10027 BOSTON PL	CAVOZOS MARIBEL
	40	10023 BOSTON PL	ELIZONDO FELIZ JR
X	41	10019 BOSTON PL	GALVAN RAYMUNDO
	42	10015 BOSTON PL	MAULDIN DINIA
	43	10011 BOSTON PL	FUQUEZ INVESTMENTS LTD
	44	10007 BOSTON PL	CHAMBER JERRY B &
	45	10003 BOSTON PL	ACOSTA EFREN & MARIA C
X	46	505 BAYSHORE PL	CRAWFORD JOE E
	47	509 BAYSHORE PL	MONTOYA RAFAEL G &
	48	515 BAYSHORE PL	VALVERDE ABEL G & MARIA LOPEZ GONZALEZ
	49	519 BAYSHORE PL	SOUTHSIDE RENTAL PROPERTIES LLC
	50	523 BAYSHORE PL	FACUNDO APOLINAR & SILVIA
O	51	527 BAYSHORE PL	CONANT PAUL W & ROBYN
	52	531 BAYSHORE PL	DALLAS HOUSING AUTHORITY
	53	10004 BOSTON PL	VALENZUELA SERGIO & MARICELA
	54	10008 BOSTON PL	AGUILAR EFRAIN
	55	10012 BOSTON PL	VALLES JOSE S & ELOISA
X	56	10016 BOSTON PL	VALDEZ JUAN & MARIA
	57	10020 BOSTON PL	GARCIA GEORGE &

01/15/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	10024 BOSTON PL	MUNIZ JOSE M LIFE EST &
	59	10028 BOSTON PL	QUINTANILLA DELFINO Q &
	60	10032 BOSTON PL	HOLLINGSWORTH DEBRA
	61	10036 BOSTON PL	JACKSON ROSIE M
	62	10040 BOSTON PL	SALAS ISMAEL P
	63	10044 BOSTON PL	SALAS MIGUEL & MARTHA
	64	10048 BOSTON PL	ESTRADA JESUS M
	65	10051 CANDLEWOOD PL	LOZANO MARTIN A
O	66	10047 CANDLEWOOD PL	DUFFEY C D & VEDA GIPSON
	67	10043 CANDLEWOOD PL	CERVANTES CARLOS ET AL
	68	10039 CANDLEWOOD PL	JIMENEZ OFELIA & JESUS
	69	10035 CANDLEWOOD PL	SANCHEZ FRANCISCO &
	70	10031 CANDLEWOOD PL	GOVAN ELLIN M &
	71	10027 CANDLEWOOD PL	WAFER ANNETTE
	72	10023 CANDLEWOOD PL	WILSON TOMMY E
	73	10019 CANDLEWOOD PL	GANDARA OSCAR
	74	10015 CANDLEWOOD PL	HERNANDEZ HECTOR FERNANDO &
X	75	10011 CANDLEWOOD PL	GARCIA FIDELA R
	76	10007 CANDLEWOOD PL	CLAYBORNE OTIS B
	77	10006 CANDLEWOOD PL	SALAS RODRIGO &
	78	10010 CANDLEWOOD PL	KYLE RAND HOME INC
	79	10014 CANDLEWOOD PL	HUNTLEY LEO C
	80	10018 CANDLEWOOD PL	CARDOSO MANUEL
	81	10022 CANDLEWOOD PL	MACIEL FERNANDO
	82	10026 CANDLEWOOD PL	RUAN CARRASCO EDGAR E
	83	10030 CANDLEWOOD PL	TRUJILLO ESPERANZA
	84	10034 CANDLEWOOD PL	OLIVARES GUSTAVO A &
	85	10038 CANDLEWOOD PL	ESCOBAR ANDRES
	86	10042 CANDLEWOOD PL	ARCE ROSA L
X	87	10046 CANDLEWOOD PL	HUCKABY VERLENE W
O	88	10050 CANDLEWOOD PL	MANNING MELBA G

01/15/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	10114 CUSHING DR	RATTLER KARAN &
	90	10110 CUSHING DR	ORTEGA VANESSA JANET &
	91	10106 CUSHING DR	JAIMES LAZARO
	92	504 ESTERINE RD	MARTINEZ LUIS
	93	508 ESTERINE RD	WILSON MICHAEL L &MELISSA
	94	512 ESTERINE RD	ROCHARIZO FERMIN &
	95	516 ESTERINE RD	ALBA MARIA LOUISA
O	96	520 ESTERINE RD	STAPP BETTY CATHERINE
	97	524 ESTERINE RD	MACK GARY ANN
	98	528 ESTERINE RD	SALAS SANTIAGO &
	99	532 ESTERINE RD	HARRISON DORA F
	100	536 ESTERINE RD	DIAZ ANGELITA &
	101	509 MASTERS DR	SOTELO VERONICA
O	102	541 MASTERS DR	LOPEZ RAMON & MARIE E
	103	538 DELPHINIUM DR	LAKSHAMALLA MARIA
	104	534 DELPHINIUM DR	CASTILLO MIRNA A
	105	530 DELPHINIUM DR	CARRENO FELIPE
	106	526 DELPHINIUM DR	TELLES RAFAEL M
	107	9840 SEAGOVILLE RD	STURNS EARLINE
	108	9823 ANCESTRY CT	HERNANDEZ TRACY D
	109	9819 ANCESTRY CT	FAZ ALEJANDRO & MA IRMA
	110	9822 ANCESTRY CT	TORRES RAMIRO & MINERVA BANUELOS ARRELLANO
	111	9826 ANCESTRY CT	MEJIA FRANCISCO JAVIER &
	112	9823 CARAVELLE CT	WALKER SHEILA J
	113	9819 CARAVELLE CT	WILLIAMS GERALDINE
	114	9826 CARAVELLE CT	HAMPTON MARSHUNN D
	115	9823 SCHOONER CT	WILSON RAYMOND
	116	9826 SCHOONER CT	CHAVEZ J CONCEPCION
	117	9841 CUSHING DR	BANKS BRENDA ANN
	118	9846 CUSHING DR	RENTERIA PABLO & ISIDRA E
	119	9904 CUSHING DR	FATIZZI PATRICIA

01/15/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	9910 CUSHING DR	TUMBLEWEED PROPERTY MGMT LLC
	121	9916 CUSHING DR	RODRIGUEZ GERARDO T
	122	9922 CUSHING DR	SMITH DARIAL A ETAL
	123	9928 CUSHING DR	CALZADA EVODIO
	124	9934 CUSHING DR	OSORIO MARICELA
	125	9940 CUSHING DR	GARCIA RODOLFO & NORMA
	126	378 LEGACY DR	JACKSON WILLIE
	127	374 LEGACY DR	POLK MILDRED C EST OF
	128	370 LEGACY DR	MARTIN WALTER T &
	129	366 LEGACY DR	GOMEZ JAVIER
	130	362 LEGACY DR	GALVAN MARCELINO
O	131	358 LEGACY DR	AVERHART CHARLIE BERT &
	132	354 LEGACY DR	BUCHANAN BOBBY R &
	133	350 LEGACY DR	VAN MARY
	134	346 LEGACY DR	BENJAMIN ARTERRY L
	135	342 LEGACY DR	MARTINEZ CANDIDO
	136	338 LEGACY DR	RAMIREZ JOSE S
	137	334 LEGACY DR	HERNANDEZ MARTIN
	138	330 LEGACY DR	HURNDON GWENDOLYN C
	139	326 LEGACY DR	OLIVA JULIO & ERICA
	140	322 LEGACY DR	MECCA APRIL INC
	141	331 ANCESTRY LN	JONES MAMIE L
	142	335 ANCESTRY LN	SOSA VICTOR R
	143	339 ANCESTRY LN	COLEMAN ARTHUR
	144	343 ANCESTRY LN	MARTINEZ FEDERICO J &
	145	347 ANCESTRY LN	CASTILLO MAGDA
	146	351 ANCESTRY LN	SCOTT TILWANDA
X	147	355 ANCESTRY LN	ADAME ANDRES JR & PAULINA
	148	359 ANCESTRY LN	WASHINGTON SAMMY & PAMELA
	149	363 ANCESTRY LN	STOVALL LINDA DARLENE
	150	367 ANCESTRY LN	RODRIGUEZ JOSE & YOLANDA

01/15/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	371 ANCESTRY LN	ALVAREZ MARY L
	152	375 ANCESTRY LN	GARZA LETICIA
	153	379 ANCESTRY LN	FLORES ALVARO
	154	383 ANCESTRY LN	HERNANDEZ MIGUEL &
	155	388 ANCESTRY LN	ARMENDARIZ SALVADOR &
O	156	384 ANCESTRY LN	SCHULTZ KELVIN D
	157	380 ANCESTRY LN	PHAM AUDREY S
	158	376 ANCESTRY LN	DELGADO ROGELIO & MARIA
X	159	372 ANCESTRY LN	SMITHERS BONITA
	160	368 ANCESTRY LN	PARK PLACE EQUITY FUND LLC
	161	364 ANCESTRY LN	TARVER ROBERT HAROLD &
X	162	360 ANCESTRY LN	WALDON JAMES R & BARBARA
	163	356 ANCESTRY LN	FRAYRE MARIA TERESA
X	164	352 ANCESTRY LN	RAMIREZ MARCELA
	165	348 ANCESTRY LN	BRYANT ARTHUR RAY &
	166	344 ANCESTRY LN	CHASE MORTGAGE SCVS INC
	167	336 ANCESTRY LN	BAZAN FRANCISCO
	168	332 ANCESTRY LN	HERNANDEZ JOSE A &
	169	328 ANCESTRY LN	ROBERTS BARBARA JEAN
	170	324 ANCESTRY LN	HERNANDEZ SANJUANA & MOISES
	171	320 ANCESTRY LN	DELGADO LUIS & SONIA
	172	316 ANCESTRY LN	COLEMAN WANDA S &
	173	312 ANCESTRY LN	SANDOVAL FEDERICO &
	174	308 ANCESTRY LN	BUSTILLO JOSE ALFREDO &
	175	304 ANCESTRY LN	BRUNDAGE BRENDA JOHNSON
	176	9906 SEAGOVILLE RD	CARRANZA SABINO & BERTA
	177	9912 SEAGOVILLE RD	LUCERO ARTURO
O	178	9918 SEAGOVILLE RD	OLVERA MIRNA ELVIA
	179	9924 SEAGOVILLE RD	BAILEY PAUL N & EDWINA
	180	9930 SEAGOVILLE RD	BADO MANUEL A ET AL
	181	9936 SEAGOVILLE RD	GUTIERREZ JULIO & MARIA D

Z145-321(SM)

01/15/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	182	9942 SEAGOVILLE RD	MORENO JOSE &
	183	10031 SEAGOVILLE RD	GORROSTIETA ADAN & MARISELA
	184	227 MASTERS DR	ROSALES FRANCISCO &
	185	404 MASTERS DR	SMITH MARION ADOREE FARLEY
	186	10314 SEAGOVILLE RD	JOHNSON JERVA J
	187	10314 SEAGOVILLE RD	MIZE JERVA J

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: January 27, 2016
COUNCIL DISTRICT(S): 2, 14
DEPARTMENT: Planning and Urban Design
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 45 A B E F K L P & Q

SUBJECT

Authorize a professional services contract with Moore, Iacofano, Goltsman, Inc., (MIG, Inc.) for the preparation of an update to the City’s Downtown Dallas 360 Plan adopted by City Council on April 13, 2011 - Not to exceed \$250,000 - Financing: Downtown Connection TIF District Funds

BACKGROUND

In 2011, City Council adopted the Downtown Dallas 360 Plan. The plan’s adoption was the culmination of a partnership between the City of Dallas and Downtown Dallas Inc. and a one-and-a-half year long process which included two community forums, four stakeholder work sessions, numerous individual stakeholder meetings, six Technical Committee meetings, and a regularly maintained project web site. Moore, Iacofano, Goltsman, Inc., (MIG, Inc.) was selected by the City, through a request for proposals process in 2009, to complete the original Downtown Dallas 360 Plan.

The Downtown Dallas 360 Plan established a shared vision for achieving three overarching goals Downtown: (1) creating an exciting urban experience; (2) a balanced transportation system; and (3) an inclusive environment. The Plan primarily addressed seven districts within the freeway loop that forms the core central business district (CBD) area, established important relationships between the core and surrounding 9 square mile area of supporting districts, articulated actions to achieve the vision by focusing on transformative strategies and geographic focus areas within the core CBD area. The plan concluded with a matrix of 67 prioritized actions categorized as short term (1 to 2 years), medium term (3 to 5 years) and long term (5 to 10 years) to guide and focus public and private efforts, as well as “quick win” actions that provided immediate results and sustained downtown momentum.

BACKGROUND (Continued)

The purpose of this update is to proactively respond to the explosion of planning and development activity that is currently occurring within this most complex and unique part of our growing region. The goal is to influence and integrate these activities into the Downtown Dallas 360 framework and strategic action plan, in order to sustain momentum towards the Downtown Dallas 360 vision. In addition, the geographic scope of the 2011 Downtown Dallas 360 plan will be expanded beyond the CBD to fully engage the nine supporting districts (see attached map).

Since the plan's adoption in 2011, the core has transformed greatly. ~~Downtown~~ The CBD has experienced an increase in overall population, renovation is underway for the last remaining large vacant buildings in the core, announcement of high speed rail service to Houston, finalization of a portion of the D2 alignment, privatization of the Farmers Market, etc., all of which impact the downtown core and surrounding areas, emphasizing the need for coordination, connection and consensus around the next phase of Downtown Dallas' economic, social and environmental growth and development. Over 165 individual projects and planning activities are currently underway within the larger Downtown Dallas 360 study area. Coordination and integration of all these projects within the complex and unique context of the urban core will require a concerted effort involving public and private partners. Outlined below are the key scope items of this effort that will add value to the 2011 Plan, complement other related planning and development activities, and need to be proactively influenced, leveraged, and integrated at this critical juncture:

- The spin-off effect of the proposed High Speed Rail station on the surrounding areas of Downtown will be evaluated and recommendations made for maximizing the beneficial impacts in terms of development and accessibility.
- Based on national best practices, specific design recommendations will be made to integrate the locally preferred DART D2 alignment into the street rights-of-way and surrounding urban fabric in order to maximize its positive impacts and minimize takings and other negative impacts.
- Alternative scenarios for freeway improvements proposed by City Map will be evaluated through technical analysis and stakeholder engagement and preferred scenarios will be recommended for City Council consideration.
- The Downtown circulation framework for the urban core will be updated and conceptual street design guidelines developed based on the new Complete Streets Design Manual, and technical analysis and community engagement conducted to provide the basis for Thoroughfare Plan amendments.

BACKGROUND (Continued)

- Implementable urban design guidelines will be developed specific to each district within the Downtown Dallas 360 geography, concurrently with development of the City's Urban Design Program, and these guidelines will also address recommendations of the Historic Preservation Task Force.
- The updated Downtown Parks Master Plan will be integrated into the Downtown Dallas 360 policy framework and open spaces and linkage opportunities will be identified in all districts in the expanded Downtown Dallas 360 planning area.
- New Citywide Affordable Housing Policy currently under development will be incorporated into the Downtown Dallas 360 policy framework, tailored to the unique challenges of the urban core.
- Individual Micro Plans will be developed for each district/neighborhood within the expanded Downtown Dallas 360 geography, engaging stakeholders in these districts in identifying their vision and priorities for action and defining their relationship and connection to the CBD.
- The proven success of the 2011 plan will be built upon by recommending new implementation priorities to City Council and ensuring accountability and responsibility for action.

The City's Contracting Policy, A.D. 4-5, Section 9.3.5 provides for the ability to contract for consulting services with a specific firm without utilizing the City's procurement process, if there is only one consultant that can best provide the required service. MIG is best and uniquely qualified to perform the services, as they prepared the original Downtown Dallas 360 Plan and was awarded the original service contract through the City's RFP process.

The scope of the update includes:

1. Market Analysis, Economics, and Finance – Analysis of job growth (current, projected, and strategies), economic indicators, development strategies, and finance mechanisms.
2. Mobility - systematic look at opportunities, connections and transportation options that are needed to balance vehicular trips in the greater downtown area, provide connections to major destinations and corridors of activity and address how the City's core interface with the regional transportation system.

BACKGROUND (Continued)

- a. Regional System Integration
 - i. Define wants for regional transportation system, specific to Interstates 30-35-345 (TxDOT). This task will work with HNTB and TxDOT to coordinate plan processes, ultimately advancing scenarios best for Downtown.
 - ii. Review and analyze High Speed Rail potential with recommendations on how to best connect regional, local and all forms of transportation to the station.
 - iii. Lower Stemmons IH35 and The Canyon IH30: Analyze and recommend strategies for reconciling conflicting regional to local relationship between the local street system and the regional highway network with specific focus on: the “arrival experience” to Downtown, including improved east-west connections, MHH Bridge grade interface, Commerce cloverleaf
 - iv. Analyze modifications and decking opportunities for I-30 ramp.
 - b. Street Typologies
 - i. Update and refine Complete Streets (360 expanded geographic scope) and 360, including design standards and transportation performance metrics.
 - c. Circulation Framework
 - i. Update and refine 360’s circulation framework to incorporate specific corridor modifications related to road diets, multi-modal integration (bike, streetcar, etc.), directional conversions, District connectors and signature streets.
 - d. Design Guidelines and/or Standards: Mobility and the Public Realm
 - i. Complete a Modern Street Design Manual based on Complete Streets refinement, upon adoption by City Council, tree and landscape standards.
 - e. Integration of Mobility section into neighborhood microplans to address specific needs.
3. **Housing**
- a. Build on Neighborhoods Plus; enhance 360 housing strategies with holistic neighborhood development, including housing, services, education, health and recreation.

BACKGROUND (Continued)

- b. Analyze and create across districts a strategy for sustainable and socially equitable mix of product and price point within the city's urban core, within emphasis on infill strategies for new construction and economics of providing and maintaining an affordable product.
4. Neighborhood Microplans
- a. Complete specific plans addressing neighborhood issues in all 15 (or more) districts such as: urban design, land use, walkability, retail, commercial office, entertainment, education, and innovation, at a tailored and varied scale according to neighborhood needs.
5. Implementation Strategy
- a. Tactical implementation plan with associated responsibilities, costs, and timelines; will also include bond priority recommendations and organizational structures for effective results.

Downtown Dallas Inc. (DDI) has allocated \$250,000 to the update effort and has nearly completed Phase I – Outreach and Assessment portion of the update. Phase 1 included (1) inventory of concurrent planning efforts, identifying project that impact the areas of the 360 plan; (2) stakeholder and community engagement; (3) neighborhoods needs and assessment, a physical inventory of existing conditions, current projects, short and long term needs, and market conditions for each area; and (4) refinement and prioritization of scope and resources for further plan products. City is requesting the authorization of a professional services contract with MIG in the amount of \$250,000 to match DDI’s contribution the plan’s update.

ESTIMATED SCHEDULE OF PROJECT

Project Started June 2015
Project Completion ~~June~~ December 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 22, 2009, City Council authorized a contract with MIG, Inc. to develop a strategic plan for the downtown area, by Resolution No. 09-1109.

On April 13, 2011, City Council authorized the adoption of the Downtown Dallas 360 Plan, by Resolution No. 11-0996.

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

On December 10, 2015, the Downtown Connection TIF District board of directors reviewed and recommended approval of a professional services contract with MIG, Inc. for the preparation of an update to the City's Downtown Dallas 360 Plan in amount not to exceed \$250,000.

On December 18, 2015, Council ~~will be~~ was briefed by memorandum regarding this item.

On January 13, 2016, this item was deferred by Councilmember McGough.

FISCAL INFORMATION

\$250,000 – Downtown Connection TIF District Funds

<u>COUNCIL DISTRICT</u>	<u>AMOUNT</u>
2	\$125,000
14	\$125,000

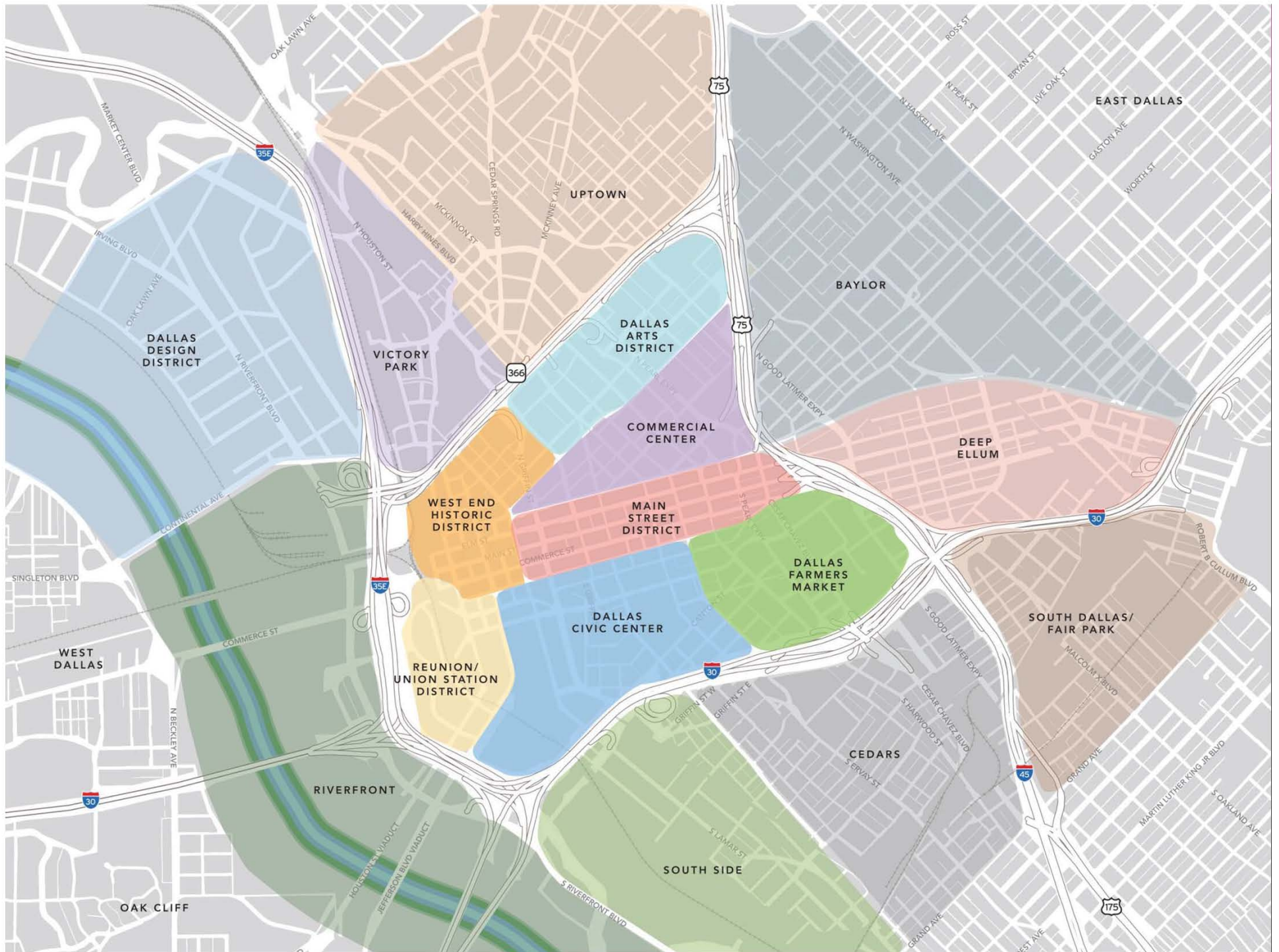
DEVELOPER

Moore, Iacofano, Goltsman, Inc., (MIG, Inc.)

Susan Goltsman, President
Carolyn Verheyen, Secretary
Daniel Iacofano, Treasurer

MAP

Attached



January 27, 2016

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

WHEREAS, on June 8, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and established a Board of Directors for the District to promote development or redevelopment in the Downtown Connection area by Ordinance No. 26020, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code; and

WHEREAS, on August 29, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District); and authorized a participation agreement with Dallas County for the Downtown Connection TIF District by Ordinance No. 26096; and

WHEREAS, on April 22, 2009, City Council authorized a contract with Moore, Iacofano, Goltsman, Inc., (MIG, Inc.) to develop a strategic plan for the downtown area in an amount not to exceed \$515,000 by Resolution No. 09-1109; and

WHEREAS, on April 13, 2011, City Council authorized the adoption of the Downtown Dallas 360 Plan, by Resolution No. 11-0996; and

WHEREAS, since the Downtown Dallas 360 plan's adoption in 2011, the core has transformed greatly and has experienced an increase in overall population, renovation is underway for the last remaining large vacant buildings in the core, announcement of high speed rail service to Houston, finalization of a portion of the D2 alignment, privatization of the Farmers Market, etc., all of which impact the Downtown Connection TIF District and surrounding areas; and

WHEREAS, in furtherance of the Downtown Connection TIF District Project Plan and to ensure development priorities and implementation strategies are aligned with the City's vision for downtown, the City desires to enter into a services contract with Moore, Iacofano, Goltsman, Inc., (MIG, Inc.) to update the Downtown Dallas 360 plan to address changes in the downtown core of the past five years and address and/or update comprehensive issues such as mobility, urban design, housing, open space, Smart City, economics and land use.

NOW, THEREFORE,

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

January 27, 2016

Section 1. That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute a professional services contract with Moore, Iacofano, Goltsman, Inc., (MIG, Inc.) in an amount not to exceed \$250,000.

Section 2. That the professional services contact shall provide, among other provisions:

- a. Moore, Iacofano, Goltsman, Inc., (MIG, Inc.) shall complete an update to the Downtown Dallas 360 plan for the greater downtown area, as depicted on **Exhibit A**.
- b. That the contract's funds shall be dispersed in scheduled payments based on meeting certain required milestones and timelines for the plan's update, as set forth in the service contract.
- c. That the plan's update shall include a strategy for implementation, wherein specific actions are identified to accomplish the plan's goals, such as regulatory changes, strategic public and private investments, public/private financing strategies, etc.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds from Fund 0044, Department ECO, Unit W042, Object 3070, Activity DTTI, CT ECOW042A257, Vendor No. VS0000034342, in an amount not to exceed \$250,000.

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.

Exhibit A

