

**FEBRUARY 10, 2016 CITY COUNCIL AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated February 10, 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

1-29-16

Date



Jeanne Chipperfield
Chief Financial Officer

1/29/16

Date

RECEIVED

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CITY SECRETARY
DALLAS, TEXAS



COUNCIL AGENDA

February 10, 2016

Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act.

The Council agenda is available in alternative formats upon request.

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

SUPPLEMENTAL NOTICE

"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."

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 10, 2016
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

MINUTES

Item 1

CONSENT AGENDA

Items 2 – 29

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 30 - 31

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 32 - 37

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

AGENDA
CITY COUNCIL MEETING
FEBRUARY 10, 2016
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the January 27, 2016 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize **(1)** an Interlocal Agreement with the Texas Municipal League Intergovernmental Risk Pool; and **(2)** a one-year agreement, with two one-year renewal options, for excess workers' compensation insurance through, and subject to, approval by the executive board of Texas Municipal League Intergovernmental Risk Pool - Not to exceed \$525,000 - Financing: Current Funds (subject to appropriations)
3. Authorize a three-year service contract for parts, support and upgrades for the Supervisory Control and Data Acquisition System for monitoring and control of flood incidents - HSQ Technology, A Corporation, only proposer - Not to exceed \$293,850 - Financing: Stormwater Drainage Management Current Funds (subject to annual appropriations)

CONSENT AGENDA (Continued)**Business Development & Procurement Services** (Continued)

4. Authorize a three-year professional services contract, with two one-year renewal options, for sales tax compliance review and recovery services - TexasCityServices, LLC, most advantageous proposer of four - Estimated Net Annual Revenue: \$558,600
5. Authorize the purchase of one airfield passenger bus for Love Field - Cobus Industries, LP, most advantageous proposer of two - Not to exceed \$398,500 - Financing: Aviation Current Funds
6. Authorize a three-year master agreement for waste and recycling collection roll carts - Toter, LLC through the Houston-Galveston Area Council of Governments - Not to exceed \$3,683,408 - Financing: Sanitation Current Funds
7. Authorize a three-year master agreement for electrical supplies - Crawford Electric Supply Co., lowest responsible bidder of six - Not to exceed \$7,618,837 - Financing: Current Funds (\$3,396,203), Water Utilities Current Funds (\$3,833,547), Aviation Current Funds (\$198,839) and Stormwater Drainage Management Current Funds (\$190,248)
8. Authorize supplemental agreement no. 5 to exercise the second one-year renewal option of the service contract with Austin Ribbon & Computer Supplies, Inc. for the lease or purchase of desktop computers, computer related equipment, accessories and various managed services - Not to exceed \$3,406,977, from \$34,798,253 to \$38,205,230 - Financing: Current Funds (subject to appropriations)

Housing/Community Services

9. Authorize **(1)** the sale of property located at 5444 Gaston Avenue, containing 11 apartment units, (the "Property") from Central Dallas Community Development Corporation to Azur Commercial Capital, LLC; and **(2)** the assumption by Azur Commercial Capital, LLC, of the remaining balance of the loan, originally made in 2004 for the rehabilitation of the Property, owed by Central Dallas Community Development Corporation to the City of Dallas in the amount of \$17,779 - Financing: No cost consideration to the City
10. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Aledo Construction Plus for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Aledo Construction Plus; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Housing/Community Services** (Continued)

11. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by DFW Projects, LLC for the construction of affordable houses; **(2)** the sale of 5 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to DFW Projects, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City - Financing: No cost consideration to the City
12. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Jose Segovia for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Jose Segovia; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
13. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KH Solutions, Inc. for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to KH Solutions, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
14. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by King Home Builders, LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to King Home Builders, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City
15. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of an affordable house; and **(2)** the exchange of deed restrictions from 1 lot previously purchased from the Dallas Housing Acquisition and Development Corporation to 1 comparable lot owned by the developer (list attached) - Financing: No cost consideration to the City
16. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Optimum Real Estate and Construction Group, LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Optimum Real Estate and Construction Group, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Housing/Community Services** (Continued)

17. Authorize an amendment to Resolution No. 15-0169, previously approved on January 28, 2015, for a conditional grant agreement with KKBK Properties, LLC, or its wholly owned subsidiary, for the Hatcher Gardens Project for construction of commercial and residential units at 4002 Hatcher Street to extend the completion date from December 31, 2015 to December 31, 2016 - Financing: No cost consideration to the City
18. Authorize a grant agreement with CitySquare in the amount of \$770,362 to provide expanded housing services for temporary shelters through outreach and housing units to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$770,362 - Financing: Texas Department of State Health Services Grant Funds
19. Authorize a grant agreement with Shelter Ministries of Dallas dba Austin Street Center in the amount of \$227,025 to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$227,025 - Financing: Texas Department of State Health Services Grant Funds
20. Authorize a grant agreement with Turtle Creek Manor dba Turtle Creek Recovery Center in the amount of \$290,315 to provide residential treatment for homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$290,315 - Financing: Texas Department of State Health Services Grant Funds

Intergovernmental Services

21. An ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2015-11-224, amendments to Construction and Fire Prevention Standards Resolutions and Codes to: **(1)** change the name of the Board's department of purview; and **(2)** adopt the 2014 National Electrical Code and certain 2015 series model Codes published by the International Code Council, Inc. - Financing: No cost consideration to the City

Office of Financial Services

22. Authorize an extension through September 30, 2016 for Community Development Block Grant funded projects which have not met the twelve-month obligation or twenty-four month expenditure requirement - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Park & Recreation**

23. Authorize a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip Corporation (QuikTrip), for the purpose of designing, constructing, and maintaining a trailhead for the Bachman Creek Greenbelt Trail located at 3900 Shorecrest Drive - Financing: No cost consideration to the City
24. Authorize a public hearing to be held on March 23, 2016, to receive comments on the proposed use of a portion of the Elm Fork Greenbelt located at 10400 Wildwood Drive, totaling approximately 296,757 square feet of land, by the Texas Department of Transportation for the construction of improvements to State Highway Loop 12/Walton Walker Boulevard - Financing: No cost consideration to the City
25. Authorize a public hearing to be held on March 23, 2016, to receive comments on the proposed use of a portion of the Elm Fork Greenbelt located at 3123 Proctor Street, totaling approximately 67,592 square feet of land, by the Texas Department of Transportation for construction of improvements to State Highway 183/John W. Carpenter Freeway - Financing: No cost consideration to the City

Sustainable Development and Construction

26. Authorize an amendment for a seven-year lease agreement with Cash Flow Management, Inc. for approximately 3,600 square feet of office space located at 1110 South Santa Fe Trail, Duncanville, TX to be used as a Women, Infants and Children Clinic for the period April 1, 2016 through March 31, 2023 - Not to exceed \$429,264 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)
27. An ordinance granting a private license to 400 S. Record Street, LLC for a total of approximately 13,006 square feet to occupy, maintain and utilize portions of Wood, Market, Young and Record Streets right-of-way, near the intersection of Young and Market Streets - Revenue: \$3,300 one-time fee, plus the \$20 ordinance publication fee

Trinity Watershed Management

28. Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects (list attached) - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)

Water Utilities

29. Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work necessary to complete the headworks and chemical improvements as part of the Eastside Water Treatment Plant expansion to 540 million gallons per day - Not to exceed \$513,000, from \$45,870,450 to \$46,383,450 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

- 30. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

- 31. Authorize a real property tax abatement agreement with ATC Realty Investments, LLC and/or its affiliate Premier Truck Group, granting an eight-year abatement of 75 percent of the taxes on added value to the real property for the purpose of assisting in the development of a new body shop facility located on 17.2 acres at 4500 Langdon Road, Dallas, Texas within the International Inland Port of Dallas and a Texas Enterprise Zone in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$17,933; eight-year revenue estimated at \$143,464 (Estimated revenue forgone for the eight-year real property abatement estimated at \$430,384)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

- 32. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an RR Regional Retail District on the northwest corner of East R. L. Thornton Freeway and Ferguson Road
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions
Z145-327(SM)
- 33. A public hearing to receive comments regarding an application for and an ordinance granting a new Planned Development Subdistrict for GR General Retail Subdistrict and commercial print shop uses on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Oak Lawn Avenue and Bowser Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z156-116(LHS)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

34. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict (Tract 1) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z156-122(LHS)
35. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1619 for an industrial (inside) use not potentially incompatible limited to a facility for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components on property zoned Subdistrict 1B in Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District on the southeast corner of West Commerce Street and Sylvan Avenue
Recommendation of Staff and CPC: Approval for a ten-year period, subject to conditions
Z156-125(OTH)
36. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1439 for a child-care facility on property zoned an MF-2(A) Multifamily District on the south corner of Highland Road and Hunnicut Road
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z156-132(OTH)

MISCELLANEOUS HEARINGS

Park & Recreation

37. A public hearing to receive comments for the proposed use of a portion of the Bachman Creek Greenbelt, totaling approximately 42,323 square feet, for driveway access and parking by QuikTrip Corporation; and at the close of the public hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

February 10, 2016

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**Land Bank (DHADC) Sale of Lot to
Aledo Construction Plus**
Agenda Item # 10

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 710 Graham	46H	2	\$12,789.72

**Land Bank (DHADC) Sale of Lots to
DFW Projects, LLC**
Agenda Item # 11

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1955 Angelina	44E	6	\$17,991.58
2. 4018 Brundrette	43H	6	\$14,704.87
3. 3314 Pueblo	43P	6	\$ 4,784.54
4. 4026 Weisenberger	42H	6	\$21,779.93
5. 3116 Navaro	44N	6	\$ 7,608.99

February 10, 2016

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**Land Bank (DHADC) Sale of Lot to
Jose Segovia
Agenda Item # 12**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1038 Strickland	55J	4	\$14,727.27

February 10, 2016

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**Land Bank (DHADC) Sale of Lot to
KH Solutions, Inc.
Agenda Item # 13**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2615 Crossman	44P	6	\$15,380.77

**Land Bank (DHADC) Sale of Lots to
King Home Builders, LLC**
Agenda Item # 14

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2720 Alaska	55S	4	\$22,185.83
2. 3036 Alaska	55W	4	\$11,119.37
3. 3123 Alaska	55W	4	\$21,028.11
4. 2633 Britton	55S	4	\$ 3,446.48

**Land Bank (DHADC) Lot Exchange of Deed Restrictions
KW New Vision Properties and Land, Inc.
Agenda Item # 15**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 713 Rockwood	54H	4

Lots to be Exchanged by Developer

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 2842 Britton	55X	4

**Land Bank (DHADC) Sale of Lots to
Optimum Real Estate and Construction Group, LLC
Agenda Item # 16**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 3702 Homeland	43K	6	\$24,491.77
2. 2622 Iroquois	42Q	6	\$ 9,791.53
3. 3310 Clymer	42K	6	\$ 8,247.98
4. 4135 Soloman	43F	6	\$16,359.92

Erosion Control Improvements
Agenda Item # 28

<u>Erosion Control Improvement</u>	<u>Council District</u>	<u>Firm</u>	<u>Total Fee Amount</u>
<u>Group 2</u>			
7832 & 7920 Royal Lane	11	Huitt-Zollars, Inc.	\$96,255.00
6121, 6123, 6125, 6127			
6139 6141 Summer Creek Circle	13		\$91,741.00
<u>Group 5</u>			
8444 Spring Valley	11	Urban Engineer Group, Inc.	\$51,117.00
9750 Royal Lane	10		\$51,022.00
8201 Fair Oaks Crossing	10		\$42,632.00
7920 Skillman	10		\$76,775.50
<u>Group 6</u>			
9233 Church Road	10	GWC Engineering, LP	\$24,230.54
11825 Sunland Street	9		\$19,767.79
1251 Tranquilla Dr.	9		\$21,513.04
6607, 6615 , 6621 Mercedes	9		\$32,956.02
8668 and 8656 Langdale Circle	10		\$45,944.11
10741 N. Lanett Circle	10		\$32,035.87
Dixon Branch at Easton Road	9		\$35,493.54
<u>Group 8</u>			
3435 Clarendon	1	Walter P. Moore & Associates	\$26,868.00
5910 Cedar Springs	2		\$33,168.00
3431 Kiesthill Drive	3		\$28,954.00
705 W Colorado	1		\$19,943.00
3721 Blue Ridge	3		\$27,653.00
2488 Wild Oak	7		\$29,743.00
445 Cavender	1		\$20,163.00
<u>Group 10</u>			
3817 S Hampton Rd	3	HDR Engineering Inc.	\$51,102.20
5410, 5416, 5810 and 5816 Caracas (Formerly Caracas 5410 and 5416)	3		\$39,546.61
2733 Bainbridge	3		\$18,016.68
2729 Blackstone	3		\$25,288.08
2745 Blackstone	3		\$24,886.08
2709 Blackstone	3		\$23,227.52

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA DATE February 10, 2016

ITEM	IND								
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the January 27, 2016 City Council Meeting
2			All	C	PBD, ORM	\$525,000.00	NA	NA	Authorize (1) an Interlocal Agreement with the Texas Municipal League Intergovernmental Risk Pool; and (2) a one-year agreement, with two one-year renewal options, for excess workers' compensation insurance through, and subject to, approval by the executive board of Texas Municipal League Intergovernmental Risk Pool - Not to exceed \$525,000 - Financing: Current Funds (subject to appropriations)
3			All	C	PBD, TWM	\$293,850.00	0.00%	0.00%	Authorize a three-year service contract for parts, support and upgrades for the Supervisory Control and Data Acquisition System for monitoring and control of flood incidents - HSQ Technology, A Corporation, only proposer - Not to exceed \$293,850 - Financing: Stormwater Drainage Management Current Funds (subject to annual appropriations)
4			All	C	PBD, AUD	REV \$558,600	NA	NA	Authorize a three-year professional services contract, with two one-year renewal options, for sales tax compliance review and recovery services - TexasCityServices, LLC, most advantageous proposer of four - Estimated Net Annual Revenue: \$558,600
5			2	C	PBD, AVI	\$398,500.00	0.00%	0.00%	Authorize the purchase of one airfield passenger bus for Love Field - Cobus Industries, LP, most advantageous proposer of two - Not to exceed \$398,500 - Financing: Aviation Current Funds
6			All	C	PBD, SAN	\$3,683,408.00	NA	NA	Authorize a three-year master agreement for waste and recycling collection roll carts - Toter, LLC through the Houston-Galveston Area Council of Governments - Not to exceed \$3,683,408 - Financing: Sanitation Current Funds
7			All	C	PBD, AVI, TWM, WTR	\$7,618,836.46	100.00%	0.00%	Authorize a three-year master agreement for electrical supplies - Crawford Electric Supply Co., lowest responsible bidder of six - Not to exceed \$7,618,837 - Financing: Current Funds (\$3,396,203), Water Utilities Current Funds (\$3,833,547), Aviation Current Funds (\$198,839) and Stormwater Drainage Management Current Funds (\$190,248)
8			All	C	PBD, CIS	\$3,406,977.00	100.00%	100.00%	Authorize supplemental agreement no. 5 to exercise the second one-year renewal option of the service contract with Austin Ribbon & Computer Supplies, Inc. for the lease or purchase of desktop computers, computer related equipment, accessories and various managed services - Not to exceed \$3,406,977, from \$34,798,253 to \$38,205,230 - Financing: Current Funds (subject to appropriations)
9			14	C	HOU	NC	NA	NA	Authorize (1) the sale of property located at 5444 Gaston Avenue, containing 11 apartment units, (the "Property") from Central Dallas Community Development Corporation to Azur Commercial Capital, LLC; and (2) the assumption by Azur Commercial Capital, LLC, of the remaining balance of the loan, originally made in 2004 for the rehabilitation of the Property, owed by Central Dallas Community Development Corporation to the City of Dallas in the amount of \$17,779 - Financing: No cost consideration to the City
10			2	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Aledo Construction Plus for the construction of an affordable house; (2) the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to Aledo Construction Plus; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
11			6	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by DFW Projects, LLC for the construction of affordable houses; (2) the sale of 5 vacant lots from Dallas Housing Acquisition and Development Corporation to DFW Projects, LLC; and (3) execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City - Financing: No cost consideration to the City
12			4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Jose Segovia for the construction of an affordable house; (2) the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to Jose Segovia; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
13			6	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KH Solutions, Inc. for the construction of an affordable house; (2) the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to KH Solutions, Inc.; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

AGENDA DATE February 10, 2016

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF								
14				4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by King Home Builders, LLC for the construction of affordable houses; (2) the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to King Home Builders, LLC; and (3) execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City
15				4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of an affordable house; and (2) the exchange of deed restrictions from 1 lot previously purchased from the Dallas Housing Acquisition and Development Corporation to 1 comparable lot owned by the developer - Financing: No cost consideration to the City
16				6	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Optimum Real Estate and Construction Group, LLC for the construction of affordable houses; (2) the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to Optimum Real Estate and Construction Group, LLC; and (3) execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City
17				7	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 15-0169, previously approved on January 28, 2015, for a conditional grant agreement with KKBK Properties, LLC, or its wholly owned subsidiary, for the Hatcher Gardens Project for construction of commercial and residential units at 4002 Hatcher Street to extend the completion date from December 31, 2015 to December 31, 2016 - Financing: No cost consideration to the City
18				All	C	HOU	GT	NA	NA	Authorize a grant agreement with CitySquare in the amount of \$770,362 to provide expanded housing services for temporary shelters through outreach and housing units to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$770,362 - Financing: Texas Department of State Health Services Grant Funds
19				All	C	HOU	GT	NA	NA	Authorize a grant agreement with Shelter Ministries of Dallas dba Austin Street Center in the amount of \$227,025 to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$227,025 - Financing: Texas Department of State Health Services Grant Funds
20				All	C	HOU	GT	NA	NA	Authorize a grant agreement with Turtle Creek Manor dba Turtle Creek Recovery Center in the amount of \$290,315 to provide residential treatment for homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$290,315 - Financing: Texas Department of State Health Services Grant Funds
21				Outside	C	IGS	NC	NA	NA	An ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2015-11-224, amendments to Construction and Fire Prevention Standards Resolutions and Codes to: (1) change the name of the Board's department of purview; and (2) adopt the 2014 National Electrical Code and certain 2015 series model Codes published by the International Code Council, Inc. - Financing: No cost consideration to the City
22				All	C	OFS	NC	NA	NA	Authorize an extension through September 30, 2016 for Community Development Block Grant funded projects which have not met the twelve-month obligation or twenty-four month expenditure requirement - Financing: No cost consideration to the City
23				13	C	PKR	NC	NA	NA	Authorize a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip Corporation (QuikTrip), for the purpose of designing, constructing, and maintaining a trailhead for the Bachman Creek Greenbelt Trail located at 3900 Shorecrest Drive - Financing: No cost consideration to the City
24				6	C	PKR	NC	NA	NA	Authorize a public hearing to be held on March 23, 2016, to receive comments on the proposed use of a portion of the Elm Fork Greenbelt located at 10400 Wildwood Drive, totaling approximately 296,757 square feet of land, by the Texas Department of Transportation for the construction of improvements to State Highway Loop 12/Walton Walker Boulevard - Financing: No cost consideration to the City

AGENDA DATE

February 10, 2016

ITEM #	OK	IND	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
25				6	C	PKR	NC	NA	NA	Authorize a public hearing to be held on March 23, 2016, to receive comments on the proposed use of a portion of the Elm Fork Greenbelt located at 3123 Proctor Street, totaling approximately 67,592 square feet of land, by the Texas Department of Transportation for construction of improvements to State Highway 183/John W. Carpenter Freeway - Financing: No cost consideration to the City
26				Outside	C	DEV, HOU	GT	NA	NA	Authorize an amendment for a seven-year lease agreement with Cash Flow Management, Inc. for approximately 3,600 square feet of office space located at 1110 South Santa Fe Trail, Duncanville, TX to be used as a Women, Infants and Children Clinic for the period April 1, 2016 through March 31, 2023 - Not to exceed \$429,264 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)
27				2	C	DEV	REV \$3,300	NA	NA	An ordinance granting a private license to 400 S. Record Street, LLC for a total of approximately 13,006 square feet to occupy, maintain and utilize portions of Wood, Market, Young and Record Streets right-of-way, near the intersection of Young and Market Streets - Revenue: \$3,300 one-time fee, plus the \$20 ordinance publication fee
28				1, 2, 3, 7, 9, 10, 11, 13	C	TWM, WTR	\$990,042.58	97.02%	41.95%	Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)
29				Outside	C	WTR	\$513,000.00	17.95%	17.70%	Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work necessary to complete the headworks and chemical improvements as part of the Eastside Water Treatment Plant expansion to 540 million gallons per day - Not to exceed \$513,000, from \$45,870,450 to \$46,383,450 - Financing: Water Utilities Capital Improvement Funds
30				N/A	I	SEC	NC	N/A	N/A	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
31				8	I	ECO	NC	NA	NA	Authorize a real property tax abatement agreement with ATC Realty Investments, LLC and/or its affiliate Premier Truck Group, granting an eight-year abatement of 75 percent of the taxes on added value to the real property for the purpose of assisting in the development of a new body shop facility located on 17.2 acres at 4500 Langdon Road, Dallas, Texas within the International Inland Port of Dallas and a Texas Enterprise Zone in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$17,933; eight-year revenue estimated at \$143,464 (Estimated revenue forgone for the eight-year real property abatement estimated at \$430,384)
32				9	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an RR Regional Retail District on the northwest corner of East R. L. Thornton Freeway and Ferguson Road
33				14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new Planned Development Subdistrict for GR General Retail Subdistrict and commercial print shop uses on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Oak Lawn Avenue and Bowser Avenue
34				7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict (Tract 1) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street
35				6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1619 for an industrial (inside) use not potentially incompatible limited to a facility for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components on property zoned Subdistrict 1B in Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District on the southeast corner of West Commerce Street and Sylvan Avenue
36				7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1439 for a child-care facility on property zoned an MF-2(A) Multifamily District on the south corner of Highland Road and Hunnicut Road

AGENDA DATE February 10, 2016

ITEM		IND								
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION	
37			13	PH	PKR	NC	NA	NA	A public hearing to receive comments for the proposed use of a portion of the Bachman Creek Greenbelt, totaling approximately 42,323 square feet, for driveway access and parking by QuikTrip Corporation; and at the close of the public hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City	

TOTAL \$17,429,614.04

KEY FOCUS AREA:	E-Gov
AGENDA DATE:	February 10, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Office of Risk Management
CMO:	Jeanne Chipperfield, 670-7804
MAPSCO:	N/A

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Municipal League Intergovernmental Risk Pool; and **(2)** a one-year agreement, with two one-year renewal options, for excess workers' compensation insurance through, and subject to, approval by the executive board of Texas Municipal League Intergovernmental Risk Pool - Not to exceed \$525,000 - Financing: Current Funds (subject to appropriations)

BACKGROUND

This agreement will provide one-year of excess workers' compensation insurance. Excess workers' compensation insurance limits the City's financial exposure on employee injury claims. This insurance provides coverage for catastrophic employee injury claims that exceed an established threshold.

On January 23, 2013, City Council authorized an Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool (TMLIRP) for excess workers' compensation coverage effective February 1, 2013 through January 31, 2014, with two one-year renewal options.

It is recommended the City enter into an Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool (TMLIRP) for excess workers' compensation coverage to be effective February 1, 2016 through January 31, 2017, subject to the approval of TMLIRP's executive board. The City will pay the first \$1.5 million for each injury and an additional \$1 million corridor deductible.

TMLIRP is an interlocal government agency offering excess workers compensation coverage to political subdivisions in accordance with the Texas Workers' Compensation Act. TMLIRP maintains an "A" Stable rating from Standard and Poor's and provides coverage to other political subdivisions such as cities, municipal utility districts, transit authorities and public utility boards.

BACKGROUND (Continued)

Request for competitive sealed proposals for excess workers compensation insurance was issued on October 1, 2015 and opened on November 6, 2015. Proposals were then compared to governmental cooperative purchasing agreements in which it was determined that TMLIRP provided the most advantageous option.

TMLIRP conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2013, City Council authorized an Interlocal Agreement and the purchase of a one-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 13-0240.

On March 4, 2013, the Budget Finance and Audit Committee briefing agenda included an informational memo.

On January 21, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

On January 22, 2014, City Council authorized the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance by Resolution No. 14-0246.

On January 5, 2015, the Budget, Finance and Audit Committee was briefed on the excess workers' compensation coverage and recommended approval of this item at the January 28, 2015 Council meeting.

On January 28, 2015, City Council authorized the second of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance by Resolution No. 15-0161.

Information about this item will be provided to the Budget, Finance and Audit Committee on February 1, 2016.

FISCAL INFORMATION

\$525,000.00 - Current Funds (subject to appropriations)

OWNER

Texas Municipal League Intergovernmental Risk Pool

Carol Loughlin, Executive Director

February 10, 2016

WHEREAS, on January 23, 2013, City Council authorized an Interlocal Agreement and the purchase of a one-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 13-0240; and,

WHEREAS, on January 22, 2014, City Council authorized the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance by Resolution No. 14-0246; and,

WHEREAS, on January 28, 2015, City Council authorized the second of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance by Resolution No. 15-0161;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute (1) an Interlocal Agreement with the Texas Municipal League Intergovernmental Risk Pool; and (2) a one-year agreement, with two one-year renewal options, for excess workers' compensation insurance through, and subject to, approval by the executive board of Texas Municipal League Intergovernmental Risk Pool (VS0000075750) from February 1, 2016 through January 31, 2017, upon approval as to form by the City Attorney in the amount of \$525,000.00.

Section 2. That the Chief Financial Officer is authorized to disburse funds from the following appropriation in accordance with the agreement between the City of Dallas and Texas Municipal League Intergovernmental Risk Pool in an amount not to exceed \$525,000.00 (subject to appropriations):

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>	<u>AMOUNT</u>
0189	ORM	3801	3310	CT-ORMEXCESSWCFY16	\$525,000.00

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

AGENDA ITEM # 3

KEY FOCUS AREA:	E-Gov
AGENDA DATE:	February 10, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Trinity Watershed Management
CMO:	Jeanne Chipperfield, 670-7804 Mark McDaniel, 670-3256
MAPSCO:	N/A

SUBJECT

Authorize a three-year service contract for parts, support and upgrades for the Supervisory Control and Data Acquisition System for monitoring and control of flood incidents - HSQ Technology, A Corporation, only proposer - Not to exceed \$293,850 - Financing: Stormwater Drainage Management Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide the Trinity Watershed Management Flood Control Operations district with parts, telephone technical support and server upgrades for the Supervisory Control and Data Acquisition (SCADA) system. The SCADA system controls and monitors twelve flood control pump stations, forty-two flooded roadway warning systems and three sump gate structures. This system will automatically start and stop stormwater pumps, open and close water flow gates, provide pump station security and activate warning signs at high water crossings. The system can also notify City personnel by email of alarms or faults such as:

- Power failures
- Failure of computerized systems to respond
- Building intrusion after hours
- Fire alarms
- Failure of a pump to start

Additionally the system can produce real-time reports on the City's internal and public websites.

BACKGROUND (Continued)

The SCADA system is a specialized, custom built system, designed to meet the City's unique flood control and monitoring needs. In order for any vendor to provide maintenance, they must have specific details about the system and therefore other vendors are reluctant to enter into a contractual agreement with the City to service this equipment.

A four member committee from the following departments reviewed and evaluated the proposals:

- Trinity Watershed Management (1)
- Water Utilities (1)
- Communication and Information Services (1)
- Business Development & Procurement Services (1)*

*Business Development and Procurement Services only evaluated cost.

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

- Cost 85%
- Experience and Capability 15%

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 1,714 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015 by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 24, 2011, City Council authorized a three-year master agreement for parts, support and upgrades for the Supervisory Control and Data Acquisition and the Automated Local Evaluation in Real Time System for monitoring and control of flood incidents by Resolution No. 11-2164.

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

On September 11, 2013, City Council authorized a three-year service contract for parts, support and upgrades for the Supervisory Control and Data Acquisition System for monitoring and control of flood incidents by Resolution No. 13-1546.

Information about this item will be provided to the Budget, Finance and Audit Committee on February 1, 2016.

FISCAL INFORMATION

\$293,850.00 - Stormwater Drainage Management Current Funds (subject to annual appropriations)

M/WBE INFORMATION

- 288 - Vendors contacted
- 288 - No response
 - 0 - Response (Bid)
 - 0 - Response (No Bid)
 - 0 - Successful vendor

1,714 - 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

HSQ Technology, A Corporation

White Male	38	White Female	1
Black Male	1	Black Female	0
Hispanic Male	5	Hispanic Female	1
Other Male	3	Other Female	2

PROPOSAL INFORMATION

The following proposal was received from solicitation number BUZ1524 and opened on July 22, 2015. This service contract is being awarded in its entirety to the only proposer.

*Denotes successful proposer

PROPOSAL INFORMATION (Continued)

<u>Proposer</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*HSQ Technology, A Corporation	26227 Research Road Hayward, CA 94545	98%	\$293,850.00

Note: A single bid/proposal review process has been conducted and no exceptions have been found.

OWNER

HSQ Technology, A Corporation

Harold K. Spence, President
James Wilkinson, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for parts, support and upgrades for the Supervisory Control and Data Acquisition System for monitoring and control of flood incidents - HSQ Technology, A Corporation, only proposer - Not to exceed \$293,850 - Financing: Stormwater Drainage Management Current Funds (subject to annual appropriations)

HSQ Technology, A Corporation is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$293,850.00	100.00%
TOTAL CONTRACT	\$293,850.00	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	\$0.00	0.00%	\$0.00	0.00%

February 10, 2016

WHEREAS, on August 24, 2011, City Council authorized a three-year master agreement for parts, support and upgrades for the Supervisory Control and Data Acquisition and the Automated Local Evaluation in Real Time System for monitoring and control of flood incidents by Resolution No. 11-2164; and,

WHEREAS, on September 11, 2013, City Council authorized a three-year service contract for parts, support and upgrades for the Supervisory Control and Data Acquisition System for monitoring and control of flood incidents by Resolution No. 13-1546;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with HSQ Technology, A Corporation (264584) for parts, support and upgrades for the Supervisory Control and Data Acquisition System for monitoring and control of flood incidents for a term of three years in an amount not exceed \$293,850.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to HSQ Technology, A Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by HSQ Technology, A Corporation under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$293,850.00 (subject to annual appropriations) from Service Contract number BUZ1524.

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.

AGENDA ITEM # 4

KEY FOCUS AREA: E-Gov

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
City Auditor

CMO: Jeanne Chipperfield, 670-7804
Craig Kinton, 670-3222

MAPSCO: N/A

SUBJECT

Authorize a three-year professional services contract, with two one-year renewal options, for sales tax compliance review and recovery services - TexasCityServices, LLC, most advantageous proposer of four - Estimated Net Annual Revenue: \$558,600

BACKGROUND

This professional service contract will provide the City with sales tax compliance review and recovery services. This contract will allow the contractor to conduct review and recovery services to assist the City with the detection, documentation and correction of errors and omissions related to sales and use tax collections. The proposal submitted reflects anomalies in sales tax collections, reporting and remissions for businesses within the City's jurisdictional boundaries.

The City will pay TexasCityServices, LLC 24 percent of the sales and use tax revenue received by the City from correction of taxpayer reporting errors detected and documented by the Sales and Use Tax Compliance Review. The 24 percent contingency fee is based on the revenue received by the City as a result of the work completed by TexasCityServices, LLC. The 24 percent contingency fee applies to all sales and use tax revenues corrected for the City for any periods prior to the date of correction. The 24 percent contingency fee also applies to revenues received for the first eight consecutive reporting quarters following the date of correction; however, the City will not pay any fees until monies recovered for the City have been received from the State Comptroller of Public Accounts.

BACKGROUND (Continued)

A six member committee from the following departments reviewed and evaluated the proposals:

- Office of Financial Services (2)
- City Manager's Office (1)
- City Auditor's Office (2)
- Business Development and Procurement Services (1)*

*Business Development and Procurement Services only evaluated the fee structure.

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

- Overall approach and methodology 35%
- Project staffing 25%
- Provider experience 20%
- Fee structure 20%

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 780 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 8, 2010, City Council authorized a three-year professional services contract, with three one-year renewal options, for sales tax compliance review and recovery services by Resolution No. 10-2268.

On August 14, 2013, City Council authorized supplemental agreement no. 1 to exercise the first of three one-year renewal options of the professional services contract for sales tax compliance review and recovery services extending the term through September 7, 2014, by Resolution No. 13-1284.

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

On August 13, 2014, City Council authorized supplemental agreement no. 2 to exercise the second of three one-year renewal options of the professional services contract for sales/use tax compliance review and recovery services extending the term through September 7, 2015, by Resolution No. 14-1214.

Information about this item will be provided to the Budget, Finance and Audit Committee on February 1, 2016.

FISCAL INFORMATION

\$558,600.00 - Estimated Net Annual Revenue

M/WBE INFORMATION

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

780 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

TexasCityServices, LLC

White Male	3	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

PROPOSAL INFORMATION

The following proposals were received from solicitation number BKZ1518 and read on July 2, 2015. This professional services contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
*TexasCityServices, LLC	2840 Keller Springs Rd. Suite 102 Carrollton, TX 75006	86.92%
MuniServices, LLC	12301 Kurland Dr. Suite 150 Houston, TX 77034	86.51%
TexasCityServices, LLC (Alternate)	2840 Keller Springs Rd. Suite 102 Carrollton, TX 75006	86.50%
Sales Tax Assurance, LLC	8700 Manchaca Rd. Suite 106 Austin, TX 78748	76.82%

OWNER

TexasCityServices, LLC

Kyle Kasner, President

February 10, 2016

WHEREAS, on September 8, 2010, City Council authorized a three-year professional services contract, with three one-year renewal options, for sales tax compliance review and recovery services by Resolution No. 10-2268; and,

WHEREAS, on August 14, 2013, City Council authorized supplemental agreement no. 1 to exercise the first of three one-year renewal options of the professional services contract for sales tax compliance review and recovery services extending the term through September 7, 2014, by Resolution No. 13-1284; and,

WHEREAS, on August 13, 2014, City Council authorized supplemental agreement no. 2 to exercise the second of three one-year renewal options of the professional services contract for sales/use tax compliance review and recovery services extending the term through September 7, 2015, by Resolution No. 14-1214; and,

WHEREAS, on November 2, 2015, Administrative Action No. 15-7056 authorized extension of the service contract for four months from September 8, 2015 to January 7, 2016;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a professional services contract with TexasCityServices, LLC (VS88012) for sales tax compliance review and recovery services for a term of three years, with two one-year renewal options, for an estimated annual net revenue amount of \$558,600.00, upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from the State Comptroller as follows:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Revenue Source</u>
0001	BMS	1253	6100

Section 3. That the City will pay the contractor a 24% contingency fee based on the sales and use tax revenue received from the correction of detected and documented taxpayer reporting errors. That the Chief Financial Officer is authorized to disburse fees from the following appropriation:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object Code</u>
0001	BMS	1991	3099

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

KEY FOCUS AREA: E-Gov

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Business Development & Procurement Services
Aviation

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837

MAPSCO: 34E

SUBJECT

Authorize the purchase of one airfield passenger bus for Love Field – Cobus Industries, LP, most advantageous proposer of two – Not to exceed \$398,500 - Financing: Aviation Current Funds

BACKGROUND

The purchase of one airfield passenger bus will enable Aviation to efficiently and safely transport passengers from the airfield at Love Field to the terminal when flights experience major delays.

The airfield passenger bus is uniquely designed to meet United States Department of Transportation (DOT) and International Air Transport Association (IATA) regulations to operate within the confines of an airport airfield. The airfield passenger bus has the ability to transport 112 passengers compared to a standard bus' capability of carrying 55 passengers. This allows for a more efficient loading and unloading of passengers on the apron, while utilizing fewer vehicles and minimizing apron traffic. The passenger transportation bus includes a separate secure driver compartment separating the driver from the passenger section. This provides added security to the driver and limits unauthorized access and control of the vehicle.

Following the repeal of the Wright Amendment on October 13, 2014, Love Field has experienced an increase in traffic of passenger travel. Currently, Love Field's traffic has far exceeded early projections and is now seeing an increase in travel numbers which were not expected until 2017. Love Field anticipates approximately 200 flights per day airport wide with Southwest, Virgin and Delta Airlines. This activity will place the airport very near its functional capacity with very little room to absorb any irregular flight activity.

BACKGROUND (Continued)

During high traffic activity or times of inclement weather, Love Field is the immediate backup for Dallas Fort Worth International Airport (DFW). It is not unusual for Love Field to see an occasional flight re-routed from DFW; stopping at Love Field to avoid hazards elsewhere. During this high traffic time, it is Love Field’s responsibility to ensure passenger rights are met based on all applicable DOT and IATA regulations.

On August 23, 2011, the DOT office of Aviation Enforcement and Proceedings issued rule # DOT 199-09 stating, in part:

- Requires all carriers that must adopt apron delay contingency plans to file data with the Department regarding lengthy apron delays
- Requires U.S. air carriers to not permit a domestic flight to remain on the apron at a U.S. airport for more than three hours without allowing passengers to deplane subject to safety, security, and ATC exceptions
- Requires foreign air carriers to not permit an international flight to remain on the apron at a U.S. airport for more than four hours without allowing passengers to deplane subject to safety, security, and ATC exceptions

Failure to meet the required procedure may subject the airline and/or airport to fines up to \$27,500 for each passenger on board.

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

- Aviation (2)
- Fire-Rescue (1)
- Water Utilities (1)
- Equipment and Building Services (1)
- Business Development and Procurement Services (2)*

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

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

- Cost 30%
- Capability and expertise of the proposer 10%
- Functional match to the City’s requirements 45%
- Business Inclusion and Development Plan 15%

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 335 email proposal 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 proposals, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 40 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)

Information about this item will be provided to the Budget, Finance and Audit Committee on February 1, 2016.

FISCAL INFORMATION

\$398,500.00 – Aviation Current Funds

M/WBE INFORMATION

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

335 – 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

Cobus Industries, LP

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

PROPOSAL INFORMATION

The following proposals were received from solicitation number BNZ1514 and were opened on October 16, 2015. This purchase is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Cobus Industries, LP	40 Robinwood Road Trumbull, CT 06611	82%	\$398,500.00
TAM Durabus d.o.o.	Cesta k Tamu 33 2000 Maribor, Slovenia	61%	\$320,129.00

OWNER

Cobus Industries, LP

Don Frassetto, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize the purchase of one airfield passenger bus for Love Field – Cobus Industries, LP, most advantageous proposer of two – Not to exceed \$398,500 - Financing: Aviation Current Funds

Cobus Industries, LP is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$398,500.00	100.00%
TOTAL CONTRACT	\$398,500.00	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>

February 10, 2016

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

Section 1. That the purchase of one airfield passenger bus for Love Field is authorized with Cobus Industries, LP (VS88394) in an amount not to exceed \$398,500.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for one airfield passenger bus for Love Field. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the Chief Financial officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed \$398,500.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>	<u>Encumbrance</u>
0130	AVI	7725	4890	\$398,500.00	POAVI00000123421

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

KEY FOCUS AREA: E-Gov

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Sanitation Services

CMO: Jeanne Chipperfield, 670-7804
Joey Zapata, 670-3009

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for waste and recycling collection roll carts – Toter, LLC through the Houston–Galveston Area Council of Governments - Not to exceed \$3,683,408 - Financing: Sanitation Current Funds

BACKGROUND

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

This master agreement will provide waste and recycling collection roll carts throughout the City. Approximately 81,000 waste and recycling collection roll carts covered by this master agreement will be utilized in growth areas of the City as well as replacements for broken or stolen roll carts. Roll carts come in three sizes (48, 64 and 96-gallons) and are gray (residential waste) and blue and black (recycle waste) in color. The City collects an estimated 233,000 tons of refuse and 55,000 tons of recycling from residential customers annually.

Houston-Galveston Area Council of Governments (HGAC) conforms to the requirements of Texas Statutes that are applicable to competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, HGAC receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On November 12, 2013, City Council authorized a three-year master agreement for waste and recycling collection roll carts by Resolution No. 13-1916.

Information about this item will be provided to the Budget, Finance and Audit Committee on February 1, 2016.

FISCAL INFORMATION

\$3,683,408.00 - Sanitation Current Funds

ETHNIC COMPOSITION

Toter, LLC

White Male	66	White Female	23
Black Male	56	Black Female	11
Hispanic Male	75	Hispanic Female	27
Other Male	21	Other Female	4

OWNER

Toter, LLC

Henry Retamal, Division President
Jim Pickett, Vice President

February 10, 2016

WHEREAS, on November 12, 2013, City Council authorized a three-year master agreement for waste and recycling collection roll carts by Resolution No. 13-1916;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of waste and recycling collection roll carts is authorized with Toter, LLC (333498) through the Houston–Galveston Area Council of Governments for a term of one year in an amount not to exceed \$3,683,408.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for waste and recycling collection roll carts. If a written contract is required or requested for any or all purchases of waste and recycling collection roll carts under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,683,408.00 from Master Agreement number BP1405.

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

AGENDA ITEM # 7

KEY FOCUS AREA: E-Gov

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Trinity Watershed Management
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for electrical supplies – Crawford Electric Supply Co., lowest responsible bidder of six - Not to exceed \$7,618,837 - Financing: Current Funds (\$3,396,203), Water Utilities Current Funds (\$3,833,547), Aviation Current Funds (\$198,839) and Stormwater Drainage Management Current Funds (\$190,248)

BACKGROUND

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

This master agreement will provide for the purchase of various types of electrical supplies that will be used for maintenance at all City facilities such as:

- Water Utilities' facilities
- Park and Recreation facilities
- Libraries
- Kay Bailey Hutchison Convention Center Dallas
- Love Field Airport
- Police and Fire stations

BACKGROUND (Continued)

This agreement will be used to purchase electrical items such as conduit, lighting fixtures, switches, motors, starters, transformers, testing equipment, wire, monitoring equipment, relays, ballast, fuses, electrical safety related equipment and tools.

Water Utilities and Equipment and Building Services will use this agreement to replenish warehouse locations with electrical parts and supplies necessary for the maintenance of City facilities.

Street Services will utilize this agreement for maintaining traffic control systems by supplying parts that will be used in the relocation, installation and maintenance of the traffic system. This agreement will also be used to maintain the citywide Communication and Information Service data infrastructure by supplying fiber optic cables, connectors, mini-com boxes, media cable patches and accessories necessary to help maintain the local area network and wide area network.

This solicitation was structured in a manner which required bidders to submit a percentage discount from Trader Service Pro catalog. This bid resulted in an average discount of 81.54%, as compared to the 2013 discount of 80.28%.

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 304 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 12, 2013, City Council authorized a three-year master agreement for electrical supplies by Resolution No. 13-0934.

Information about this item will be provided to the Budget, Finance and Audit Committee on February 1, 2016.

FISCAL INFORMATION

\$3,396,203.11 - Current Funds

\$3,833,546.39 - Water Utilities Current Funds

\$ 198,839.28 - Aviation Current Funds

\$ 190,247.68 - Stormwater Drainage Management Current Funds

M/WBE INFORMATION

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

304 - 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

Crawford Electric Supply Co.

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

BID INFORMATION

The following bids were received from solicitation number BC1601 and were opened on December 18, 2015. This master agreement is being awarded to the lowest responsive and responsible bidder by group. Information related to this solicitation is available upon request.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Crawford Electric Supply Co.	2928 Irving Blvd. Dallas, TX 75247	Multiple Groups
Wesco Distribution	9400 N. Royal Ln. #100 Irving, TX 75063	Multiple Groups
Summit Electric Supply	2646 Manana Dr. Dallas, TX 75220	Multiple Groups
DX Electric Company	2525 E. Union Bower Rd. Irving, TX 75061	Multiple Groups

BID INFORMATION (Continued)

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
Elliott Electric Supply	10390 Shady Tr. Dallas, TX 75220	Non-Responsive**
Lonestar Electric Supply	999 Regal Row Dallas, TX 75247	Non-Responsive**

**Elliott Electric Supply and Lonestar Electric Supply were deemed non-responsive due to not meeting specifications.

OWNER

Crawford Electric Supply Co.

Tim Horny, President
Kelly Johns, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for electrical supplies – Crawford Electric Supply Co., lowest responsible bidder of six - Not to exceed \$7,618,837 - Financing: Current Funds (\$3,396,203), Water Utilities Current Funds (\$3,833,547), Aviation Current Funds (\$198,839) and Stormwater Drainage Management Current Funds (\$190,248)

Crawford Electric Supply Co. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$7,618,836.46	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$7,618,836.46	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>

February 10, 2016

WHEREAS, on June 12, 2013, City Council authorized a three-year master agreement for electrical supplies by Resolution No. 13-0934;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of electrical supplies is authorized with Crawford Electric Supply Co. (516246) for a term of three years in an amount not to exceed \$7,618,836.46.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for electrical supplies. If a written contract is required or requested for any or all purchases of electrical supplies under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$7,618,836.46 from Master Agreement number BC1601.

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

KEY FOCUS AREA: E-Gov

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize supplemental agreement no. 5 to exercise the second one-year renewal option of the service contract with Austin Ribbon & Computer Supplies, Inc. for the lease or purchase of desktop computers, computer related equipment, accessories and various managed services - Not to exceed \$3,406,977, from \$34,798,253 to \$38,205,230 - Financing: Current Funds (subject to appropriations)

BACKGROUND

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

This renewal will allow the City to continue to lease and purchase desktop computers, computer related equipment and accessories. Additionally, this contract includes vendor provided services such as dedicated onsite support, vendor website for order processing (E-Commerce), asset management support and hard drive and computer equipment shredding services.

To continue ensuring the most effective use and security of computing equipment throughout the City, configuration standards have been established for all new and replacement computer orders. Standardization has also achieved efficiencies in the ongoing maintenance and repair of computers citywide.

This supplemental meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 11, 2009, City Council authorized a sixty-month master agreement, with three twelve-month renewal options, for the purchase of mobile data computers, equipment mounting hardware and maintenance for Police and Dallas Fire-Rescue; and professional installation services by Resolution No. 09-0453.

On February 11, 2009, City Council authorized a sixty-month contract, with three twelve-month renewal options, for the lease or purchase of all forms of computers and computer related equipment and accessories to include various managed services by Resolution No. 09-0454.

On February 17, 2015, the Budget, Finance and Audit Committee was briefed via memorandum.

On February 25, 2015, City Council authorized supplemental agreement no. 4 to exercise the first one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services by Resolution No. 15-0342.

Information about this item will be provided to the Budget, Finance and Audit Committee on February 1, 2016.

FISCAL INFORMATION

\$3,406,977.00 - Current Funds (subject to appropriations)

ETHNIC COMPOSITION

Austin Ribbon & Computer Supplies, Inc.

White Male	19	White Female	14
Black Male	7	Black Female	0
Hispanic Male	10	Hispanic Female	2
Other Male	10	Other Female	7

OWNER

Austin Ribbon & Computer Supplies, Inc.

Ryan Grant, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize supplemental agreement no. 5 to exercise the second one-year renewal option of the service contract with Austin Ribbon & Computer Supplies, Inc. for the lease or purchase of desktop computers, computer related equipment, accessories and various managed services - Not to exceed \$3,406,977, from \$34,798,253 to \$38,205,230 - Financing: Current Funds (subject to appropriations)

Austin Ribbon & Computer Supplies, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$3,406,977.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$3,406,977.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Austin Ribbon & Computer Supplies, Inc.	WFWB61978N0516	\$3,406,977.00	100.00%
Total Minority - Local		\$3,406,977.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$3,406,977.00	100.00%	\$38,205,230.00	100.00%
Total	\$3,406,977.00	100.00%	\$38,205,230.00	100.00%

February 10, 2016

WHEREAS, on February 11, 2009, City Council authorized a sixty-month master agreement, with three twelve-month renewal options, for the purchase of mobile data computers, equipment mounting hardware and maintenance for Police and Dallas Fire-Rescue; and professional installation services by Resolution No. 09-0453; and,

WHEREAS, on February 11, 2009, City Council authorized a sixty-month contract, with three twelve-month renewal options, for the lease or purchase of all forms of computers and computer related equipment and accessories to include various managed services by Resolution No. 09-0454; and,

WHEREAS, on December 18, 2013, Administrative Action No. 13-7014 authorized supplemental agreement no. 1 to the service contract with Austin Ribbon & Computer Supplies, Inc. to add the Statement of Work for Office 365 email migration; and,

WHEREAS, on February 11, 2014, Administrative Action No. 14-5420 authorized supplemental agreement no. 2 to the service contract with Austin Ribbon & Computer Supplies, Inc. to extend the contract term from February 16, 2014 to February 15, 2015; and,

WHEREAS, on June 2, 2014, Administrative Action No. 14-6035 authorized supplemental agreement no. 3 to the service contract with Austin Ribbon & Computer Supplies, Inc. to add changes to the Statement of Work for Office 365 email migration through supplemental agreement no. 1; and,

WHEREAS, on February 25, 2015, City Council authorized supplemental agreement no. 4 to exercise the first one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services in an amount not to exceed \$3,557,706.00, increasing the service contract amount from \$31,240,547.00 to \$34,798,253.00, by Resolution No. 15-0342;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute supplemental agreement no. 5 to exercise the second one-year renewal option of the service contract with Austin Ribbon & Computer Supplies, Inc. (263234) for the lease or purchase of desktop computers, computer related equipment, accessories and various managed services in an amount not to exceed \$3,406,977.00, increasing the service contract amount from \$34,798,253.00 to \$38,205,230.00.

February 10, 2016

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,406,977.00 (subject to appropriations) from Service Contract number BGZ0805.

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: February 10, 2016
COUNCIL DISTRICT(S): 14
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 46B

SUBJECT

Authorize **(1)** the sale of property located at 5444 Gaston Avenue, containing 11 apartment units, (the “Property”) from Central Dallas Community Development Corporation to Azur Commercial Capital, LLC; and **(2)** the assumption by Azur Commercial Capital, LLC, of the remaining balance of the loan, originally made in 2004 for the rehabilitation of the Property, owed by Central Dallas Community Development Corporation to the City of Dallas in the amount of \$17,779 - Financing: No cost consideration to the City

BACKGROUND

On June 27, 2001, the City Council approved Resolution No. 01-2049, authorizing the City of Dallas Housing/Community Services Department to provide Community Housing Development Organization (CHDO) loans to certified organizations for the creation of affordable housing.

In 2004, the City of Dallas Housing/Community Services Department provided a CHDO loan in the amount of \$50,000.00 to Central Dallas Community Development Corporation to rehabilitate the Property with a 0% interest rate and a maturity date of May 1, 2021. The loan would be forgiven monthly over a period of 15 years upon completion and occupancy of the units. The current amortized balance of the loan to the City is \$17,778.78.

At this time, Central Dallas Community Development Corporation, wishes to sell the property at 5444 Gaston Avenue, to Azur Commercial Capital, LLC and has requested that the City of Dallas allow the sale, and the assumption of the City’s loan to Azur Commercial Capital, LLC.

This Council action will allow for Azur Commercial Capital, LLC, to purchase the property from Central Dallas Community Development Corporation, assume the City loan balance in the amount of \$17,778.78, and continue to provide the affordable housing units on the property through May 1, 2021.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On June 27, 2001, the City Council authorized the City of Dallas Housing/Community Services Department to provide Community Housing Development Organization (CHDO) loans to certified organizations for the creation of affordable housing, by Resolution No. 01-2049.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNER(S)

**Central Dallas Community
Development Corporation**

John Greenan, Executive Director

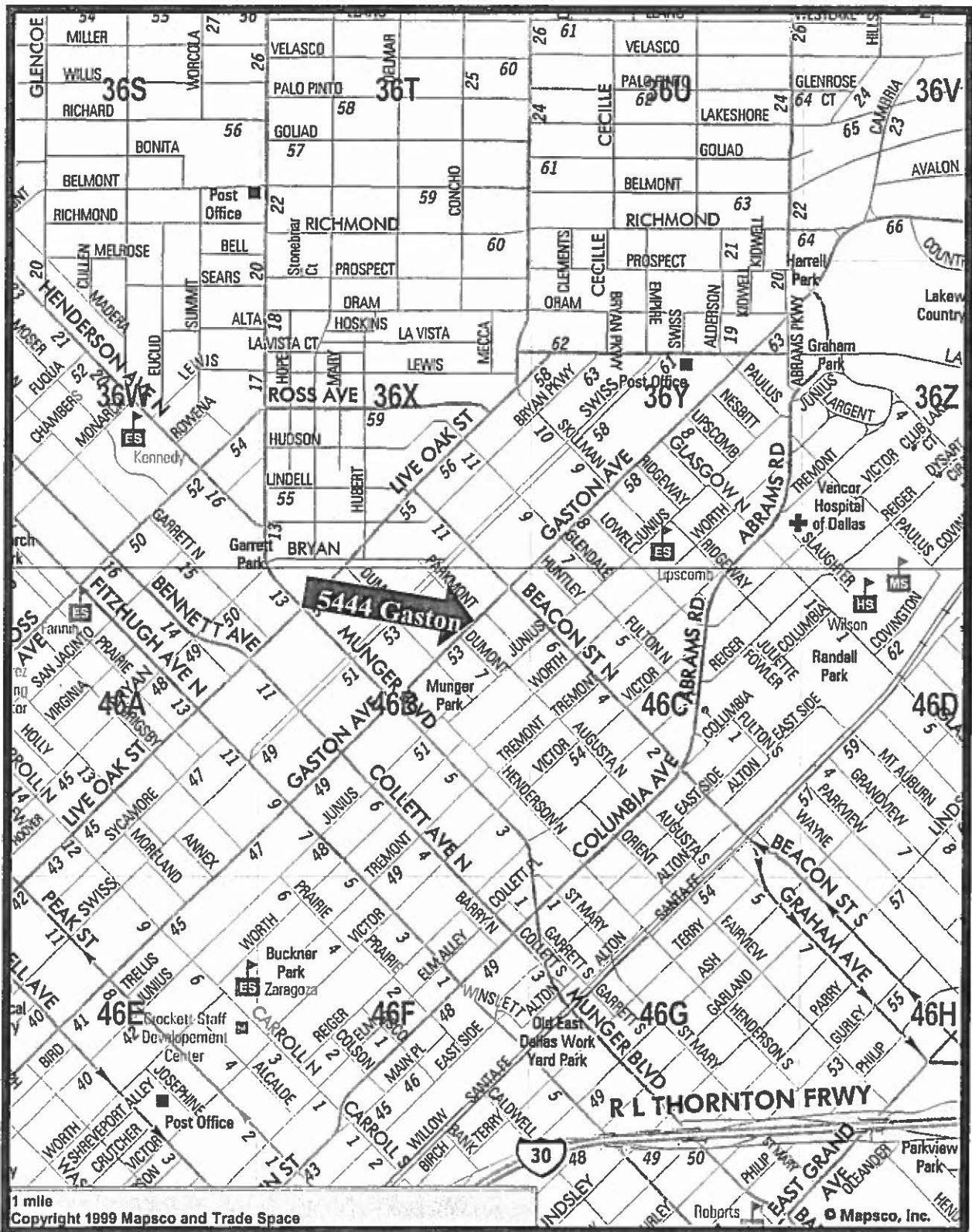
PURCHASER

Azur Commercial Capital, LLC

Barrett Linburg, Principal

MAP

Attached



MAPSCO 46B

© Mapsco, Inc.

February 10, 2016

WHEREAS, on June 27, 2001, City Council approved Resolution No. 01-2049, authorizing the City of Dallas Housing/Community Services Department to provide Community Housing Development Organization (CHDO) loans to certified organizations for the creation of affordable housing; and

WHEREAS, on May 1, 2004, the City of Dallas provided a CHDO loan in the amount of \$50,000 to Central Dallas Community Development Corporation to rehabilitate the 11 units located at 5444 Gaston Avenue (the "Property") with a 0% interest rate and a maturity date of May 1, 2021; the loan would be forgiven monthly over a period of 15 years; and

WHEREAS, current balance of the loan to the City is \$17,778.78; and

WHEREAS, Central Dallas Community Development Corporation wishes to sell the Property; and

WHEREAS, Azur Commercial Capital, LLC wishes to purchase the Property, assume the remainder of the City's loan, and maintain the affordable housing units; and

WHEREAS, the City of Dallas seeks to maintain the affordable units on the Property;

NOW, THEREFORE,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute loan documents allowing for: **(1)** the sale of the Property from Central Dallas Community Development Corporation to Azur Commercial Capital, LLC; and **(2)** the assumption by Azur Commercial Capital, LLC, of the remaining balance of the loan, originally made in 2004 for the rehabilitation of the Property, owed by Central Dallas Community Development Corporation to the City of Dallas in the amount of \$17,778.78.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens, termination of deed restrictions, and subordinations to mortgage lender in compliance with the loan terms, deed restrictions and or forgiveness of debt.

February 10, 2016

SECTION 3. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the loan documents are duly approved by all parties and executed.

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 2
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 46H

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Aledo Construction Plus for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Aledo Construction Plus; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Aledo Construction Plus has submitted a proposal and development plan to DHADC for 1 lot shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Aledo Construction Plus to the City's Land Bank, the sale of that lot from DHADC to Aledo Construction Plus and the release of lien for any non-tax liens that may have been filed by the City. The vacant lot was purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Aledo Construction Plus will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Aledo Construction Plus and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Aledo Construction Plus will build an affordable house on the lot. The approximate square footage and sales price of the house will be 1,200 to 1,400 square feet and from \$120,000 to \$140,000. The lot will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (1 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$5,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 21, 2016, DHADC approved the development plan and sale of 1 lot from DHADC to Aledo Construction Plus.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Aledo Construction Plus

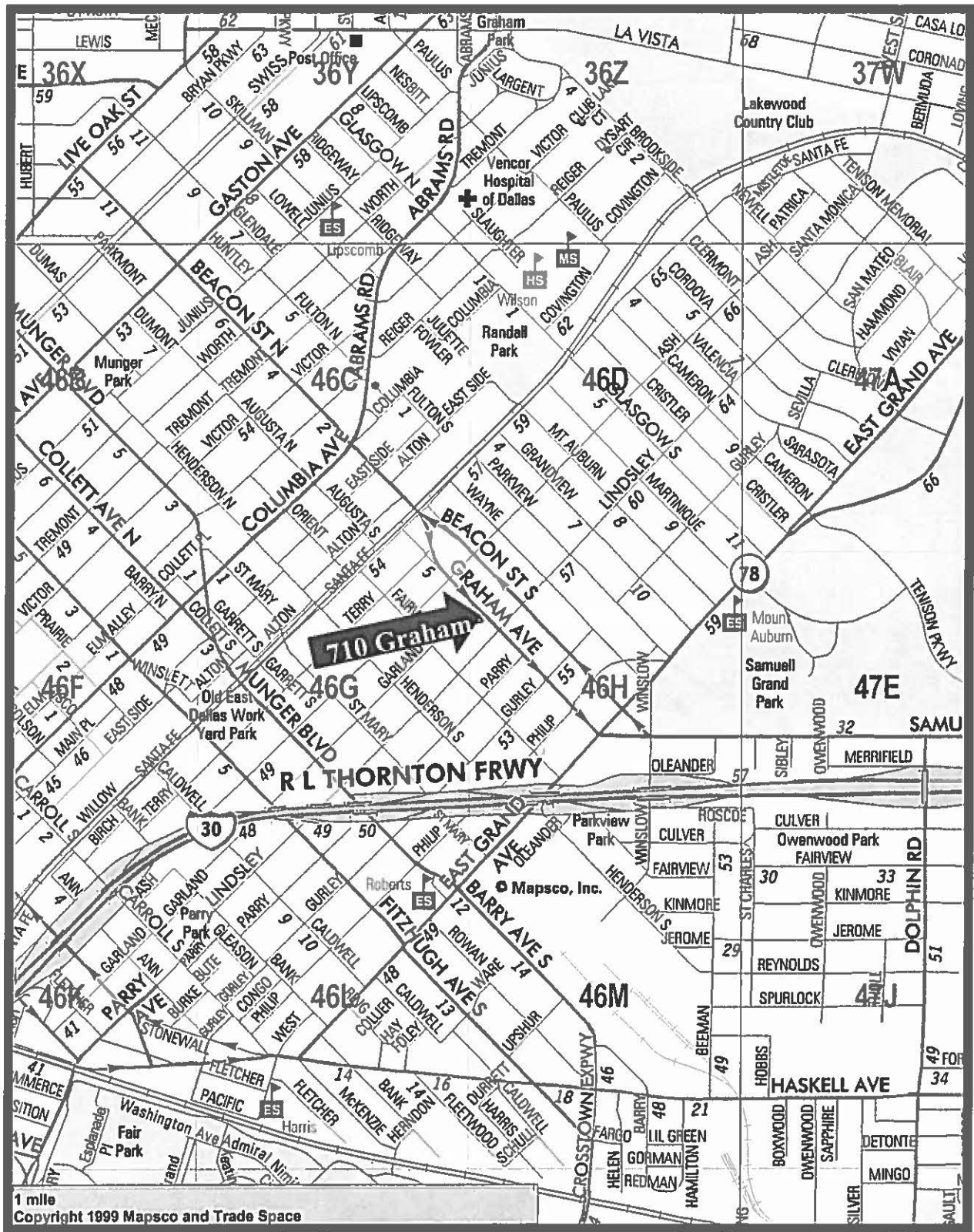
Abigael Maldonado, Owner

MAP

Attached

**Land Bank (DHADC) Sale of Lot to
Aledo Construction Plus**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 710 Graham	46H	2	\$12,789.72



MAPSCO 46H

February 10, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, Aledo Construction Plus submitted a proposal and development plan to DHADC for 1 lot shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Aledo Construction Plus and authorize the sale of the said 1 lot from DHADC to Aledo Construction Plus to build an affordable house;

NOW, THEREFORE,

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

SECTION 1. That the development plan shown on Exhibit "B" submitted by Aledo Construction Plus and the sale of 1 lot shown on Exhibit "A" from DHADC to Aledo Construction Plus is approved.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lot shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	710 Graham Lot 4, Mount Auburn Addition Block 16/1613	Aledo Construction Plus	1	\$5,000.00
TOTAL				\$5,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 1

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

710 GRAHAM

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home 1
Number of Garages ___ Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1,200-1,400
Number of Bedrooms/Baths in each home 3, 1, 2
Number of Garages 2 Number of Carports 0 Detached ___ Attached
Type of Exterior Veneer _____ Which sides BACK & SIDES
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 120,000 - 140,000

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home 1
Number of Garages ___ Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 30 days
Completion of Construction 150 days
Sale of first affordable housing unit to low income households 30 days
Sale of last affordable unit to low income households 30 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 6
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 42H 43H P 44E N

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by DFW Projects, LLC for the construction of affordable houses; **(2)** the sale of 5 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to DFW Projects, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

DFW Projects, LLC has submitted a proposal and development plan to DHADC for 5 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by DFW Projects, LLC to the City's Land Bank, the sale of those lots from DHADC to DFW Projects, LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to DFW Projects, LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by DFW Projects, LLC and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

DFW Projects, LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,639 square feet and \$169,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (5 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$25,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 21, 2016, DHADC approved the development plan and sale of 5 lots from DHADC to DFW Projects, LLC.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

DFW Projects, LLC

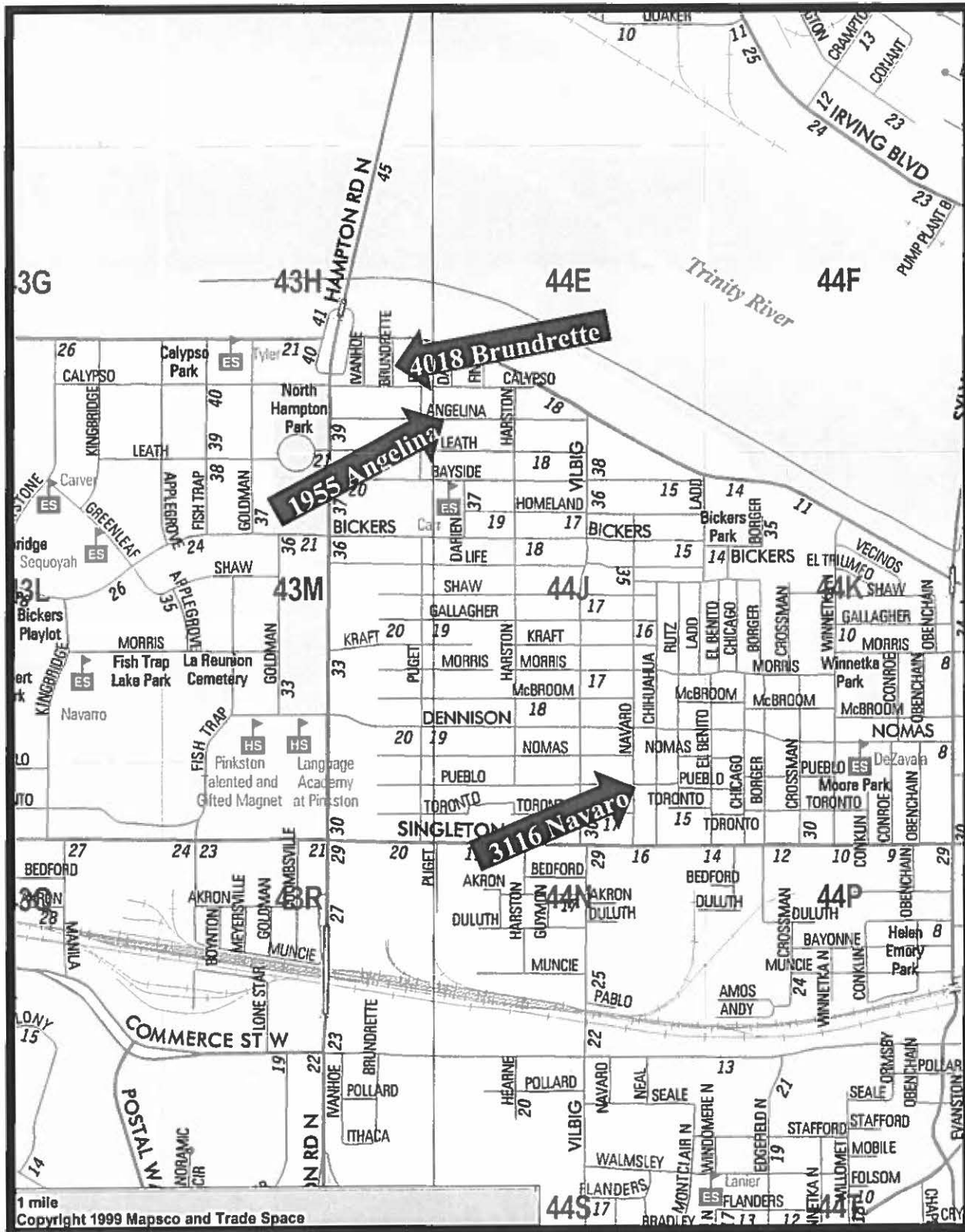
Johnny Aguinaga, Managing Member

MAPS

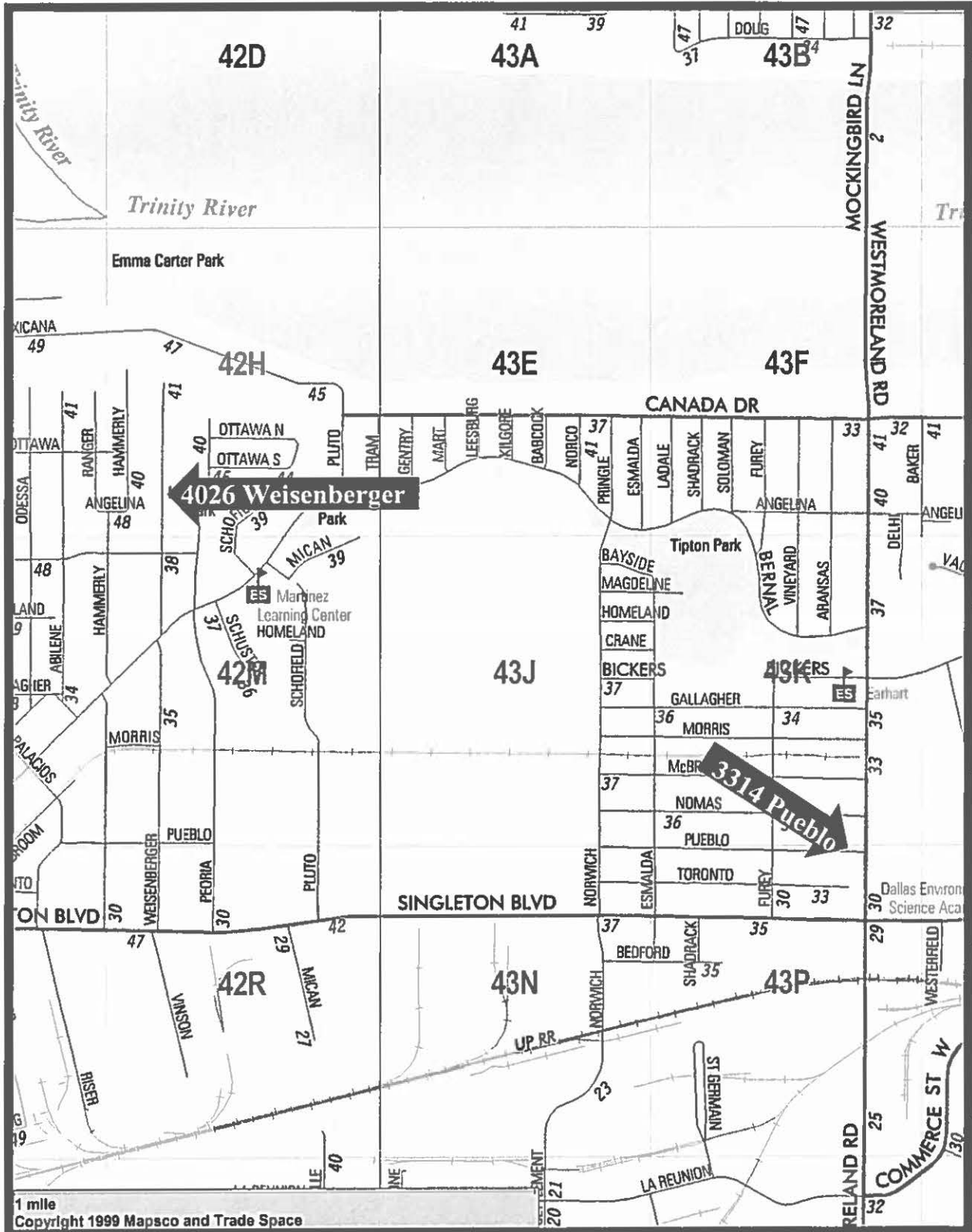
Attached

**Land Bank (DHADC) Sale of Lots to
DFW Projects, LLC**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1955 Angelina	44E	6	\$17,991.58
2. 4018 Brundrette	43H	6	\$14,704.87
3. 3314 Pueblo	43P	6	\$ 4,784.54
4. 4026 Weisenberger	42H	6	\$21,779.93
5. 3116 Navaro	44N	6	\$ 7,608.99



MAPSCO 43H, 44E, 44N



MAPSCO 42H & 43P

February 10, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, DFW Projects, LLC submitted a proposal and development plan to DHADC for 5 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by DFW Projects, LLC and authorize the sale of the said 5 lots from DHADC to DFW Projects, LLC to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by DFW Projects, LLC and the sale of 5 lots shown on Exhibit "A" from DHADC to DFW Projects, LLC is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	1955 Angelina Lot 23, Roosevelt Manor Addition, Second Section Block 9/7130	DFW Projects, LLC	1	\$5,000.00	
2	4018 Brundrette Lot 6, Roosevelt Manor 2nd Installment Addition Block 4/7130	DFW Projects, LLC	1	\$5,000.00	
3	3314 Pueblo Lot 4, Westmoreland Park Addition Block 4/7144	DFW Projects, LLC	1	\$5,000.00	
4	4026 Weisenberger Lot 11, Weisenberger Gardens Addition Block 18/7158	DFW Projects, LLC	1	\$5,000.00	
5	3116 Navaro Lot 10, Homestead Addition Block E/7116	DFW Projects, LLC	1	\$5,000.00	
TOTAL				\$25,000.00	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 5

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

1955 Angelina	BLK 9/7130 LT 23	ROOSEVELT MANOR 2ND	44-E
4018 Brundrette	4/7130 CT 6	ROOSEVELT MANOR 2ND	43-H
3314 Pueblo	4/7144 LT 4	WESTMORELAND PARK	43-P
3116 Navarro	BLK E/7116 LT 10	Homestead	44-J
4026 Weisenberger	18/7158 LT 11	WEISENBERG GARDENS	42-H

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
 Square Footage of each home _____
 Number of Bedrooms/Baths in each home _____ / _____
 Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
 Type of Exterior Veneer _____ Which sides _____
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots _____
 Square Footage of each home _____
 Number of Bedrooms/Baths in each home _____ / _____
 Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
 Type of Exterior Veneer _____ Which sides _____
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 5
 Square Footage of each home 1,639
 Number of Bedrooms/Baths in each home 4 / 3
 Number of Garages 2 Number of Carports _____ Detached _____ Attached _____
 Type of Exterior Veneer Brick, Stucco Which sides Front
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$169,000

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 60 days
Completion of Construction 120 days
Sale of first affordable housing unit to low income households 120 days
Sale of last affordable unit to low income households 42 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 55J

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Jose Segovia for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Jose Segovia; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Jose Segovia has submitted a proposal and development plan to DHADC for 1 lot shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Jose Segovia to the City's Land Bank, the sale of that lot from DHADC to Jose Segovia and the release of lien for any non-tax liens that may have been filed by the City. The vacant lot was purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Jose Segovia will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Jose Segovia and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Jose Segovia will build an affordable house on the lot. The approximate square footage and sales price of the house will be 1,300 to 1,500 square feet and from \$110,000 to \$130,000. The lot will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (1 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$5,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 21, 2016, DHADC approved the development plan and sale of 1 lot from DHADC to Jose Segovia.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

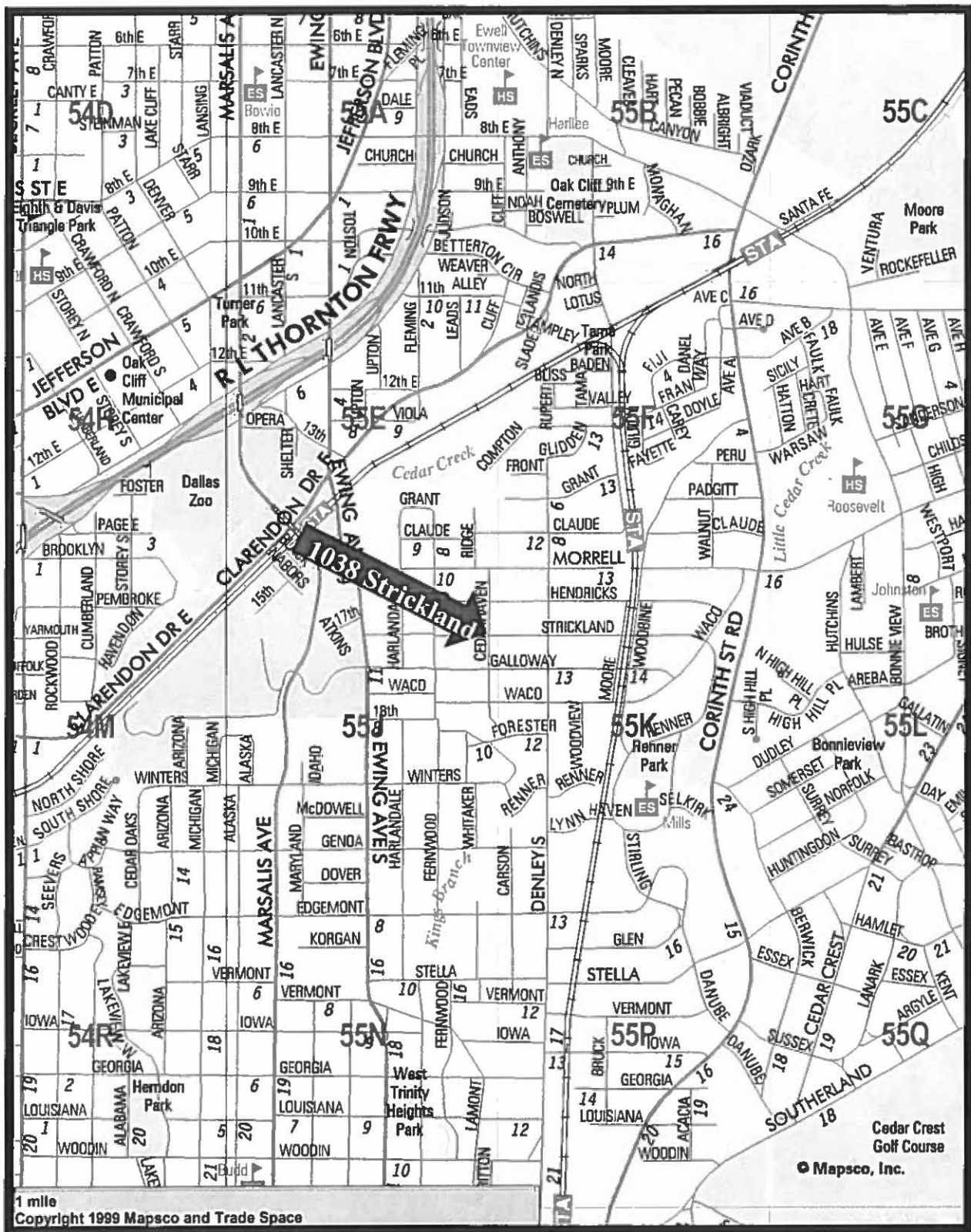
Jose Segovia

MAP

Attached

**Land Bank (DHADC) Sale of Lot to
Jose Segovia**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1038 Strickland	55J	4	\$14,727.27



MAPSCO 55J

February 10, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, Jose Segovia submitted a proposal and development plan to DHADC for 1 lot shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Jose Segovia and authorize the sale of the said 1 lot from DHADC to Jose Segovia to build an affordable house;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Jose Segovia and the sale of 1 lot shown on Exhibit "A" from DHADC to Jose Segovia is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lot shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	1038 Strickland Lot 11, Brentwood Addition Block E/3396	Jose Segovia	1	\$5,000.00	
TOTAL:				\$5,000.00	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 1

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property")

1038 Strickland, Dallas TX 75208

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home 1
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1,300-1,500
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 0 Number of Carports 0 Detached 0 Attached 0
Type of Exterior Veneer Siding Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110,000 - 130,000

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 90 days
Completion of Construction 90 days
Sale of first affordable housing unit to low income households _____ days
Sale of last affordable unit to low income households _____ days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 6
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 44P

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KH Solutions, Inc. for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to KH Solutions, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

KH Solutions, Inc. has submitted a proposal and development plan to DHADC for 1 lot shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by KH Solutions, Inc. to the City's Land Bank, the sale of that lot from DHADC to KH Solutions, Inc. and the release of lien for any non-tax liens that may have been filed by the City. The vacant lot was purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to KH Solutions, Inc. will contain a reverter that returns the property to DHADC if a construction permit is not applied for by KH Solutions, Inc. and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

KH Solutions, Inc. will build an affordable house on the lot. The approximate square footage and sales price of the house will be 1,100 to 1,200 square feet and from \$105,000 to \$115,000. The lot will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (1 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$5,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 21, 2016, DHADC approved the development plan and sale of 1 lot from DHADC to KH Solutions, Inc.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

KH Solutions, Inc.

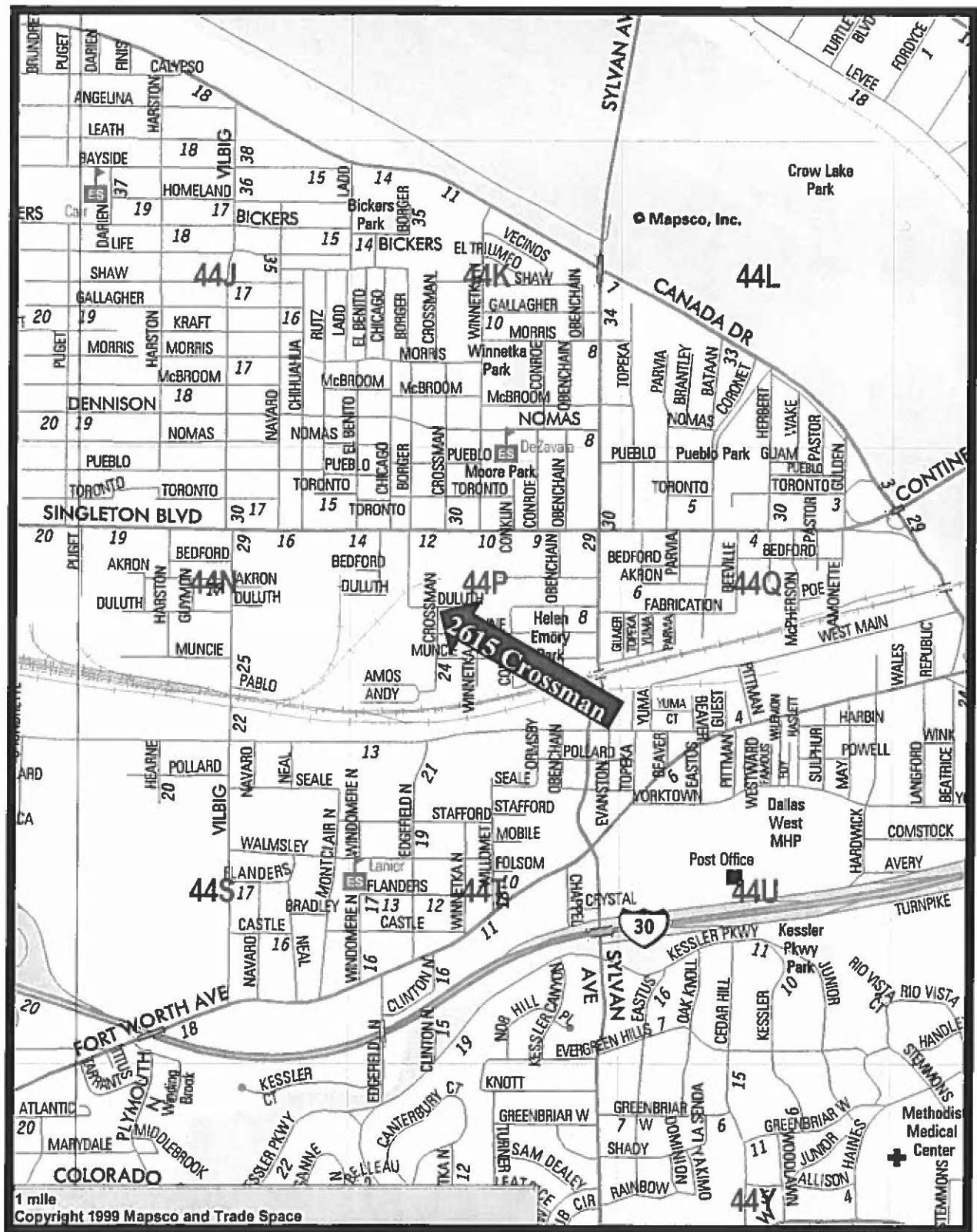
Zarinah Curry, President

MAP

Attached

**Land Bank (DHADC) Sale of Lot to
KH Solutions, Inc.**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2615 Crossman	44P	6	\$15,380.77



MAPSCO 44P

February 10, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, KH Solutions, Inc. submitted a proposal and development plan to DHADC for 1 lot shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by KH Solutions, Inc. and authorize the sale of the said 1 lot from DHADC to KH Solutions, Inc. to build an affordable house;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by KH Solutions, Inc. and the sale of 1 lot shown on Exhibit "A" from DHADC to KH Solutions, Inc. is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lot shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	2615 Crossman Lot 15 & South 40 feet of Lot 16, West End Addition Block 13/7265	KH Solutions, Inc.	1	\$5,000.00
TOTAL				\$5,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 1

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

2615 Crossman Ave
Dallas, TX 75212
Legal: Z E Coombs West End
BLK 13/7265 LT 15 + S 40FT 16

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1,100-1,200
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 2 Number of Carports _____ Detached _____ Attached
Type of Exterior Veneer Brick / Vinyl Which sides Brick-Front / Vinyl-Sides and back
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$105,000-115,000

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 45 days
Completion of Construction 90 days
Sale of first affordable housing unit to low income households 135 days
Sale of last affordable unit to low income households 135 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 55S W

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by King Home Builders, LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to King Home Builders, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

King Home Builders, LLC has submitted a proposal and development plan to DHADC for 4 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by King Home Builders, LLC to the City's Land Bank, the sale of those lots from DHADC to King Home Builders, LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to King Home Builders, LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by King Home Builders, LLC and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

King Home Builders, LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,300 to 1,500 square feet and from \$100,000 to \$110,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (4 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$20,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 21, 2016, DHADC approved the development plan and sale of 4 lots from DHADC to King Home Builders, LLC.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

King Home Builders, LLC

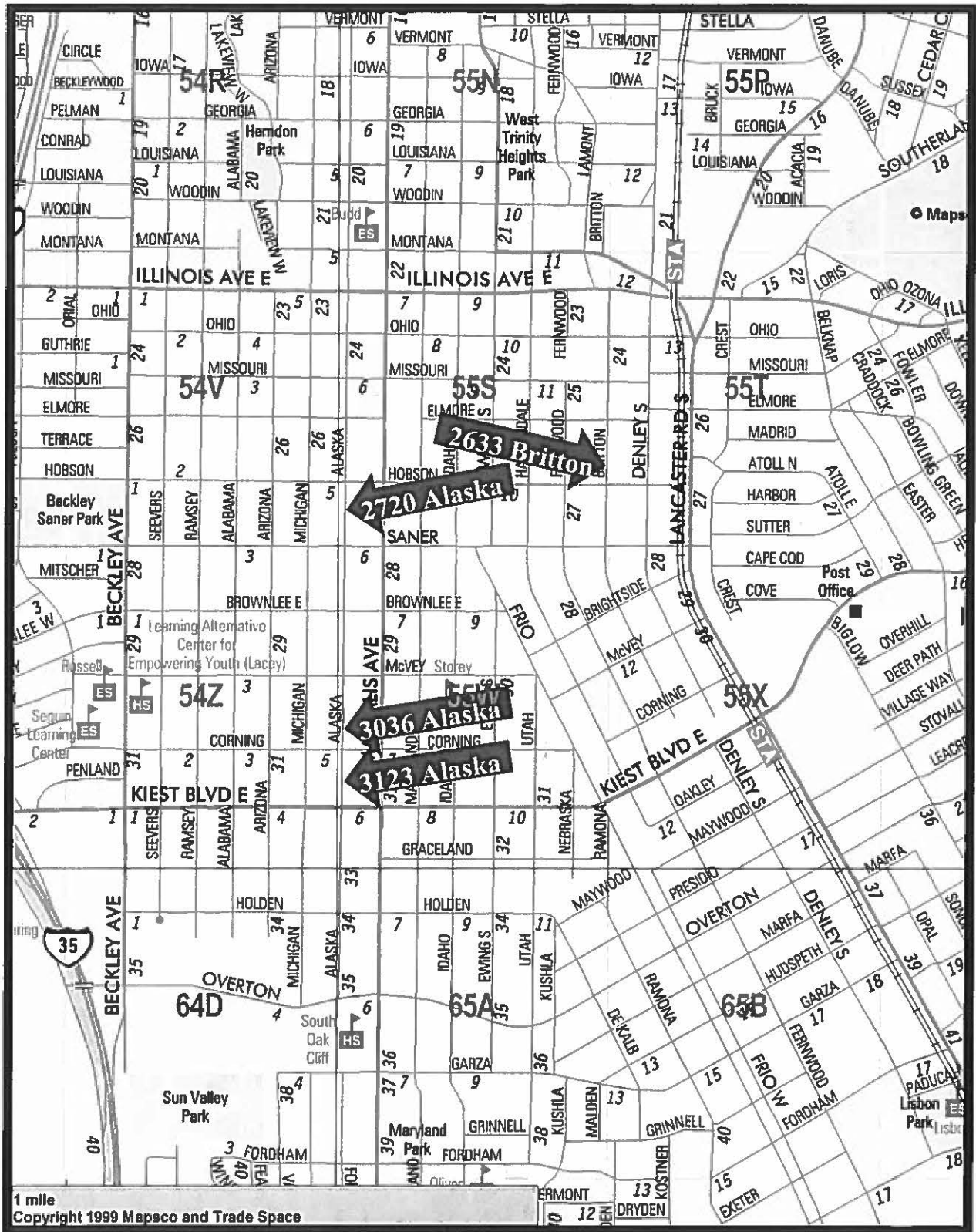
Jorge G. Lariz, Managing Member

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
King Home Builders, LLC**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2720 Alaska	55S	4	\$22,185.83
2. 3036 Alaska	55W	4	\$11,119.37
3. 3123 Alaska	55W	4	\$21,028.11
4. 2633 Britton	55S	4	\$ 3,446.48



MAPSCO 55S & 55W

February 10, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, King Home Builders, LLC submitted a proposal and development plan to DHADC for 4 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by King Home Builders, LLC and authorize the sale of the said 4 lots from DHADC to King Home Builders, LLC to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by King Home Builders, LLC and the sale of 4 lots shown on Exhibit "A" from DHADC to King Home Builders, LLC is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	2720 Alaska Lot 6, Broadmoor Addition Revised Block 40/4210	King Home Builders, LLC	1	\$5,000.00
2	3036 Alaska Lot 10, Fremont Addition Block 21/4123	King Home Builders, LLC	1	\$5,000.00
3	3123 Alaska Lot 16, Belmar Addition No. 1 Block 6/5995	King Home Builders, LLC	1	\$5,000.00
4	2633 Britton Lot 21, Broadmoor Addition Block 25/4220	King Home Builders, LLC	1	\$5,000.00
TOTAL				\$20,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 4

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

2720 Alaska Ave 2633 Britton
3036 Alaska Ave
3123 Alaska Ave

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots /
Square Footage of each home _____
Number of Bedrooms/Baths in each home 1
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 4 (1 home per lot)
Square Footage of each home 1,300 - 1,500
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 0 Number of Carports 0 Detached 0 Attached 0
Type of Exterior Veneer brick front Which sides Siding Sides
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 100K - 110K

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots /
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 30 days
Completion of Construction 90 days
Sale of first affordable housing unit to low income households 150 days
Sale of last affordable unit to low income households 365 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 55X

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of an affordable house; and **(2)** the exchange of deed restrictions from 1 lot previously purchased from the Dallas Housing Acquisition and Development Corporation to 1 comparable lot owned by the developer (list attached) – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. On January 24, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property both under the Act or otherwise.

KW New Vision Properties and Land, Inc. has submitted a proposal and development plan to DHADC for the exchange of the deed restrictions from 1 lot previously purchased from the Land Bank to 1 comparable lot owned by the developer. The DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by KW New Vision Properties and Land, Inc. to the City's Land Bank and the exchange of the deed restrictions on the lot. KW New Vision Properties and Land, Inc. will build an affordable house on the lot previously owned by them.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 21, 2016, the DHADC Board approved the development plan submitted by KW New Vision Properties and Land, Inc. and exchange of the deed restrictions, subject to City Council approval.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

KW New Vision Properties and Land, Inc.

Kelvin Williams, President

MAP

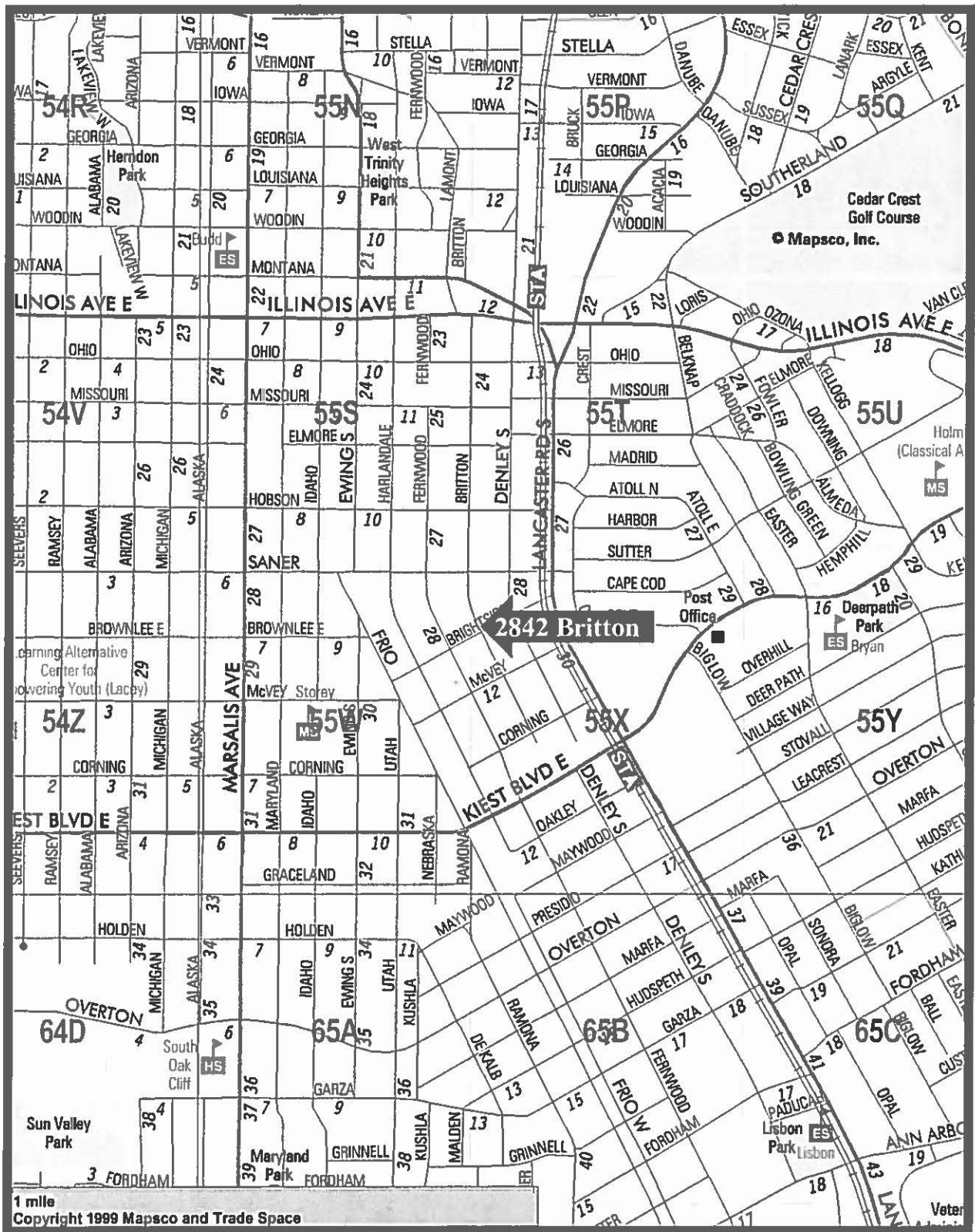
Attached

**Land Bank (DHADC) Lot Exchange of Deed Restrictions
KW New Vision Properties and Land, Inc.**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 713 Rockwood	54H	4

Lots to be Exchanged by Developer

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 2842 Britton	55X	4



MAPSCO 55X

February 10, 2016

WHEREAS, on January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code; and

WHEREAS, KW New Vision Properties and Land, Inc. submitted a proposal and development plan to DHADC to exchange the deed restrictions from 1 lot previously purchased from the Land Bank to 1 comparable lot owned by the developer as shown on Exhibit "A", as permitted under Section 379C.0105 of the Texas Local Government Code and the DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by KW New Vision Properties and Land, Inc. and authorize the exchange of the deed restrictions to build an affordable house;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by KW New Vision Properties and Land, Inc. and the exchange of the deed restrictions from 1 lot previously purchased from the Land Bank to 1 comparable lot owned by the developer as shown on Exhibit "A" are approved.

Section 2. 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"

LAND BANK PROPERTY

EXCHANGE	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE
1	713 Rockwood A 46.5 feet x 162.5 feet Tract, W.H. Hord Survey, Abstract No. 560 Block 3426	K.W New Vision Properties and Land, Inc.	1	7,460	\$11,190
				TOTAL	\$11,190
TO BE EXCHANGED	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE
1	2842 Britton Lot 11, Brightside Addition Block E/3892	K.W New Vision Properties and Land, Inc.	1	7,654	\$8,000
				TOTAL	\$8,000

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND BANK LOT(S) ACQUIRED BY DEVELOPER AND THE PROPOSED LOT(S) TO BE EXCHANGED

(1) Provide the property address and legal description of the lot(s) acquired from the Land Bank by the developer to be exchanged (attach extra sheets if necessary) (the "Property").

713 Rockwood Dallas TX 75206

(2) Provide the property address and legal description of the proposed lot(s) owned by the developer to be exchanged for the Land Bank lot(s) (attach extra sheets if necessary) (the "Property").

2842 Britton Ave Dallas TX 75216

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages ___ Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____ / _____
Number of Garages ___ Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1653
Number of Bedrooms/Baths in each home 4, 2
Number of Garages 0 Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer Brick Which sides Front
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 118K-123K

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the original Land Bank property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 30 days
Completion of Construction 60 days
Sale of first affordable housing unit to low income households 30 days
Sale of last affordable unit to low income households 30 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 6
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 42K Q 43F K

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Optimum Real Estate and Construction Group, LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Optimum Real Estate and Construction Group, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Optimum Real Estate and Construction Group, LLC has submitted a proposal and development plan to DHADC for 4 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Optimum Real Estate and Construction Group, LLC to the City's Land Bank, the sale of those lots from DHADC to Optimum Real Estate and Construction Group, LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens.

BACKGROUND (continued)

DHADC's Deed without Warranty to Optimum Real Estate and Construction Group, LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Optimum Real Estate and Construction Group, LLC and construction financing is not closed within three years of conveyance.

Optimum Real Estate and Construction Group, LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,300 to 1,500 square feet and from \$130,000 to \$150,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (4 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$20,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 21, 2016, DHADC approved the development plan and sale of 4 lots from DHADC to Optimum Real Estate and Construction Group, LLC.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Optimum Real Estate and Construction Group, LLC

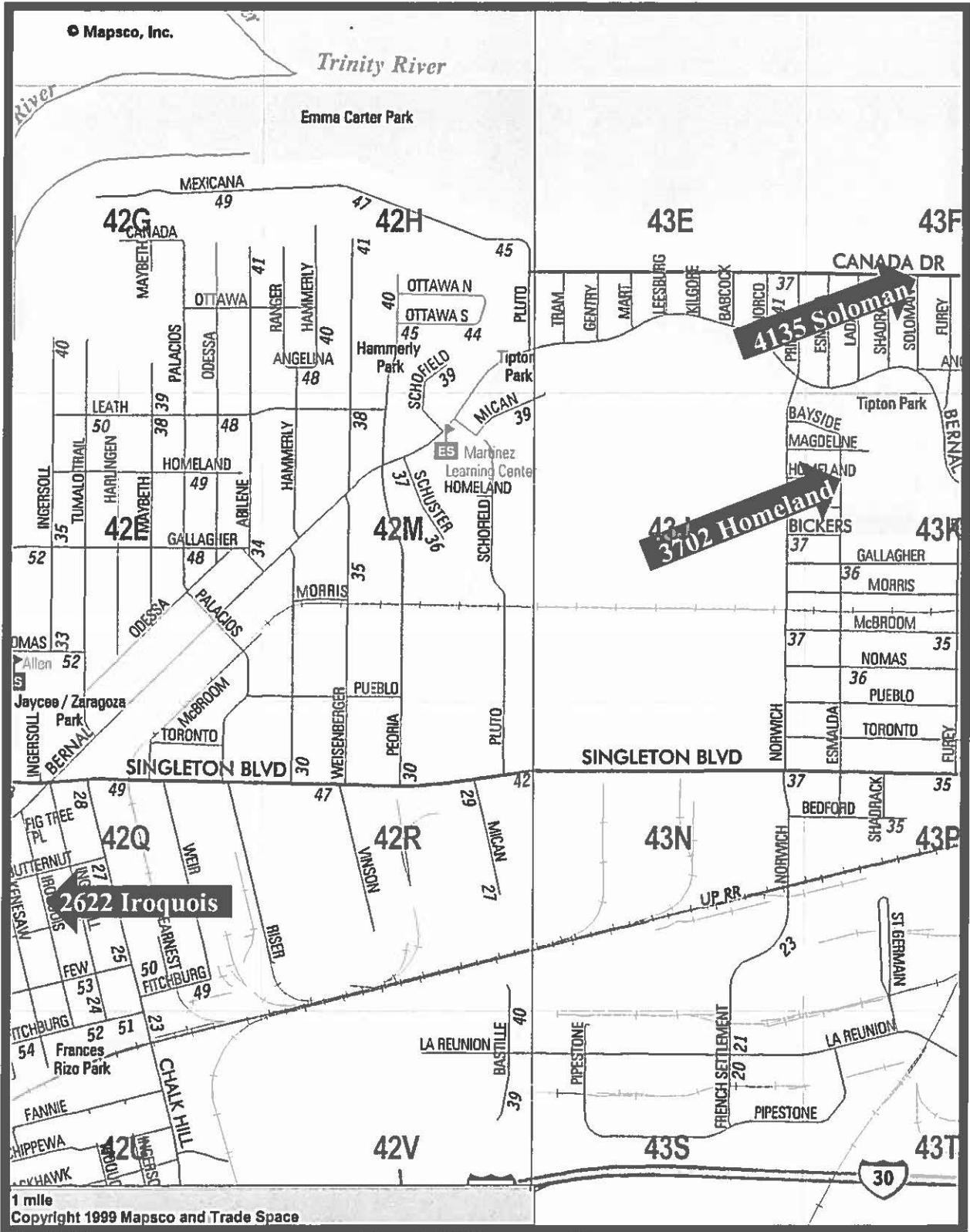
Stacie Stewart, Managing Member

MAPS

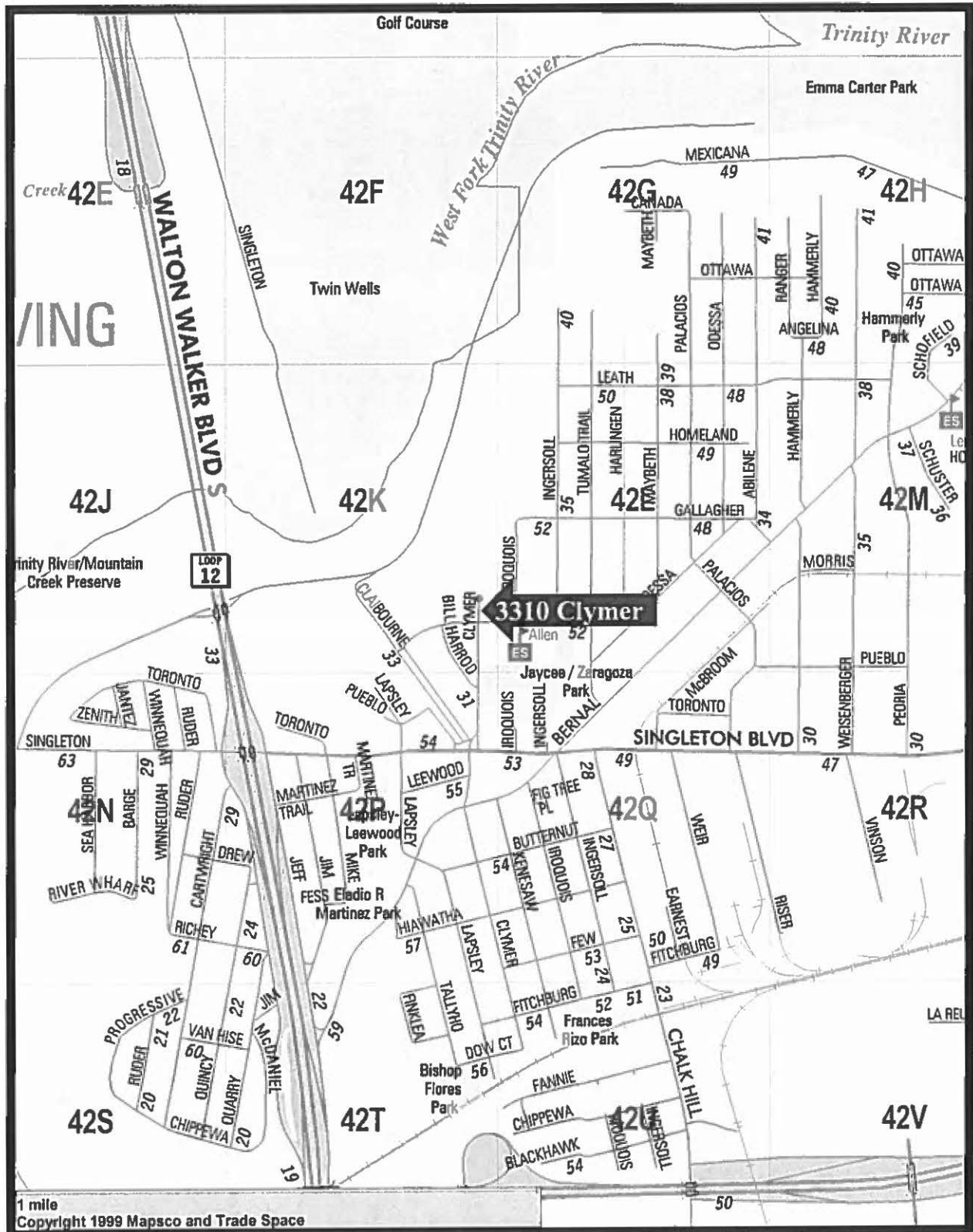
Attached

**Land Bank (DHADC) Sale of Lots to
Optimum Real Estate and Construction Group, LLC**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 3702 Homeland	43K	6	\$24,491.77
2. 2622 Iroquois	42Q	6	\$ 9,791.53
3. 3310 Clymer	42K	6	\$ 8,247.98
4. 4135 Soloman	43F	6	\$16,359.92



MAPSCO 42Q, 43F, 43K



MAPSCO 42K

February 10, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, Optimum Real Estate and Construction Group, LLC submitted a proposal and development plan to DHADC for 4 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Optimum Real Estate and Construction Group, LLC and authorize the sale of the said 4 lots from DHADC to Optimum Real Estate and Construction Group, LLC to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Optimum Real Estate and Construction Group, LLC and the sale of 4 lots shown on Exhibit "A" from DHADC to Optimum Real Estate and Construction Group, LLC is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	3702 Homeland East 1/2 of Lot 5, Homeland No.1 Estates Addition Block 6/7151	Optimum Real Estate and Construction Group, LLC	1	\$5,000.00	
2	2622 Iroquois Lot 15, Westwood Addition Unit No. 2 Block 8/7181	Optimum Real Estate and Construction Group, LLC	1	\$5,000.00	
3	3310 Clymer Lot 7, Joe Irwin #4 Addition Block B/7167	Optimum Real Estate and Construction Group, LLC	1	\$5,000.00	
4	4135 Soloman Lot 15, Olive Dale Addition Block 6/7149	Optimum Real Estate and Construction Group, LLC	1	\$5,000.00	
TOTAL				\$20,000.00	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 4

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

- 3702 HOMELAND
- 2622 IROQUOIS
- 3310 CLYMER
- 4135 SOLOMAN

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
 Square Footage of each home _____
 Number of Bedrooms/Baths in each home _____ / _____
 Number of Garages ___ Number of Carports ___ Detached ___ Attached ___
 Type of Exterior Veneer _____ Which sides _____
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots _____
 Square Footage of each home _____
 Number of Bedrooms/Baths in each home _____ / _____
 Number of Garages ___ Number of Carports ___ Detached ___ Attached ___
 Type of Exterior Veneer _____ Which sides _____
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 4
 Square Footage of each home 1300 - 1500
 Number of Bedrooms/Baths in each home 3 / 2
 Number of Garages 2 Number of Carports ___ Detached ___ Attached 2
 Type of Exterior Veneer Brick / siding Which sides Fronts - full / sides and back siding
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 130K - 150K

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 30 days
Completion of Construction 90 days or less
Sale of first affordable housing unit to low income households _____ days
Sale of last affordable unit to low income households _____ days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 47S

SUBJECT

Authorize an amendment to Resolution No. 15-0169, previously approved on January 28, 2015, for a conditional grant agreement with KKBK Properties, LLC, or its wholly owned subsidiary, for the Hatcher Gardens Project for construction of commercial and residential units at 4002 Hatcher Street to extend the completion date from December 31, 2015 to December 31, 2016 – Financing: No cost consideration to the City

BACKGROUND

In June 2013, KKBK Properties, LLC, or its wholly owned subsidiary, and the City of Dallas entered into a conditional grant agreement for funding for Hatcher Gardens Project for \$300,000 for the construction of a mixed use building to include two commercial units of approximately 800 square feet per unit and ten apartment units at 4002 Hatcher Street. The site is located immediately south of the DART Green Line Hatcher Station.

The Hatcher Gardens Project will serve a mixed income and mixed use purpose and further economic development in the area. The development owner/partners include Craig Gant, Esq., Jerry Hicks, Esq., and Kurt Thomas.

To date, the developer has completed construction of the exterior of the building, parking lot, and most of the interior. The interior finish-out to include trim, kitchens, bathrooms, and appliances still remains to be completed. The developer experienced some delays due to weather, scope of work changes, and a change in the superintendent.

This action would allow KKBK Properties, LLC, or its wholly owned subsidiary, to continue their efforts to complete the construction of this mixed use building that is deed restricted for ten years and to occupy the apartment units with tenants at or below 140% Area Median Family Income.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, the City Council approved the conditional grant agreement in the amount of \$300,000 to KKBK Properties, LLC, or its wholly owned subsidiary, to provide funding for the construction of commercial and residential units for low-to-moderate income families, by Resolution No. 13-1105.

On January 28, 2015, City Council approved an extension to the conditional grant agreements from December 31, 2014 to December 31, 2015, by Resolution No. 15-0169.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNER

KKBK Properties, LLC

Craig Gant, Esq.
Jerry Hicks, Esq.
Kurt Thomas

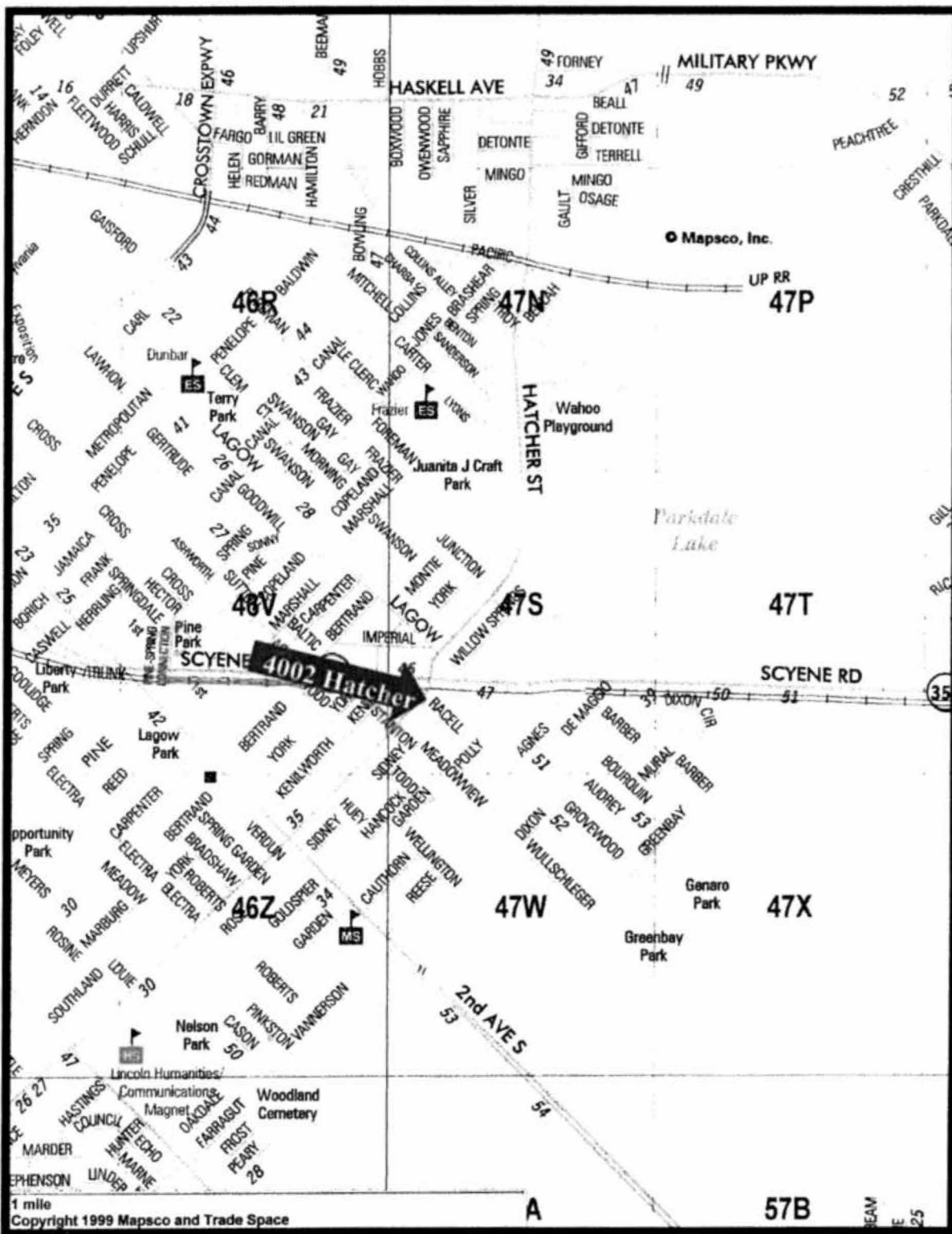
DEVELOPER

KKBK Properties, LLC

Craig Gant, Esq.
Jerry Hicks, Esq.
Kurt Thomas

MAP

Attached



MAPSCO 47S

February 10, 2016

WHEREAS, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

WHEREAS, on June 26, 2013, the City Council approved the conditional grant agreement in the amount of \$300,000 to KKBK Properties, LLC, or its wholly owned subsidiary, to provide funding for the construction of commercial and residential units for low-to-moderate income families, by Resolution No. 13-1105; and

WHEREAS, January 28, 2015, City Council approved an extension to the conditional grant agreements from December 31, 2014 to December 31, 2015, by Resolution No. 15-0169; and

WHEREAS, the City desires for KKBK Properties, LLC, or its wholly owned subsidiary, to develop affordable units for low and moderate income families; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to amend the agreements with KKBK Properties, LLC, or its wholly owned subsidiary, to extend the completion dates of the conditional grant agreement from December 31, 2015 to December 31, 2016 for the Hatcher Gardens Project for construction of commercial and residential units at 4002 Hatcher Street.

Section 2. The terms of the agreement will include:

- (a) Borrower must execute a performance Deed of Trust and Deed Restriction.
- (b) KKBK Properties, LLC, or its wholly owned subsidiary, must complete the commercial and affordable units and rent the units to low-to-moderate income families whose incomes are 140% or less of area median family income by the maturity date.
- (c) The lien will be released after completion of construction and occupancy of the units to households at or below 140% AMFI.
- (d) Properties will be deed restricted for affordability at 140% or less of Area Median Family Income for rent to eligible homebuyers for a period of ten years.
- (e) The City will subordinate to the interim construction lender for the construction of each unit.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the agreement described herein, as well as releases of liens and terminations of deed restrictions on the property upon compliance with the loan terms and deed restrictions for forgiveness of debt.

Section 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan, until such time as the loan documents are duly approved by all parties and executed.

February 10, 2016

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

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize a grant agreement with CitySquare in the amount of \$770,362 to provide expanded housing services for temporary shelters through outreach and housing units to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$770,362 - Financing: Texas Department of State Health Services Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services requested applications from five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis. In FY2014, the City of Dallas applied and was awarded \$5,177,000 in funds to service mentally ill and substance abuse homeless individuals. The City was awarded an additional \$2,613,607 for FY2016 to continue to serve mentally ill and substance abuse homeless individuals.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services and, once requirements are met, the provision and/or coordination of optional services.

In November 2015, the Housing/Community Services Department posted a Request for Application (RFA) for agencies that serve the homeless. CitySquare, which is located at 511 North Akard, submitted an application for assistance in response to the RFA. It is a Texas non-profit corporation with whom the City is in partnership to assist in serving homeless persons in the city limits of Dallas.

BACKGROUND (Continued)

Founded in 1988, CitySquare provides 450 supportive housing units to assist homeless persons to transition from homelessness. These funds will assist them in serving an additional 75 clients with supportive services and rental assistance for 8 months.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized the acceptance of funds from the Texas Department of State Health Services for the Healthy Community Collaborative program, by Resolution No. 14-1080.

On October 14, 2015, City Council authorized the acceptance of funds from the Texas Department of State Health Services for the Healthy Community Collaborative program, by Resolution No. 15-1893.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

\$770,362 - Texas Department of State Health Services Grant Funds

ETHNIC COMPOSITION

CitySquare (Board)

Black Female	1	Black Male	4
White Female	3	White Male	15
Hispanic Female	0	Hispanic Male	0
Asian Female	0	Native Am Male	1

February 10, 2016

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to the quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on June 25, 2014, City Council approved the acceptance of the FY2014 Texas Department of State Health Services (TDSHS) funds in the amount of \$5,177,000 to service mentally ill and substance abuse homeless individuals, by Resolution No. 14-1080; and

WHEREAS, on October 14, 2015, City Council approved the acceptance of the FY2016 TDSHS funds in the amount of \$2,613,607 to service mentally ill and substance abuse homeless individuals, by Resolution No. 15-1893; and

WHEREAS, the City desires to contract with CitySquare to provide services to mentally ill and substance abuse homeless individuals.

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute a grant agreement with CitySquare in the amount of \$770,362 to provide expanded housing services for temporary shelters through outreach and housing units to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016, and execute any and all documents required by the agreement.

Section 2. That the Chief Financial Officer is authorized to disburse funds to CitySquare, Vendor No. VS000000497, from Fund S269, Dept. HOU, Unit 1829, Object Code 3099, Encumbrance No. HOU1829D198, Program No. S269CTSQ, in an amount not to exceed \$770,362.

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: Clean, Healthy Environment

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize a grant agreement with Shelter Ministries of Dallas dba Austin Street Center in the amount of \$227,025 to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$227,025 - Financing: Texas Department of State Health Services Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services requested applications from five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis. In FY2014, the City of Dallas applied and was awarded \$5,177,000 in funds to service mentally ill and substance abuse homeless individuals. The City was awarded an additional \$2,613,607 for FY2016 to continue to serve mentally ill and substance abuse homeless individuals.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services and, once requirements are met, the provision and/or coordination of optional services.

BACKGROUND (Continued)

In November 2015, the Housing/Community Services Department posted a Request for Application (RFA) for agencies that serve the homeless. Shelter Ministries of Dallas dba Austin Street Center, which is located at 2929 Hickory Street, submitted an application for assistance in response to the RFA. It is a Texas non-profit corporation with whom the City is in partnership to assist in serving homeless persons in the city limits of Dallas.

Opened in 1983, Austin Street provides overnight shelter, food, clothes, showers, job training and case management for its internal programs and with co-located agencies to assist homeless persons to transition from homelessness. They serve more than 300 persons experiencing homelessness per year. These funds will assist them in serving over 400 clients this year.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized the acceptance of funds from the Texas Department of State Health Services for the Healthy Community Collaborative program, by Resolution No. 14-1080.

On October 14, 2015, City Council authorized the acceptance of funds from the Texas Department of State Health Services for the Healthy Community Collaborative program, by Resolution No. 15-1893.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

\$227,025 - Texas Department of State Health Services Grant Funds

ETHNIC COMPOSITION

Shelter Ministries of Dallas dba Austin Street Center (Board)

Black Female	0	Black Male	0
White Female	8	White Male	7
Hispanic Female	0	Hispanic Male	0
Asian Female	0	Asian Male	0

February 10, 2016

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to the quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on June 25, 2014, City Council approved the acceptance of the FY2014 Texas Department of State Health Services (TDSHS) funds in the amount of \$5,177,000 to service mentally ill and substance abuse homeless individuals, by Resolution No. 14-1080; and

WHEREAS, on October 14, 2015, City Council approved the acceptance of the FY2016 TDSHS funds in the amount of \$2,613,607 to service mentally ill and substance abuse homeless individuals, by Resolution No. 15-1893; and

WHEREAS, the City desires to contract with Shelter Ministries of Dallas dba Austin Street Center to provide services to mentally ill and substance abuse homeless individuals.

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute a grant agreement with Shelter Ministries of Dallas dba Austin Street Center in the amount of \$227,025 to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016, and execute any and all documents required by the agreement.

Section 2. That the Chief Financial Officer is authorized to disburse funds to Shelter Ministries of Dallas dba Austin Street Center, Vendor No. VC0000011655, from Fund S269, Dept. HOU, Unit 1828, Object Code 3099, Encumbrance No. HOU1828D197, Program No. S269SMIN, in an amount not to exceed \$227,025.

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: Clean, Healthy Environment

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize a grant agreement with Turtle Creek Manor dba Turtle Creek Recovery Center in the amount of \$290,315 to provide residential treatment for homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016 - Not to exceed \$290,315 - Financing: Texas Department of State Health Services Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services requested applications from five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis. In FY2014, the City of Dallas applied and was awarded \$5,177,000 in funds to service mentally ill and substance abuse homeless individuals. The City was awarded an additional \$2,613,607 for FY2016 to continue to serve mentally ill and substance abuse homeless individuals.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services and, once requirements are met, the provision and/or coordination of optional services.

In November 2015, the Housing/Community Services Department posted a Request for Application (RFA) for agencies that serve the homeless. Turtle Creek Manor dba Turtle Creek Recovery Center, which is located at 2707 Routh Street, submitted an application for assistance in response to the RFA. It is a Texas non-profit corporation with whom the City is in partnership to assist in serving homeless persons in the city limits of Dallas.

BACKGROUND (Continued)

Founded in 1968, Turtle Creek Manor dba Turtle Creek Recovery Center provides residential and outpatient treatment for homeless individuals with mental illness and dependency disorders. They serve over 600 clients annually in each of their services. These funds will assist them in serving an additional 100 clients.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized the acceptance of funds from the Texas Department of State Health Services for the Healthy Community Collaborative program, by Resolution No. 14-1080.

On October 14, 2015, City Council authorized the acceptance of funds from the Texas Department of State Health Services for the Healthy Community Collaborative program, by Resolution No. 15-1893.

Information about this item will be provided to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

\$290,315 - Texas Department of State Health Services Grant Funds

ETHNIC COMPOSITION

Turtle Creek Manor dba Turtle Creek Recovery Center (Board)

Black Female	0	Black Male	0
White Female	8	White Male	2
Hispanic Female	0	Hispanic Male	3
Asian Female	0	Asian Male	0

February 10, 2016

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to the quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on June 25, 2014, City Council approved the acceptance of the FY2014 Texas Department of State Health Services (TDSHS) funds in the amount of \$5,177,000 to service mentally ill and substance abuse homeless individuals, by Resolution No. 14-1080; and

WHEREAS, on October 14, 2015, City Council approved the acceptance of the FY2016 TDSHS funds in the amount of \$2,613,607 to service mentally ill and substance abuse homeless individuals, by Resolution No. 15-1893; and

WHEREAS, the City desires to contract with Turtle Creek Manor dba Turtle Creek Recovery Center to provide services to mentally ill and substance abuse homeless individuals.

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute a grant agreement with Turtle Creek Manor dba Turtle Creek Recovery Center in the amount of \$290,315 to provide residential treatment for homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative for the period January 1, 2016 through August 31, 2016, and execute any and all documents required by the agreement.

Section 2. That the Chief Financial Officer is authorized to disburse funds to Turtle Creek Manor dba Turtle Creek Recovery Center, Vendor No. 265410, from Fund S269, Dept. HOU, Unit 1831, Object Code 3099, Encumbrance No. HOU1831D199, Program No. S269TCRM, in an amount not to exceed \$290,315.

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: February 10, 2016
COUNCIL DISTRICT(S): Outside City Limits
DEPARTMENT: Intergovernmental Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: N/A

SUBJECT

An ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2015-11-224, amendments to Construction and Fire Prevention Standards Resolutions and Codes to: **(1)** change the name of the Board's department of purview; and **(2)** adopt the 2014 National Electrical Code and certain 2015 series model Codes published by the International Code Council, Inc. - Financing: No cost consideration to the City

BACKGROUND

The Dallas/Fort Worth International Airport Board is requesting the Owner Cities of Dallas and Fort Worth to approve the proposed amendments to its Construction and Fire Prevention Standards Resolution and Codes set forth on the redline-strikeout version in Exhibit A, attached to the Ordinance.

Model codes set minimum requirements for building design, construction and operation to protect public health, safety and natural resources. The proposed amendments to the DFW Construction and Fire Prevention Standards seek to safeguard public health, safety and welfare and to provide the safety of firefighters and emergency responders.

The Board approved these amendments at its October 29, 2015, meeting. The proposed changes will not go in effect until the Airport has received both owner city approvals. Any changes made to the 1968 Contract and Agreement, as amended, at the Dallas/ Fort Worth International Airport must be approved by the owner cities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 29, 2015, the Dallas/Fort Worth International Airport Board approved amendments to its Construction and Fire Prevention Standards Resolution and Codes.

Information about this item was provided to the Transportation and Trinity River Project Committee on January 11, 2016.

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

Information about this item will be presented to the Transportation and Trinity River Project Committee on February 8, 2016.

FISCAL INFORMATION

No cost consideration to the City.

1/14/16

ORDINANCE NO. _____

An ordinance approving Resolution No. 2015-11-224 adopted by the Dallas-Fort Worth International Airport Board on October 29, 2015 for the purpose of amending Construction and Fire Prevention Standards Resolution and Codes to change the name of Board's department of purview; to adopt the 2014 National Electrical Code and certain 2015 series model Codes published by the International Code Council, Inc., more particularly set forth on Exhibit A attached; to make conforming changes; and to provide a severability clause; and providing an effective date.

WHEREAS, Section 8.F. of the 1968 Contract and Agreement, as amended, between the City of Dallas, Texas and the City of Fort Worth, Texas, provides that the Dallas-Fort Worth International Airport Board shall have the power, by a duly adopted order, to adopt and enforce rules and regulations for the orderly, safe, efficient, and sanitary operation of the airport and to prescribe reasonable penalties for the breach of any rule or regulation not to exceed the maximum fines authorized by state law; and

WHEREAS, state law currently authorizes fines of up to \$500 for all violations of the airport's rules and regulations, except for those violations relating to fire safety, public health and sanitation, for which the maximum fine is \$2,000, or the dumping of refuse, for which the maximum fine is \$4,000, and except when another fine is fixed by state law; and

WHEREAS, Sections 22.082 of the Texas Transportation Code, as amended, and Section 8.F. of the 1968 Contract and Agreement, as amended, provide that such rules, regulations or orders by the Dallas-Fort Worth International Airport Board will become effective only upon approval of the governing bodies of the Cities of Dallas and Fort Worth and proper publication; and

WHEREAS, pursuant to the foregoing, the Dallas-Fort Worth International Airport Board adopted the Construction and Fire Prevention Standards Resolution and Codes, which govern standards for construction and fire prevention at the Dallas-Fort Worth International Airport used for the health, safety and welfare of all persons using the Airport; and

WHEREAS, on October 29, 2015, the Dallas-Fort Worth International Airport Board passed, approved, and ordered Resolution No. 2015-11-224 which amended the Construction and Fire Prevention Standards and Codes; and

WHEREAS, in accordance with Section 1-8 of Chapter 1 of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, as amended, the Dallas-Fort Worth International Airport Board has requested that the City Councils of the Cities of Dallas and Fort Worth approve Resolution No. 2015-11-224 in order that it may become effective; Now Therefore,

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

SECTION 1. That all of the declarations and findings contained in the preambles of this ordinance are made a part hereof and shall be fully effective as a part of the ordained subject matter of this ordinance.

SECTION 2. That Resolution No. 2015-11-224 of the Dallas-Fort Worth International Airport Board, a duly certified copy of which is attached hereto as Exhibit A and made a part of this ordinance by reference, is hereby approved.

SECTION 3. That after publication of a substantive statement relating to the contents of Resolution No. 2015-11-224 of the Dallas-Fort Worth International Airport Board in a newspaper of general circulation in each of the counties of Dallas and Tarrant, stating that a breach of any provision of Resolution No. 2015-11-224 will subject the violator to a penalty and stating that the full text of Resolution No. 2015-11-224 and any attachments are on file in the principal office of the Dallas-Fort Worth International Airport Board to be read by any interested party, Resolution No. 2015-11-224 shall thereafter have the same force and effect within the boundaries of the Dallas-Fort Worth International Airport as an ordinance by the City Council of

the City of Dallas would have in the City of Dallas, and the penalty shall be enforced in the same manner in which penalties prescribed by other ordinances of the City of Dallas are enforced.

SECTION 4. That the sections, paragraphs, sentences, clauses, and phrases of this ordinance and Resolution No. 2015-11-224 are severable, and if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, the unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of these ordinances or Resolution No. 2015-11-224, since the same would have been enacted without the incorporation of any unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5. 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

By _____
Assistant City Attorney

Passed _____

December 17, 2015

EXHIBIT A

STATE OF TEXAS §

COUNTY OF DALLAS §

COUNTY OF TARRANT §

I, Kristy Anderson, Board Secretary of the Dallas-Fort Worth International Airport Board, do hereby certify that the attached is a true and correct copy of Resolution No. 2015-11-224, approved by the Dallas-Fort Worth International Airport Board of Directors at its Board Meeting held on October 29, 2015.

WITNESS MY HAND AND SEAL OF THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD, this 17th day of December 2015.



**DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD
OFFICIAL BOARD ACTION/RESOLUTION**

Date 10/29/2015	Committee Operations	Subject Amend Construction and Fire Prevention Standards	Resolution # 2015-11-224
Action That the Board approves amendments to the Construction and Fire Prevention Standards and Codes, as set forth on Exhibit A attached, and further recommends to the Cities of Dallas and Fort Worth that they approve such amendments.			
Description <ul style="list-style-type: none"> • Approve amendments to the Construction and Fire Prevention Standards to adopt the 2014 National Electrical Code and certain 2015 series model codes published by the International Code Council, Inc. (ICC) as listed in Exhibit A, each with proposed local amendments. 			
Justification <ul style="list-style-type: none"> • Model codes set minimum requirements for building design, construction and operation to protect public health, safety and the natural resources that sustain us. • The International Codes are developed with several goals in mind; to safeguard public health, safety and welfare and to provide for the safety of firefighters and emergency responders. • The Texas Energy Systems Laboratory has recommended to the State Energy Conservation Office that the 2015 International Energy Conservation Code (IECC) be adopted as the new Texas Building Energy Performance Standards for commercial, industrial and residential buildings. 			
D/S/M/WBE Information <ul style="list-style-type: none"> • N/A - Not subject to the goal per the Board's D/S/M/WBE Policy due to the nature of the procurement (Board Policy). 			
Schedule/Term			
Contract #	Agreement #	Purchase Order #	Action Amount \$0
			Revised Amount \$0
For Information contact Nate Smith 3-1891	Fund	Project #	External Funding Source Amount \$0

Additional Information


- Resolution No. 88-147, the Construction and Fire Prevention Standards Resolution was approved by the Board on June 7, 1988, to establish standards for construction and fire prevention.
- Updated model construction and fire codes are adopted from time to time to ensure the health, safety and welfare of the public and to stay current with state and federal regulations.

Additional Attachments: **Y**


BE IT RESOLVED BY THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD

That the Board approves amendments to the Construction and Fire Prevention Standards and Codes, as set forth on Exhibit A attached, and further recommends to the Cities of Dallas and Fort Worth that they approve such amendments.


Approved as to Form by


 Tomme, Paul
 Legal Counsel
 Oct 15, 2015 12:23 pm

Approved as to Funding by


 Underwood, Max
 Vice President Finance
 Finance
 Oct 15, 2015 9:34 am

Approved as to M/WBE by


 Lee, Tamela
 Vice President Business Diversity
 and Development
 Business Diversity and
 Development
 Oct 15, 2015 4:19 pm

SIGNATURE REQUIRED FOR APPROVAL

Approved by


 Department Head

Oct 14, 2015 4:58 pm



Chief Executive Officer

Oct 29, 2015 3:02 pm

Date

EXHIBIT A
DALLAS-FORT WORTH INTERNATIONAL AIRPORT
CONSTRUCTION AND FIRE PREVENTION STANDARDS RESOLUTION
AND
AMENDMENTS TO THE CODES

~~February 2014~~

October 2015

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**PART ONE -- CONSTRUCTION AND FIRE PREVENTION STANDARDS
RESOLUTION**

A Board Resolution creating the Board of Appeals (BOA) of the Dallas-Fort Worth International Airport (the Airport); providing for the selection and term of office of members; providing for public hearings, meetings and procedures therefore; prescribing the authority and powers of the Board of Appeals; providing for appeal from decisions of the Building Official and Fire Chief; providing for a stay of proceedings upon appeal; providing for the adoption of the Building Code; providing for the adoption of the Fire Code; providing for the adoption of the Electrical Code; providing for the adoption of the Mechanical Code; providing for the adoption of the Plumbing Code; providing for the adoption of the Fuel Gas Code; providing for the adoption of the Energy Code; providing for the regulation of oil and gas exploration and production; making it unlawful to perform construction work or oil and gas exploration and production without a permit; making it unlawful to undertake the contracted installation of fire protection, mechanical, plumbing, irrigation or electrical equipment without a proper license to do such work; providing for the termination of the Board of Airport Building Code of Appeals; providing that this resolution shall be cumulative; providing a severability clause; providing a penal clause; providing a savings clause; providing for publication in pamphlet form; providing for publication in a newspaper; and providing an effective date.

**SECTION 1
TITLE**

This resolution shall be known as the Dallas-Fort Worth International Airport Construction and Fire Prevention Standards Resolution, and referred to herein as (this Resolution).

**SECTION 2
PURPOSE**

It is the specific intent of the Dallas-Fort Worth International Airport Board (the Airport Board) that standards for construction and fire prevention be used for the health, safety and welfare of all persons at the Airport. The Airport Board finds that construction and fire prevention standards change from time to time and that these standards should stay current with modern practices of construction and fire safety. In carrying out these purposes, it is the intent of the Airport Board that such construction and fire prevention standards be adopted as outlined herein and that a Board of Appeals (BOA) be given limited authority over matters pertaining thereto. The scope of the BOA is as set forth below.

It is the intent of the Airport Board that compliance with the construction and fire prevention standards contained herein is the responsibility of those persons and businesses to which they apply; and that neither the BOA nor the Airport Board, its members, agents and employees, shall be liable or responsible for any errors or omissions arising out of the enforcement or failure to enforce these standards.

SECTION 3 CREATION OF BOARD OF APPEALS (BOA)

The Airport Board hereby establishes a Board of Appeals (BOA) for the purpose of determining the acceptability and adequacy of materials, equipment and methods of construction and for interpretation of these standards. The Airport Board shall adopt construction and fire prevention standards, which will be applicable throughout the Airport. The Construction and Fire Prevention Standards shall include but not be limited to the Building Code, Fire Code, Electrical Code, Mechanical Code, Plumbing Code, Fuel Gas Code and Energy Code and Part Nine of this Resolution for Oil and Gas Exploration and Production as adopted by the Airport Board and amended from time to time.

SECTION 4 COMPOSITION OF BOA

The BOA shall consist of seven voting members who shall serve without compensation and shall be selected in the following manner:

- Place 1: An architect, registered to practice as an architect in the State of Texas - The selection of the architect shall be made alternatively by the Dallas and Fort Worth Chapters of the American Institute of Architects and shall be confirmed by the Airport Board. The initial term will be filled by a selection of the Dallas Chapter and will extend from the Airport Board's confirmation of the selection through December 31, 1990. Thereafter, terms will be for two years extending from January 1 of odd-numbered years through December 31 of even-numbered years.
- Place 2: An electrical engineer, registered to practice as a professional engineer in the State of Texas whose practice is or has been the design of electrical systems for buildings - The selection of the electrical engineer shall be made alternatively by the Dallas and Fort Worth Chapters of the Texas Society of Professional Engineers and shall be confirmed by the Airport Board. The initial term will be filled by a selection of the Fort Worth Chapter and will extend from the Airport Board's confirmation of the selection through December 31, 1990. Thereafter, terms will be for two years extending from January 1 of odd-numbered years through December 31 of even-numbered years.

- Place 3: A mechanical engineer, registered to practice as a professional engineer in the State of Texas whose practice is or has been the design of mechanical systems for buildings - The selection of the mechanical engineer shall be made alternatively by the Dallas and Fort Worth Chapters of the Texas Society of Professional Engineers and shall be confirmed by the Airport Board. The initial term will be filled by a selection of the Fort Worth Chapter and will extend from the Airport Board's confirmation of the selection through December 31, 1991. Thereafter, terms will be for two years extending from January 1 of even-numbered years through December 31 of odd-numbered years.
- Place 4: A structural engineer, registered to practice as a professional engineer in the State of Texas whose practice is or has been the design of structural systems for buildings - The selection of the structural engineer shall be made alternatively by the Dallas and Fort Worth Chapters of the Texas Society of Professional Engineers and shall be confirmed by the Airport Board. The initial term will be filled by a selection of the Fort Worth Chapter and will extend from the Airport Board's confirmation of the selection through December 31, 1991. Thereafter, terms will be for two years extending from January 1 of even-numbered years through December 31 of odd-numbered years.
- Place 5: A fire protection specialist - The selection of the fire protection specialist shall be made by the Dallas/Fort Worth Chapter of the Society of Fire Protection Engineers and shall be confirmed by the Airport Board. The initial term will extend from the Airport Board's confirmation of the selection through December 31, 1991. Thereafter, terms will be for two years extending from January 1 of even-numbered years through December 31 of odd-numbered years.
- Place 6: A design professional, registered to practice as an architect or as a professional engineer in the State of Texas, and whose profession relates to the design of facilities, structures or systems that are constructed – The selection of the design professional for Place 6 shall be made by the Dallas Metroplex Alumni Extension Chapter of the National Society of Black Engineers and shall be confirmed by the Airport Board. The initial term shall extend from the Airport Board's confirmation of the selection through December 31, 2005. Thereafter, terms will be for two years extending from January 1 of even-numbered years through December 31 of odd-numbered years.
- Place 7: A design professional registered to practice as an architect or as a professional engineer in the State of Texas, and whose profession relates to the design of facilities, structures or systems that are constructed – The

selection of the design professional for Place 7 shall be made by the Dallas-Fort Worth Chapter of the Society of Hispanic Professional Engineers and shall be confirmed by the Airport Board. The initial term will extend from the Airport Board's confirmation of the selection through December 31, 2004.* Thereafter, terms will be for two years extending from January 1 of odd-numbered years through December 31 of even-numbered years.

There is no limit on the number of terms an individual may serve on the BOA; however, only in Places 5, 6 and 7 may an individual serve in consecutive terms. Any term scheduled to end on December 31, shall be automatically extended until a successor for that place is selected, confirmed, and sworn in.

In the event that any professional organization, designated to select a candidate to fill a term on the BOA, is unable to make such a selection, and the professional organization notifies the Building Official that a selection cannot be made, then the Building Official shall designate the unfilled seat as officially vacant, and it shall remain vacant until the next scheduled term for that seat.

SECTION 5 EX-OFFICIO MEMBERS

The Building Official and the Fire Chief or their designated representatives shall be ex-officio non-voting members of the BOA. The BOA may make recommendations through the Building Official or Fire Chief to the Airport Board for amendments to the standards accordingly.

The Building Official of the Dallas/Fort Worth International Airport Board is the official in charge of the Code Compliance Section of the ~~Airport Development and Engineering Department~~ Design, Code & Construction Department.

The Director of the Department of Public Safety of the Dallas/Fort Worth International Airport Board or his designee is hereby designated as the Fire Chief.

SECTION 6 MEETINGS: QUORUM

All meetings of the BOA shall be open to the public except as permitted by law and as is in the interest of the Airport. Three (3) members of the BOA shall constitute a quorum to transact business. Every matter before the BOA for vote shall require for final passage the affirmative vote of a majority of the members present and voting. The first meeting of the BOA following its appointment shall be at such time and place as

called by the Building Official. Thereafter the BOA shall hold meetings at such time and place as called by the Chairman or one lawfully acting in that capacity.

SECTION 7 BYLAWS AND RECORDS

At its first meeting the BOA shall elect one of its members as Chairman, and he shall keep a record of the proceedings and decisions, and a copy of same shall be filed in the office of the Building Official. Each year thereafter, following the Airport Board's confirmation of the composition of the BOA, the BOA shall hold an organizational meeting, at which time it shall elect a Chairman before proceeding to other matters of business. The BOA shall establish its own rules of procedure and shall amend them from time to time as it deems necessary. The Building Official shall serve as Secretary to the BOA.

SECTION 8 AUTHORITY AND POWER

The BOA shall have the authority and power to:

1. Hear appeals on interpretations by the Building Official of the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Fuel Gas Code and Energy Code. The BOA may modify in whole or in part or may affirm the interpretation of the Building Official. The Building Official shall render a written interpretation within thirty (30) days of a request by a person who has been aggrieved by a decision of the Building Official. No interpretations shall be heard by the BOA until the Building Official has rendered a written interpretation.
2. Hear appeals on interpretations by the Fire Chief of the Fire Code. The BOA may modify in whole or in part or may affirm the interpretation of the Fire Chief. The Fire Chief shall render a written interpretation within thirty (30) days of a request by a person who has been aggrieved by a decision of the Fire Chief. No interpretations shall be heard by the BOA until the Fire Chief has rendered a written interpretation.
3. Approve alternate methods of construction and fire prevention where it is impractical to meet the adopted construction and fire prevention standards, provided that the BOA finds the same degree of suitability, strength, effectiveness, fire resistance, durability, sanitation and safety exists in the alternate method as intended by the standards.
4. Approve new methods of construction and fire prevention not covered by the construction and fire prevention standards, provided that the BOA finds the same degree of suitability, strength, effectiveness, fire resistance, durability, sanitation and safety exists in the new method as intended by the standards.

The BOA shall have no power to otherwise limit, modify or change these construction and fire prevention standards.

SECTION 9 RIGHT OF APPEAL

Any person, firm, company or corporation aggrieved by any decision or order of the Building Official or Fire Chief may appeal such decision or order to the BOA. Every appeal must be in writing and must be filed in triplicate with the Building Official within thirty (30) days from the date of the decision or order appealed from. The BOA shall not consider any appeal that is filed after the thirty (30) day period. Such appeal shall contain appropriate reference to the decision or order appealed from, as well as the grounds for the appeal.

SECTION 10 AGENDA AND RECORDS

The agenda for the BOA shall be prepared by the Building Official and shall be posted as required by law. All records and evidence pertinent to any appeal shall be transmitted to the BOA and to the aggrieved party prior to the hearing. Records of all appeals shall be kept in the office of the Building Official. The Building Official shall transmit copies of appeal records to the Fire Chief.

SECTION 11 HEARING

The BOA shall fix a reasonable time for the hearing of an appeal and shall give notice of the hearing in writing to the parties in interest. Parties may appear before the BOA in person, by agent or by attorney. The BOA shall establish rules for the fair and efficient conduct of the hearing and the just resolution to an appeal. The BOA shall notify the appellant of its decision.

SECTION 12 STAY OF PROCEEDINGS

An appeal shall stay all proceedings in connection with the decision or order appealed from, unless and until the Building Official or Fire Chief shall have certified to the BOA after notice of appeal has been filed that a stay would cause an unreasonable risk of harm to life or damage to property. Any work done contrary to the order of the Building Official or Fire Chief after filing an appeal hereunder, pending the determination of such appeal, shall be subject to removal or repair should the order be affirmed. The cost of removal or repair of the work done shall be borne solely by the person, firm, company

or corporation who was responsible for the work without consideration of mitigating or extenuating circumstances.

SECTION 13

2009-2015 INTERNATIONAL BUILDING CODE ADOPTED

The Building Code of the Dallas-Fort Worth International Airport Board is hereby revised and amended to conform to the 2009-2015 International Building Code of the International Code Council, Inc. except as amended by separate exhibit attached hereto and is hereby adopted as the Building Code and forms a part of the Construction and Fire Prevention Standards from the effective date hereof.

SECTION 14

2009-2015 INTERNATIONAL FIRE CODE ADOPTED

The Fire Code of the Dallas-Fort Worth International Airport Board is hereby revised and amended to conform to the 2009-2015 International Fire Code of the International Code Council, Inc. except as further amended by separate exhibit attached hereto and is hereby adopted as the Fire Code and forms a part of the Construction and Fire Prevention Standards from the effective date hereof.

SECTION 15

2008-2014 NATIONAL ELECTRICAL CODE ADOPTED

The Electrical Code of the Dallas-Fort Worth International Airport Board is hereby revised and amended to conform to the 2008-2014 National Electrical Code (NFAP 70) of the National Fire Protection Association except as amended by separate exhibit attached hereto and together are hereby adopted as the Electrical Code and form a part of the Construction and Fire Prevention Standards from the effective date hereof.

SECTION 16

2009-2015 INTERNATIONAL MECHANICAL CODE ADOPTED

The Mechanical Code of the Dallas-Fort Worth International Airport Board is hereby revised and amended to conform to the 2009-2015 International Mechanical Code of the International Code Council, Inc. except as amended by separate exhibit attached hereto and is hereby adopted as the Mechanical Code and forms a part of the Construction and Fire Prevention Standards from the effective date hereof.

SECTION 17

2009-2015 INTERNATIONAL PLUMBING CODE ADOPTED

The Plumbing Code of the Dallas-Fort Worth International Airport Board is hereby revised and amended to conform to the 2009-2015 International Plumbing Code of the

International Code Council, Inc. except as amended by separate exhibit attached hereto and is hereby adopted as the Plumbing Code and forms a part of the Construction and Fire Prevention Standards from the effective date hereof.

SECTION 18

2009-2015 INTERNATIONAL FUEL GAS CODE ADOPTED

The Fuel Gas Code of the Dallas-Fort Worth International Airport Board is hereby revised and amended to conform to the 2009-2015 International Fuel Gas Code of the International Code Council, Inc. except as amended by separate exhibit attached hereto and is hereby adopted as the Fuel Gas Code and forms a part of the Construction and Fire Prevention Standards from the effective date hereof.

SECTION 19

2009-2015 INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED

The Energy Code of the Dallas-Fort Worth International Airport Board is hereby revised and amended to conform to the 2009-2015 International Energy Conservation Code of the International Code Council, Inc. except as amended by separate exhibit attached hereto and is hereby adopted as the Energy Code and forms a part of the Construction and Fire Prevention Standards from the effective date hereof.

SECTION 20

REQUIRED PERMITS

The following activities shall not be performed within the boundaries of the Dallas-Fort Worth International Airport unless a permit for such work has first been obtained from the building official.

1. Construction
2. Oil and Gas Exploration and Production
3. Erection or Alteration of Signs

SECTION 21

REQUIRED FEES

All construction projects for which construction permits are required are subject to a construction permit fee and a plan review fee except where otherwise prohibited by law.

All permit and plan review fees shall be in accordance with the Construction Permit Fee Schedule found in the DFW Schedule of Charges.

**SECTION 22
LICENSES REQUIRED**

Contractors providing the following work within the boundaries of Dallas-Fort Worth International Airport shall be licensed respectively for the category of work performed as regulated by the following:

28 TEX. ADMIN. CODE, Part 1, Subchapter E, Fire Extinguisher Rules § 34.511, Fire Extinguisher Licenses

28 TEX. ADMIN. CODE, Part 1, Subchapter F, Fire Alarm Rules § 34.611, Licenses

28 TEX. ADMIN. CODE, Part 1, Subchapter G, Fire Sprinkler Rules § 34.710, Certificates of Registration

The Air Conditioning and Refrigeration Contractor License Law, Title 8, Occupations Code, Chapter 1302

The Plumbing License Law, Occupations Code, Chapter 1301

Irrigators. Occupations Code, Chapter 1903

Electricians, Title 8, Occupations Code, Chapter 1305

**SECTION 23
ENFORCEMENT**

The Building Official and Fire Chief shall enforce and execute all decisions and orders of the BOA for which they are respectively responsible. Upon adoption by the Airport Board and the City Councils of the Cities of Dallas and Fort Worth, this resolution shall become effective and shall be enforceable in the municipal courts of a municipality within whose boundaries a violation occurs.

**SECTION 24
SPECIAL ENACTMENT**

The provisions of this Resolution and the Codes which are a part hereof constitute a special enactment in effect only within the boundaries of the Dallas-Fort Worth International Airport, and are adopted in recognition of the unique and special requirements connected with the planning, building, improvement, maintenance, operation, regulation, protection and policing of the Dallas-Fort Worth International Airport. Neither the Resolution nor the Codes shall be construed to waive or set aside any provisions contained in any law of the State of Texas.

**SECTION 25
CONFLICTING PROVISIONS**

This resolution shall be cumulative of all provisions of previous actions of the Airport Board except where the provisions of this resolution are in direct conflict with the provisions of previous Board Actions, in which event conflicting provisions of such previous Board Actions are hereby repealed.

**SECTION 26
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the Airport Board that the sections, paragraphs, sentences, clauses and phrases of this resolution are severable, and if any phrase, clause, sentence, paragraph or section of this resolution shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this resolution, since the same would have been enacted by the Airport Board without the incorporation in this resolution of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 27
PENAL CLAUSE**

Section 8.F. of the 1968 Contract and Agreement, as amended, between the City of Dallas, Texas and the City of Fort Worth, Texas, provides that the Dallas-Fort Worth International Airport Board shall have the power, by a duly adopted order, to adopt and enforce rules and regulations for the orderly, safe efficient and sanitary operation of the airport and to prescribe penalties for the breach of any rule or regulation not to exceed the maximum fines authorized by state law. State law currently authorizes fines of up to \$500 for all violations of the airport's rules and regulations, except for those violations relating to fire safety, public health and sanitation, or the dumping of refuse, for which the maximum fine is \$2,000, and except when another fine is fixed by state law. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 28
SAVINGS CLAUSE**

All rights and remedies of the Airport Board are expressly saved as to any and all violations of the provisions of the Building Code, the Fire Code or any other codes affecting construction or fire prevention which have accrued at the time of the effective date of this resolution and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such codes, same shall not be affected by this resolution but may be prosecuted until final disposition by the courts.

**SECTION 29
PUBLICATION**

The Building Official is hereby authorized to publish this resolution in pamphlet form for general distribution among the public, and the operative provisions of this resolution as so published shall be admissible in evidence in all courts without further proof than the production thereof. The Building Official is hereby directed to publish a caption of this Resolution which summarizes the purposes thereof for two (2) days in major newspapers of the Cities of Dallas and Fort Worth Texas, as authorized by V.T.C.A., Local Government Code '52.013.

**SECTION 30
EFFECTIVE DATE**

This resolution shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PART TWO – BUILDING CODE AMENDMENTS

SECTION 101 GENERAL

~~Delete- Replace~~ Section 101.1 ~~and substitute with~~ the following:

101.1 Title. The ~~2009- 2015~~ International Building Code as amended herein is the Building Code of Dallas-Fort Worth International Airport. References to the International Building Code shall be construed to reference the Building Code as adopted herein with its local amendments.

Amend Section 101.4 to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through ~~401.4.6~~101.4.7 (except 101.4.4 ~~and 101.4.7~~) and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference.

SECTION 102 EXISTING STRUCTURES

Amend Section 102.6 to read as follows:

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as specifically covered in this code or the Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

SECTION 103 DEPARTMENT OF BUILDING SAFETY

Amend Section 103.1 as follows:

103.1 Creation of enforcement agency. The Department of Building Safety is hereby created, and the official in charge thereof shall be known as the building official. References to the Department of Building Safety shall mean the Code Compliance Section of the ~~Airport Development and Engineering Department~~ Design, Code & Construction Department.

SECTION 105 PERMITS

Amend Section 105.1 as follows:

105.1 Required. Refer to Part One, Section 20 for general permit requirements.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Delete Sections 105.1.1, Annual permit and Section 105.1.2, Annual permit records.

~~Section 105.2 Work exempt from permit.~~

~~Amend Section 105.2 by deleting Building items 1 through 6 and renumbering remaining items as shown, and by deleting the second paragraph under Electrical as shown:~~

~~**105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:~~

~~**Building:**~~

- ~~1. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work if installation of such is a replacement in like kind and when not associated with other construction work.~~
- ~~2. Temporary motion picture, television and theater stage sets and scenery.~~
- ~~3. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.~~
- ~~4. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~

- ~~5. Swings or other playground equipment accessory to one- and two-family dwellings.~~
- ~~6. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.~~
- ~~7. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height, except in Airport terminal buildings.~~

Electrical:

~~**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.~~

~~The remainder of Section 105.2 shall be unchanged.~~

SECTION 106 FLOOR AND ROOF DESIGN LOADS

Amend Section 106.1 to read as follows:

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads, when required by the building official, shall be posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

SECTION 109 FEES

Amend Section 109.2 to read as follows:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the Construction Permit Fee Schedule found in the DFW Airport Schedule of Charges.

**SECTION 111
CERTIFICATE OF OCCUPANCY**

Amend Section 111.2 to read as follow:

111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate that contains, as deemed necessary, the following:

[remainder of section to remain]

**SECTION 113
BOARD OF APPEALS**

| Amend Section 113.1 to read as follows:

| **Section 113.1 – Board of Appeals** Refer to Part One, Construction and Fire Prevention Standards Resolution for Board of Appeals.

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**SECTION 114
VIOLATIONS**

Add the following sentence at the bottom of Section 114.4:

Refer to Part One, Construction and Fire Prevention Standards Resolution, Section 27, Penal Clause.

**SECTION 202
DEFINITIONS**

Following the definition of **ADDITION**, add the following definition:

ADDRESSABLE FIRE DETECTION SYSTEM. Any fire alarm system capable of providing identification of each individual alarm-initiating device. The identification shall be in clear English and shall identify the type and location of the device in alarm. The system shall have the ability of alarm verification.

Following the definition of **AGRICULTURE BUILDING**, add the following definition:

AIRPORT. Airport is the area within the boundaries of the Dallas-Fort Worth International Airport.

Following the definition of **ALTERNATING TREAD DEVICE**, add the following definition:

ANALOG INTELLIGENT ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be capable of compensating for long-term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.

Amend the definition of **High-Rise Building** as follows:

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

**SECTION 402
COVERED MALLS AND OPEN MALL BUILDINGS**

Amend section 402.3 by adding an exception as follows:

Exception: DFW International Airport Terminal Buildings.

Amend section 402.4.2.1 by adding the following exceptions:

Exceptions:

1. All tenants whose activities are directly related to terminal operations and purpose. This shall include, but not be limited to airline ticketing, airline offices, baggage handling and gate operations.
2. Concession and other tenants within transportation terminals that use a common, open return-air system for the HVAC operations, when approved by the building official.
3. Food courts within transportation terminals shall be considered one tenant.

Amend section 402.4.4 as follows: (add exception.)

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~~402.4.4 Distance to exits.~~ Within each individual tenant space in a *covered mall building*, the maximum distance of travel from any point to an *exit* or entrance to the mall shall not exceed 200 feet (60 960 mm).

~~Exception:~~ The terminal buildings in existence and in operation on the date of adoption of this code shall be allowed to maintain a maximum 250 foot travel distance to an exit.

Amend section 402.4.5, as follows: (add second exception)

~~402.4.5 Access to exits.~~ Where more than one *exit* is required, they shall be so arranged that it is possible to travel in either direction from any point in a mall to separate *exits*. The minimum width of an *exit passageway or corridor* from a mall shall be 66 inches (1676mm).

Exception:

- ~~1. Dead ends not exceeding a length equal to twice the width of the mall measured at the narrowest location within the dead-end portion of the mall.~~
- ~~2. The terminal buildings in existence and in operation on the date of adoption of this code shall be allowed to retain the exit configuration currently in operation. Any changes in this configuration shall meet the above criteria.~~

Amend section 402.5 as follows: (add second paragraph).

~~402.5 Mall width.~~ For the purpose of providing required egress, malls are permitted to be considered as corridors but need not comply with the requirements of Section 4005.1 of this code where the width of the mall is as specified in this section.

The terminal buildings in existence and in operation on the date of adoption of this code shall consider the main concourse circulation path as the mall width.

Amend section 402.5.1 as follows: (add exception)

~~402.5.1 Minimum width.~~ The minimum width of the mall shall be 20 feet (6096mm). The mall width shall be sufficient to accommodate the *occupant load* served. There shall be a minimum of 10 feet (3048mm) clear exit width to a height of 8 feet (2438mm) between any projection of a tenant space bordering the mall and the nearest kiosk, vending machine, bench, display opening, food court or other obstruction to a *means of egress* travel.

Exception: The terminal buildings in existence and in operation on the date of adoption of this code shall be allowed to maintain not less than the exit width

~~already in existence. At the time of any reconstruction of a kiosk or other obstruction, the above criteria shall be applied.~~

Amend section 402.7.2 as follows: (add exceptions)

~~**402.7.2 Tenant separations.** Each tenant space shall be separated from other tenant spaces by a fire partition complying with Section 709. A tenant separation wall is not required between any tenant space and the mall.~~

Exceptions:

- ~~1. All tenants whose activities are directly related to terminal operations and purpose. This shall include, but not be limited to airline ticketing, airline offices, baggage handling, and gate operations.~~
- ~~2. Concession tenants within transportation terminals that use a common open return air system for the HVAC when approved by the Building Official.~~
- ~~3. Food courts shall be considered one tenant.~~

Amend sections 402.8 and 402.8.1 as follows:

~~**402.8 Means of egress.** *Covered mall buildings, open mall buildings* and each tenant space within a *mall* building shall be provided with a *means of egress* as required by this section and this code. Where there is a conflict between the requirements of this code and the requirements of Sections 402.8.1 through 402.8.8 shall apply.~~

~~**Exception:** Transportation terminals “A”, “B”, “C”, and “E” at DFW International Airport shall be allowed to maintain the current egress plans which allow a maximum of 250 feet from the most remote within the terminals to an exit. Terminal “D” shall maintain the maximum egress distance allowed from the most current, approved Terminal D Fire Strategy. Other provisions found in Chapter 10 shall be applicable for egress.~~

~~**402.8.1 Mall Width.** For the purpose of providing required egress, *malls* are permitted to be considered as *corridors* but need not comply with the requirements of Section 1005.1 of this code where the width of the mall is as specified in this section. In the transportation terminals at DFW International Airport the *mall* width shall be defined as the identified concourse width.~~

~~**402.8.1.1 Minimum Width.** The aggregate clear egress width of the *mall* in either a *covered or open mall building* shall be not less than 20 feet (6096 mm). The *mall* width shall be sufficient to accommodate the occupant load served. No portion of the minimum required aggregate egress width shall be less than 10 feet (3048 mm) measured to a height of 8 feet (2438 mm) between any projection of a tenant space bordering the mall and the nearest kiosk, vending~~

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machine, bench, display opening, food court or other obstruction to means of egress travel.

Exception: The terminal buildings at DFW International Airport in existence and in operation of the date of the adoption of this code that have a concourse width of less than 20 feet shall be allowed to maintain the existing concourse width.

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Amend section 402.8.6 by adding Exception 2 as follows:

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Exceptions:

1. Access to exits are permitted by way of a dead-end *mall* which does not exceed a length equal to twice the width of the *mall* measured at the narrowest location within the dead-end portion of the *mall*.
2. Terminal buildings at DFW International Airport in existence and in operation on the date of the adoption of this code shall be allowed to retain the exit configuration currently in operation. Any changes in this configuration shall meet the above criteria.

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SECTION 403 HIGH-RISE BUILDINGS

Amend Section 403.1 by adding Exception 6 as follows:

Exceptions:

6. Train platforms for fixed guideway transit systems in accordance with Section ~~412.9~~ 412.10.

SECTION 412 AIRCRAFT RELATED OCCUPANCIES

Add new section ~~412.8~~ 412.9 as follows:

~~412.8~~ 412.9 Aircraft fueling ramp drainage and aircraft loading walkways. Except for references to airport terminal buildings, comply with NFPA 415, ~~2008-~~ 2014 Edition for aircraft fueling ramp drainage and aircraft loading walkways.

Exceptions:

1. Attached or adjacent fixed loading walkways, gate houses and similar structures accessory to airport terminal buildings may be constructed of Type II-A Construction, provided the floor area of individual structures does not exceed 500 square feet. An approved automatic

sprinkler system in accordance with Section 903.3.1.1 shall be allowed to be substituted for 1-hour fire-resistance-rated construction. If the automatic sprinkler system substitution is provided, exterior walls of such structures shall not be required to be of 1-hour fire-resistance-rated construction and openings in such walls shall not be required to be protected.

2. Canopies over baggage conveyors attached to or adjacent to airport terminal buildings may be of Type II-B Construction.

| Add new section ~~412-9~~ 412.10 as follows:

| ~~412-9~~ 412.10 **Fixed guideway transit systems.** Fixed guideway transit systems shall comply with NFPA 130, ~~2010-~~ 2014 Edition.

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

Delete exception in Section 903.2 for spaces and areas in telecommunications buildings.

Amend Section 903.2.11.3 to read as follows and delete two exceptions:

[F] 903.2.11.3 Buildings 55 feet or more in height. An *automatic sprinkler system* shall be installed throughout buildings with a floor level other than penthouses in compliance with Section 1509, that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

Exception:

Open parking structures.

Add Section 903.2.11.7 as follows:

[F] 903.2.11.7 High-piled combustible storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 of the International Fire Code to determine if those provisions apply.

Add Section 903.2.11.8 as follows:

[F] 903.2.11.8 Buildings with floor areas exceeding 4,000 square feet. An automatic sprinkler system shall be installed throughout all buildings with a building area exceeding 4,000 square feet. For purposes of this provision, fire walls shall not define separate buildings.

Exception:

1. Open parking garages

Add Section 903.2.11.9 as follows:

[F] 903.2.11.9 Self-service storage facilities. An approved automatic sprinkler system shall be installed throughout all self-storage facilities.

Exception:

- Open parking garages

**SECTION 907
FIRE ALARM AND DETECTION SYSTEMS**

Add the following two paragraphs after the exceptions under Section 907.2:

All buildings or occupancies, occupied, operated, maintained or monitored by the Dallas-Fort Worth International Airport Board shall have a complete operational manual and automatic fire alarm system in accordance with this code. The system shall be designed and installed in accordance with the DFW Airport Design Criteria Manual and applicable standards.

All buildings or occupancies, other than those described in the preceding paragraph, hereafter constructed or moved on to the airport and having a total floor area of 1,000 square feet or more, regardless of height or occupant load shall have a complete operational manual and automatic fire alarm system in accordance with the requirements of this code.

Exceptions:

1. Open parking garages may use other approved means for fire department notification.

2. Temporary structures or buildings erected for less than 365 days when approved by the fire chief.

Amend Section 907.2.1.1 to read as follows:

[F] 907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more. Activation of the fire alarm in Group A occupancies with an occupant load of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with NFPA 72.

Exceptions:

- 1 Where approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an *approved, constantly attended location*.
- 2 Where approved by the code official in airport terminal buildings, and where the fire alarm is monitored directly by the Dallas/Fort Worth International Airport Board Department of Public Safety, the activation of the fire alarm notification signal shall be manually initiated by emergency responders.

Amend Section 907.2.13 as follows with the exceptions unchanged:

[F] 907.2.13 High-rise buildings. Buildings having floors used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

Amend Section 907.4.2 by to read as follows:

[F] 907.4.2 Manual fire alarm boxes. Where a manual fire alarm system is required by another section of this code, it shall be activated by fire alarm boxes installed in accordance with Sections 907.4.2.1 through 907.4.2.5. Manual alarm actuating devices shall be an approved double action type.

Amend Section 907.4.2.1 to read as follows:

[F] 907.4.2.1 Location. Manual fire alarm boxes shall be located not more than 5 feet (1524 mm) from the entrance to each exit.

**SECTION 1003
GENERAL MEANS OF EGRESS**

Add Exception 4 under Section 1003.5 to read as follows:

At entrances to mechanical penthouses from roofed areas, the door sill elevation may be up to 8 inches (203 mm) above the elevation of the landing on either or both sides of the door.

**SECTION 1004
OCCUPANT LOAD**

Add Exception to Section 1004.3 to read as follows:

Exception:

Assembly occupancies within airport terminal buildings are not required to have the occupant load posted unless required by the Building Official.

**SECTION 1008
MEANS OF EGRESS ILLUMINATION**

Amend 1008.3.3 Item #5 to read:

5. Public Restrooms

**~~1008.1.9.9~~ 1010.1.9.10
DOORS, GATES, AND TURNSTILES**

Amend Section ~~1008.1.9.9~~ 1010.1.9.10 title and add second paragraph.

~~1008.1.9.9~~ 1010.1.9.10 Locking arrangements in correctional facilities and high security hallways in transportation terminals. In occupancies in Groups A-2, A-3,

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A-4, B, E, F, I-2, M and S within correctional and detention facilities, doors in *means of egress* serving rooms or spaces occupied by persons whose movement are controlled for security reasons shall be permitted to be locked when equipped with egress control devices which shall unlock manually and by at least one of the following means:

1. Activation of an *automatic sprinkler system* installed in accordance with Section 903.3.1.1;
2. Activation of an *approved manual alarm box*; or
3. A signal from a *constantly attended location*.

Doors providing access to high security hallways, ~~including, but limited to such as~~ employee access portals, within transportation terminals may be permitted to be locked when equipped with egress control devices which shall unlock manually and by at least one of the means listed above when approved by the building official and fire chief.

SECTION 1022 EXIT ENCLOSURES

~~Amend Section 1022.9 as follows:~~

~~**10.22.9 Smokeproof enclosures and pressurized stairways.** In buildings required to comply with Section 403 or 405, each of the *exit enclosures* serving a story with a floor surface located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the finished floor of a *level of exit discharge* serving such stories shall be a *smokeproof enclosure* or *pressurized stairway* in accordance with Section 909.20.~~

Exception:

~~Fixed guideway train stations.~~

SECTION 1023 INTERIOR EXIT STAIRWAYS AND RAMPS

~~Amend Section 1023.11 by adding the following exception:~~

~~**Exception:** Fixed guideway train stations.~~

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SECTION ~~1024~~ 1025 LUMINOUS EGRESS PATH MARKINGS

Amend Section ~~1024.4~~ 1025.1 by adding Exception 2 as follows: ~~General, and add Exception #3.~~

~~1024.1 General. Approved luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet (16 764mm) above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.~~

Exceptions:

~~3.2.~~ Train platforms for fixed guideway transit systems in accordance with Section ~~412.9~~ 412.10.

CHAPTER 11 ACCESSIBILITY

Replace Chapter 11 as follows:

Spaces and elements of buildings and facilities shall be designed and constructed to standards consistent with the Texas Accessibility Standards as administered by the Texas Department of Licensing and Regulation, except for the following:

Unisex toilet rooms. Assembly areas shall be provided with one unisex toilet room for each instance where the total fixture count (water closets and urinals) in a set of men and women's toilet rooms exceeds 20 fixtures. In assembly areas of airport terminal buildings, one unisex toilet room shall be provided in each instance where the total fixture count (water closets and urinals) in a set of men and women's toilet rooms exceeds 6 fixtures. The unisex toilet room shall be located adjacent to the men and women's toilet rooms, which are used to determine that the unisex toilet room is required.

SECTION 3002 HOISTWAY ENCLOSURES

Amend Section 3002.4 to read as follows:

3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more *stories* above grade plane or four or more *stories* below *grade plane*, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such size and arrangement

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| to accommodate a 31- by 90-inch (788 mm by ~~2068- 2286~~ mm) ambulance stretcher in the horizontal open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

CHAPTER 35 REFERENCED STANDARDS

Amend the NFPA standard reference number for National Fire Alarm Code as follows:

NFPA

| Standard Reference Number ~~72-07~~ 2013 National Fire Alarm Code

ADOPTION OF APPENDIX CHAPTER H SIGNS

Appendix Chapter H – Signs is specifically adopted as part of the Building Code.

Amend Section H101.2 as follows:

H- 101.2 Signs exempt from permits. The following signs are exempt from the requirements to obtain a permit before erection:

1. Signs erected by transportation authorities.
2. The changing of movable parts of an approved sign that is designed for such changes, or the repainting or repositioning of display matter shall not be deemed an alteration.

PART THREE – FIRE CODE AMENDMENTS

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

| Amend/Replace Section 101.1 to read as follows with the following:

| **101.1 Title.** The 2009-2015 International Fire Code as amended herein is the Fire Code of Dallas-Fort Worth International Airport. References to International Fire Code shall be construed to reference the Fire Code as adopted herein with its local amendments.

SECTION 102 APPLICABILITY

Amend Section 102.7 to read as follows:

| **102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 47- 80 and such codes and standards, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

SECTION 103 DEPARTMENT OF FIRE PREVENTION

Amend Section 103.1 as follows:

103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code. References to the department of fire prevention shall mean the Department of Public Safety, Fire Prevention and Planning Office.

SECTION 105 PERMITS

| Amend Section 105.6.~~6-7~~ to read as follows:

| ~~105.6.6-7~~ **Combustible dust-producing operations.** Combustible dust-producing operations, as defined in this code, shall be prohibited within the airport.

| Amend Section 105.6.~~48-19~~ to read as follows:

| ~~105.6.48-19~~ **Fruit and crop ripening.** Fruit and crop ripening operations using ethylene or other flammable gases shall be prohibited within the airport.

| Delete exception for *Recreational fires* in Section 105.6.~~3032~~.

| Amend Section 105.6.~~33-35~~ to read as follows:

| ~~105.6.33~~ **105.6.35 Organic coatings.** The manufacturing of organic coatings, as defined in this code, shall be prohibited within the airport.

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| Amend Section 105.6.~~37-39~~ as follows:

| ~~105.6.37~~ **105.6.39 Pyroxylin plastics.** An operational permit is required for storage or handling of any amount of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.

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Add section 105.7.19 as follows:

105.7.19 **Electronic access control systems.** Construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

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SECTION 107 MAINTENANCE

| Add a second paragraph under Section 107.2.~~2~~1 to read as follows:

Fees for re-inspections or for inspections outside of normal business hours shall be reimbursed as required by the fire chief in accordance with the DFW Airport Schedule of Charges, Development Charges.

SECTION 108 BOARD OF APPEALS

| Amend Section 108.1 to read as follows:

| **108** 108.1 **Board of appeals.** Refer to Part One, Construction and Fire Prevention Standards Resolution for Board of Appeals.

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SECTION 109 VIOLATIONS

| Amend Section 109.~~3~~4 to read as follows:

| ~~109.3~~ 109.4 **Violation penalties.** Refer to Part One, Construction and Fire Prevention Standards Resolution, Section 27, Penal Clause.

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SECTION 202 DEFINITIONS

Following the definition of **ACCESSIBLE ROUTE**, add the following definition:

ADDRESSABLE FIRE DETECTION SYSTEM. Any fire alarm system capable of providing identification of each individual alarm-initiating device. The identification shall be in clear English and shall identify the type and location of the device in alarm. The system shall have the ability of alarm verification.

Following the definition of **AMMONIUM NITRATE**, add the following definition:

ANALOG INTELLIGENT ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be capable of compensating for long-term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector

maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.

Following the definition of **HIGH PILED STORAGE AREA**, add the following definition:

Amend the definition of HIGH-PILED COMBUSTIBLE STORAGE by adding a second paragraph as follows:

Any building classified as a group S occupancy or Speculative building exceeding 12,000 sq.ft. that has a clear height in excess of 14 feet which permits storage in excess of 12 feet shall be considered high-piled storage.

Amend the definition of HIGH-RISE BUILDINGS as follows:

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HIGH-RISE BUILDINGS. Buildings with a floor used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

Amend the definition of REPAIR GARAGE as follows:

REPAIR GARAGE. A building structure or portion thereof used for servicing or repairing motor vehicles. This definition shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as oil/lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

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Following the definition of **SELF-SERVICE MOTOR FUEL-DISPENSING FACILITY** add the following definition:

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

Amend Section 307.4.1 to read as follows:

307.4.1 Bonfires. Bonfires shall be prohibited within the airport.

SECTION 404
FIRE SAFETY, EVACUATION AND LOCKDOWN PLANS

Amend Section 404.2.2 by adding the following:

4.10 Fire extinguishing system controls.

SECTION 501
GENERAL

Amend Section 501.4 to read as follows:

501.4 Timing of installation. When fire apparatus access roads or a water supply for fire protection is required for any structure or development, they shall be installed, tested and approved upon the completion of the foundation structure and prior to any additional construction taking place.

SECTION 503
FIRE APPARATUS ACCESS ROADS

Amend Section 503.2.1 to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 22-24 feet (~~6706-7315~~ mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).

Amend Section 503.2.2 to read as follows:

503.2.2 Authority. The fire code official shall have the authority to require an increase or decrease in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

Amend Section 503.2.3 to read as follows:

503.2.3 Surface. Fire apparatus roads shall be designed and maintained to support imposed loads of 80,000 lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

Amend Section 503.3 to read as follows:

503.3 Marking. Striping, signs, or other markings, when approved by the fire code official, shall be provided for fire apparatus access roads to identify such roads or

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prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

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(2) Signs – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

Amend Section 503.4 to read as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

SECTION 505 PREMISES IDENTIFICATION

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Amend Section 505.1 to read as follows:

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505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a

minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

Amend Section 507.4 to read as follows:

507.4 Water supply test date and information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the water flow test report, or as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

Replace Section 507.5.1 with the following:

507.5.1 Where required. The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site to be protected or both as required by the fire chief. Fire hydrants shall be installed at intervals not to exceed 250 feet (76 200 mm) along new roadways, and at such locations that no part of a building exterior wall is in excess of a hose lay, 300 feet (91 440 mm) in length from the hydrant as measured along an approved route around the exterior of the building.

Amend Section 507.5.4 to read as follows:

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

SECTION 604
EMERGENCY AND STANDBY POWER SYSTEMS

Amend Section 604.1.2 to read as follows:

604.1.2 Installation. Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

Add Section 604.1.9 as follows:

604.1.9 Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

Amend Section 604.2 to read as follows:

604.2 Where required. Emergency and standby power systems shall be provided where required by Sections 604.2.1 through 604.2.24 or elsewhere identified in this code or any other referenced code.

Amend Section 604.2.4 to read as follows:

604.2.4 Group A occupancies. Emergency voice/alarm communications systems. Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

Covered and Open Malls, Section 907.2.20 and 914.2.3

Group A occupancies, Sections 907.2.1 and

907.5.2.2.4. Special Amusement buildings,

Section 907.2.12.3

High-rise buildings, Section 907.2.13

Atriums, Section 907.2.14

Deep Underground buildings, Section 907.2.19

Amend Section 604.2.15 to read as follows:

604.2.15 Smoke control systems. Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

Covered mall building, *International Building Code*, Section 402.7

Atriums, *International Building Code*, Section 404.7

Underground buildings, *International Building Code*, Section 405.8

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Group I-3, International Building Code, Section 408.4.2
Stages, International Building Code, Section 410.3.7.2
Special Amusement buildings (as applicable to Group A's), International Building Code, Section 411.1
Smoke protected seating, Section 1029.6.2.1

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Add Sections 604.2.17 through 604.2.24 as follows:

604.2.17 Covered and open mall buildings. Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.3.

604.2.18 Airport traffic control towers. A standby power system shall be provided in airport traffic control towers more than 65 ft. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

604.2.19 Smoke proof enclosures and Stair Pressurization Alternative. Standby power shall be provided for smoke proof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

604.2.20 Elevator pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

604.2.21 Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

604.2.22 Common exhaust systems for clothes dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code*, Section 504.10, item 7.

604.2.23 Hydrogen Cutoff Rooms. Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.8.

604.2.24 Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

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Add Section 604.8 as follows:

604.8 Energy time duration. Unless a time limit is specified by the fire code official, in this chapter or elsewhere in this code, or in any other referenced code or standard, the

emergency and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

SECTION 609
COMMERCIAL KITCHEN HOODS

Amend Section 609.2 to read as follows:

609.2 Where required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors, including but not limited to cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, or any form of roofed enclosure, as required by the fire code official.

{Exception to remain}

SECTION 704
FLOOR OPENINGS AND SHAFTS

Amend Section 704.1 to read as follows:

704.1 Enclosure. Interior vertical shafts including, but not limited to, stairways, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 11. New floor openings in existing buildings shall comply with the *International Building Code*.

SECTION 901
GENERAL

Add Section 901.6.11 as follows:

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed when foreign material is present, and also

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hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the fire code official.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (fire code official) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.

Add Section 901.6.3 as follows:

901.6.3 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

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Amend Section 901.7 to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

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SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

Amend Section 903.1.1 to read as follows:

903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as approved by the fire code official.

Amend Section 903.2.11.3 to read as follows:

903.2.11.3 Buildings more than 55 feet in height. An automatic sprinkler system shall be installed throughout buildings ~~with a floor level that have one or more stories~~ with an occupant load of 30 or more, other than penthouses in compliance with Section ~~4509-1510~~ of the Building Code, that is located more than 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exception:

Open parking structures in compliance with Section 406.5 of the International Building Code, having no other occupancies above the subject garage.

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Add Section 903.2.11.7 as follows:

903.2.11.7 High-piled combustible storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter ~~23-32~~ to determine if those provisions apply.

Add Section 903.2.11.8 as follows:

903.2.11.8 Buildings with a floor area exceeding 4,000 square feet. An automatic sprinkler system shall be installed throughout all buildings with a building area exceeding 4,000 square feet. For the purpose of this provision, fire walls shall not define separate buildings.

Exception:

Open parking garages.

Add Section 903.2.11.9 as follows:

903.2.11.9 Self-service storage facilities. An approved automatic sprinkler system shall be installed throughout all self-storage facilities.

Amend Section 903.3.1.1.1 to read as follows:

903.3.1.1.1 Exempt locations. When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where it is damp, of fire- resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire- resistance rating of not less than 2 hours.
4. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

SECTION 905
STANDPIPE SYSTEMS

Add Section 905.3.9 as follows:

905.3.9 Buildings exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of

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fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

Amend Section 905.4 to read as follows:

905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.
2. {No Change}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the horizontal exit.

4. {No Change}
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way a hose connection shall be located to serve the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

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**SECTION 907
FIRE ALARM AND DETECTION SYSTEMS**

Add the following two paragraphs after the exceptions under Section 907.2.

All buildings or occupancies, occupied, operated, maintained or monitored by the Dallas-Fort Worth International Airport Board shall have a complete operational manual and automatic fire alarm system in accordance with this code. The system shall be designed and installed in accordance with the DFW Airport Design Criteria Manual and applicable standards.

All buildings, other than those described in the preceding paragraph, hereafter constructed or moved on to the airport and having a total floor area of 1,000 square feet or more, regardless of height or occupant load, shall have a complete operational manual and automatic fire alarm system in accordance with the occupancy requirements of this code.

Exceptions:

1. Open parking garages may use other approved means for fire department notification.
2. Temporary structures or buildings erected for less than 365 days when approved by the AHJ.

Amend Section 907.2.13, with exceptions remaining as is, to read as follows:

907.2.13 High-rise buildings. Buildings having floors used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

Amend Section ~~907.5.2~~ 907.4.2 to read as follows:

~~907.5.2~~ 907.4.2 **Manual fire alarm boxes.** Where a Manual fire alarm system is required by another section of this code, it shall be activated by fire alarm boxes installed in accordance with sections ~~907.5.2.1~~ 907.4.2.1 through ~~907.5.2.5~~ 907.4.2.6. Manual alarm actuating devices shall be of an approved double action type.

~~Amend Section 907.5.2.1 to read as follows:~~

~~**907.5.2.1 Location.** Manual fire alarm boxes shall be located not more than 5 feet (1524 mm) from the entrance to each exit.~~

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Amend Section ~~907.6~~ 907.5 by adding Exception #2:

Exception:

- ~~Where notification systems are allowed elsewhere in Section 907 to annunciate at a constantly attended location. {No Change}.~~
- Where approved by the code official in airport terminal buildings, and where the fire alarm is monitored directly by the Dallas/Fort Worth International Airport Board, Department of Public Safety, the activation of the fire alarm notification signal shall be manually initiated by emergency responders.

SECTION 910 **SMOKE AND HEAT REMOVAL**

Add Section 901.2.3 as follows:

901.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

- In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 sqm) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

- In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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SECTION 913
FIRE PUMPS

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Add a second paragraph to Section 913.2.1 as follows:

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When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by Section 506.1.

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SECTION 1003
GENERAL MEANS OF EGRESS

Amend Section 1003.5 by adding Exception #4 to read as follows:

4. At entrances to mechanical penthouses from roofed areas, the door sill elevation may be up to 8 inches (203 mm) above the elevation of the landing on either or both sides of the door.

SECTION 1004
OCCUPANT LOAD

Amend Section 1004.3 to read as follows:

[B] 1004.3 Posting of occupant load. Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent. Assembly occupancies within airport terminal buildings are not required to have the occupant load posted unless required by the Building Official.

SECTION ~~4022~~ 1023
EXIT ENCLOSURES INTERIOR EXIT STAIRWAYS AND RAMPS

Amend Section ~~4022.9~~ 1023.11 as follows:

~~4022.9~~ 1023.11 **Smokeproof enclosures and Pressurized Stairways.** In buildings required to comply with Section 403 or 405 of the International Building Code, each of the exit enclosures serving a story with a floor surface located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the finished floor of a level of exit discharge serving such stories shall be a smokeproof enclosure or pressurized stairway in accordance with Section 909.20 of the International Building Code.

Exception:

Fixed guideway train stations.

SECTION ~~2705~~ 5005
USE, DISPENSING AND HANDLING

Add a second paragraph under Section ~~2705.1.8~~ 5005.1.8 to read as follows:

Gas cabinets, exhaust enclosures and exhaust ducts with a cross sectional dimension of 10 inches (255 mm) or greater shall be internally sprinklered.

SECTION ~~3301~~
~~GENERAL~~

~~Amend Section 3301.1 as follows:~~

~~**3301.1 Scope.** The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials, and small arms ammunition. The manufacture and sale of explosives, explosive materials, and small arms ammunition shall be prohibited within the airport.~~

Amend Section 3301.2.4 to read as follows:

~~**3301.2.4 Financial responsibility.** Before a permit is issued, as required by Section 3301.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.~~

**SECTION 3406
SPECIAL OPERATIONS**

Add Section 3406.1.3.3 to read as follows:

~~**3406.3.1.3.3 Natural gas pipeline setback from buildings.** No building hereinafter erected shall be located within 50 feet (15 240 mm) of a natural gas gathering pipeline.~~

**SECTION 5704
STORAGE**

Add Section 5704.2.9.5.3 as follows:

5704.2.9.5.3 Combustible liquid storage tanks inside of buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an automatic sprinkler system complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an approved closed piping system.

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The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

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SECTION 5706 **SPECIAL OPERATIONS**

Add Section 5706.3.1.3.3 to read as follows:

5706.3.1.3.3 Natural gas pipeline setback from buildings. No building hereinafter erected shall be located within 50 feet (15 240 mm) of a natural gas gathering pipeline.

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SECTION ~~3703~~ 6003 **HIGHLY TOXIC AND TOXIC SOLIDS AND LIQUIDS**

Amend Section ~~3703.2.5~~ 6003.2.5 by adding an exception:

Exception:

Sprinklers are not required for certain water reactive materials when sprinklers would not be effective in controlling the fire.

CHAPTER 47.80 **REFERENCED STANDARDS**

Amend the NFPA standard reference number as follows:

Standard Reference Number 130-2014 – NFPA 130, Standard for Fixed Guideway Transit and Passenger Rail Systems

~~Standard Reference Number 13-10 – NFPA 13, Standard for the Installation of Sprinkler Systems, 2010 edition~~

~~Standard Reference Number 14-10 – NFPA 14, Standard for the Installation of Standpipe, Private Hydrants, and Hose Systems, 2010 edition~~

~~Standard Reference Number 72-10 – NFPA 72, National Fire Alarm and Signaling Code, 2010 Edition~~

ADOPTION OF APPENDIX CHAPTERS

The following appendix chapters are specifically adopted as part of the Fire Code.

Appendix B Fire Flow Requirements for Buildings (Except B105.3 – Water supply for buildings equipped with an automatic sprinkler system.

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Appendix C Fire Hydrant Locations and Distribution (Except hydrant spacing as required by Section 507.5.1.)

Appendix D Fire Apparatus Access Roads (except that minimum width of fire apparatus access roads shall be in accordance with Section 503.2.1 of the Fire Code)

Appendix G Cryogenic Fluids – Weight and Volume Equivalents

~~**Appendix J** Emergency Responder Radio Coverage~~

Appendix L Requirements for Fire Fighter Air Replenishment Systems.

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PART FOUR – ELECTRICAL CODE AMENDMENTS

ARTICLE 89 TITLE

Create Article 89 Title including the following sections:

89.1 Title. The ~~2008-2014~~ National Electrical Code (NFPA 70) as amended herein is the Electrical Code of Dallas-Fort Worth International Airport.

89.2 Creation of enforcement agency. The department of electrical inspection is hereby created and the official in charge thereof shall be known as the building official. The function of the department shall be to assist the building official in the administration and enforcement of the provisions of this code. References to the department of electrical inspection shall mean the Code Compliance Section of the ~~Airport Development and Engineering Department~~ Design, Code & Construction Department.

89.3 Schedule of permit fees. Refer to Part Two, Building Code Amendments, Section 109 for fees.

89.4 Penalties. Refer to Part One, Construction and Fire Prevention Standards Resolution, Section 27, Penal Clause.

89.5 Means of Appeal. Refer to Part One, Construction and Fire Prevention Standards Resolution for Board of Appeals.

PART FIVE - MECHANICAL CODE AMENDMENTS

SECTION 101 GENERAL

Replace Section 101.1 with the following:

101.1 Title. The ~~2009-2015~~ International Mechanical Code as amended herein is the Mechanical Code of Dallas-Fort Worth International Airport. References to the International Mechanical Code shall be construed to reference the Mechanical Code as adopted herein with its local amendments.

SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION

Amend Section 103.1 as follows:

103.1 General. The department of mechanical inspection is hereby created and the executive official in charge thereof shall be known as the building official. References to the department of mechanical inspection shall mean the Code Compliance Section of the ~~Airport Development and Engineering Department~~ Design, Code & Construction Department.

SECTION 106 PERMITS

Replace Section 106.5.2 with the following:

106.5.2 Fee schedule. Refer to Part Two, Building Code Amendments, Section 109 for fees.

Replace Section 106.5.3 with the following:

106.5.3 Fee refunds. The building official is authorized to establish a refund policy.

**SECTION 108
VIOLATIONS**

Replace Section 108.4 with the following:

108.4 Violation penalties. Refer to Part One, Construction and Fire Prevention Standards Resolution, Section 27, Penal Clause.

**SECTION 109
MEANS OF APPEAL**

Replace Section 109 with the following reference:

Refer to Part One, Construction and Fire Prevention Standards Resolution for Board of Appeals.

PART SIX - PLUMBING CODE AMENDMENTS

SECTION 101 GENERAL

Replace Section 101.1 with the following:

101.1 Title. The ~~2009-2015~~ International Plumbing Code as amended herein is the Plumbing Code of Dallas-Fort Worth International Airport. References to the International Plumbing Code shall be construed to reference the Plumbing Code as adopted herein with its local amendments.

SECTION 103 DEPARTMENT OF PLUMBING INSPECTION

Amend Section 103.1 as follows:

103.1 General. The department of Plumbing inspection is hereby created and the executive official in charge thereof shall be known as the building official. References to the department of plumbing inspection shall mean the Code Compliance Section of the ~~Airport Development and Engineering Department~~ Design, Code & Construction Department.

SECTION 106 PERMITS

Replace Section 106.6.2 with the following:

106.6.2 Fee schedule. Refer to Part Two, Building Code Amendments, Section 109 for fees.

Replace Section 106.6.3 with the following:

106.6.3 Fee refunds. The building official is authorized to establish a refund policy.

SECTION 108 VIOLATIONS

Replace Section 108.4 with the following:

108.4 Violation penalties. Refer to Part One, Construction and Fire Prevention Standards Resolution, Section 27, Penal Clause.

**SECTION 109
MEANS OF APPEAL**

Replace Section 109 with the following reference:

Refer to Part One, Construction and Fire Prevention Standards Resolution for Board of Appeals.

**SECTION 312
TESTS AND INSPECTIONS**

Replace Section ~~312.9~~ 312.10 with the following reference:

312.9 312.10 Inspection and testing of backflow prevention assemblies. Backflow prevention assemblies shall be inspected and tested as required by Texas Administrative Code, Title 30, Part 1, Chapter 290 Public Drinking Water.

**TABLE 403.1
MINIMUM NUMBER OF REQUIRED PLUMBING FACILITIES**

Amend public assembly areas of passenger terminals in Table 403.1 as follows:

OCCUPANCY	WATER CLOSETS (Urinals see Section 419.2)		LAVATORIES	BATHTUBS/ SHOWERS	DRINKING FOUNTAINS (See Section 410.1)	OTHERS
	Male	Female				
Public assembly areas of passenger terminals and transportation facilities	1 per 100	1 per 100	1 per 200	---	1 per 1,000	1 service sink

**SECTION 404
ACCESSIBLE PLUMBING FACILITIES**

Replace Section 404 as follows:

Refer to Part One, Building Code Amendments, Chapter 11 for accessibility standards.

**SECTION 1106
SIZES OF CONDUCTORS, LEADERS AND STORM DRAINS**

Replace Section 1106.1 with the following:

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers and any horizontal branches of such drains or sewers shall be based on 5 inches per hour rainfall rate.

**SECTION ~~1108~~ 1109
COMBINED SANITARY AND STORM SYSTEM**

Delete Section ~~1108~~ 1109. Combined sanitary and storm sewer systems shall be prohibited within the airport.

PART SEVEN - FUEL GAS CODE AMENDMENTS

SECTION 101 GENERAL

Replace Section 101.1 with the following:

101.1 Title. The ~~2009-~~ 2015 International Fuel Gas Code as amended herein is the Fuel Gas Code of Dallas-Fort Worth International Airport. References to the International Fuel Gas Code shall be construed to reference the Fuel Gas Code as adopted herein with its local amendments.

SECTION 103 DEPARTMENT OF INSPECTION

Amend Section 103.1 to read as follows:

103.1 General. The Department of Inspection is hereby created and the executive official in charge thereof shall be known as the building official. References to the department of inspection shall mean the Code Compliance Section of the ~~Airport Development and Engineering Department~~ Design, Code & Construction Department.

SECTION 106 PERMITS

Replace Section 106.5.2 with the following::

106.5.2 Fee schedule. Refer to Part Two, Building Code Amendments, Section 109 for fees.

Replace Section 106.5.3 with the following::

106.5.3 Fee refunds. The building official is authorized to establish a refund policy.

**SECTION 108
VIOLATIONS**

Replace Section 108.4 with the following:

108.4 Violation penalties. Refer to Part One, Construction and Fire Prevention Standards Resolution, Section 27, Penal Clause.

**SECTION 109
MEANS OF APPEAL**

Replace Section 109 with the following reference:

Refer to Part One, Construction and Fire Prevention Standards Resolution for Board of Appeals.

**SECTION 202 (IFGC)
GENERAL DEFINITIONS**

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Following the definition of **BURNER**, add the following definition:

BUTT WELD JOINT. A welded pipe joint made with the ends of the two pipes butting each other.

Following the definition of **SLEEPING UNIT**, add the following definition:

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SOCKET WELD JOINT. A pipe attachment in which a pipe is inserted into a recessed area of a valve, fitting or flange, generally for small bore piping.

**SECTION 403
PIPING MATERIALS**

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Add section 403.10.1.1 as follows:

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403.10.1.1 Welding. All fuel gas piping 2 ½ inches and above in diameter shall be joined using a *butt weld joint*. All fuel gas piping ½ inch to 2 inches in diameter shall be joined using a *socket weld joint*. All pipe and fittings shall comply with ASME B 36.10, 10M.

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PART EIGHT - ENERGY CODE AMENDMENTS

SECTION C101 SCOPE AND GENERAL REQUIREMENTS

Replace Section C101.1 with the following:

C101.1 Title. The ~~2009-~~ 2015 International Energy Conservation Code as amended herein is the Energy Code of Dallas-Fort Worth International Airport. References to the International Energy Conservation Code shall be construed to reference the Energy Code as adopted herein with its local amendments.

Add Section C101.1.1 as follows:

C101.1.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code.

~~Amend Section 101.4.3 Exception #2 and #5 as follows:~~

- ~~2. Glass only replacements in an existing sash and frame. Glass to include sash and/or frames may install glazing in accordance with Table 502.3 without bring the entire building into compliance with this code. Replacement of glass with sash and/or frames of up to 50% of the building and or space within an two year period may be replaced with a glazing system equal to, or better than what was originally installed.~~
- ~~5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing to not less than the insulation values in the energy code adopted at the time of original construction or if no energy code had been adopted at the time of original construction insulation R-values shall be as specified in Table 502.1.2(1) without bring the entire building into compliance with this code.~~

~~Amend Section 101.4.5 to read as follows:~~

~~**101.4.5 Mixed occupancy.** Where a building includes both residential and commercial occupancies, each occupancy shall be separately considered.~~

~~Amend Section 101.5 to read as follows:~~

~~**101.5 Compliance.** Residential buildings shall meet the provisions of Texas Building Energy Performance Standards. Commercial buildings shall meet the provisions of Chapter 5.~~

SECTION 104 INSPECTIONS

~~Add Section 104.2.1 Inspections:~~

~~**104.2.1 Inspections.** The following inspections shall be required:~~

- ~~1. Insulation inspection – prior to cover, per energy code criteria.~~
- ~~2. Mechanical inspection – prior to cover, per energy code criteria.~~
- ~~3. Electrical inspection – prior to cover, per energy code criteria.~~
- ~~4. Final inspection – to include final lighting design, final mechanical design, and final envelope design, per energy code criteria.~~

SECTION 110 VIOLATION PENALTIES

Add Section C110 VIOLATION PENALTIES and C110.1 as follows:

SECTION C110 VIOLATION PENALTIES

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C110.1 Violation penalties. Refer to Part One, Construction and Fire Prevention Standards Resolution, Section 27, Penal Clause.

SECTION 202 GENERAL DEFINITIONS

Replace the definition of Code Official with the following:

CODE OFFICIAL. The building official is charged with the administration and enforcement of this code.

SECTION 502 BUILDING ENVELOPE REQUIREMENTS

Amend Section 502.2.1 to add exception after the last paragraph.

Exception: ~~Within S and F occupancies insulation is allowed on ceiling grid if all of the following conditions are met.~~

- ~~1. Where conditioned spaces are constructed within unconditioned buildings, and where the height of the uppermost ceiling of the conditioned space does not exceed three-fourths (3/4) the average height of the roof deck, the required roof insulation may be placed on the ceiling, including suspended ceiling with removable ceiling panels.~~
- ~~2. Attic spaces shall be separated by walls from adjacent warehouse spaces and shall be provided with a mechanical exhaust and supply air system to re-circulate air from the warehouse through the attic. The mechanical exhaust rate shall be not less than 0.02 cfm per square foot of attic area and shall be automatically controlled to operate when the relative humidity in the attic exceeds 60 percent or when the temperature is less than 40 degrees F.~~
- ~~3. Ceiling insulation shall extend over light fixtures serving conditioned spaces.~~
- ~~4. Recessed luminaires covered with ceiling insulation must be identified for contact with insulation (Type IC).~~

SECTION 505 ELECTRICAL POWER AND LIGHTING SYSTEMS

Amend Section 505.2.1 to read as follows with the exceptions to remain unchanged:

505.2.1 Interior lighting controls. ~~Each area enclosed by walls or floor-to-ceiling partitions shall have at least one manual control for the lighting serving that area. The required controls shall be located within the area served by the controls or be a remote switch that identifies the lights served and their status. Each control device shall control~~

~~a maximum of 2,500 square feet (232.26 square meters) of floor area for a space 10,000 square feet (929.03 square meters) or less and a maximum of 10,000 square feet (929.03 square meters) for a space greater than 10,000 square feet (929.03 square meters).~~

PART NINE – OIL AND GAS EXPLORATION AND PRODUCTION

SECTION 1 GENERAL INFORMATION

The Exploration, development and Production of Gas on the Airport property are activities which make necessary regulations to establish uniform limitations, safeguards and requirements for operations related to the Exploration, Drilling, developing, producing, transporting and storing of Gas and other substances produced in association with Gas within the Airport to protect the health, safety and general welfare of the public, minimize the potential impact to property, protect the quality of the environment and encourage the orderly production of available mineral, and gas resources.

SECTION 2 DEFINITIONS

The following words, terms and phrases, when used in this Part, shall have the meanings ascribed to them in this section:

Abandonment: means “abandonment” as defined by the Commission and includes the plugging of a Well and the restoration of the area used during the Production of a Well as required by this Part.

All-Weather Hard Surface: means a permanent surface that as a minimum is a base course constructed such that it meets the requirements of the Fire Code, is at least twenty two feet (22’) wide, has an overhead clearance of fourteen feet (14’), drains appropriately, remains water resistant, is free of litter, debris, weeds, grass or other objectionable materials or objects and is visibly dust free.

API: means the American Petroleum Institute.

Berm: means a mound of soil, either natural or man made, used to obstruct a view. The side slope shall not exceed a three-foot (3’) horizontal and a one-foot (1’) vertical slope.

Blowout Preventer: means a mechanical, hydraulic, pneumatic or other device or combination of such devices, including valves, fittings and control mechanisms connected therewith, which can be closed around the drill pipe, or other tubular goods which completely close the top of the casing and are designed for preventing blowouts.

Brackish Water: means flow back water used in the fracturing and re-fracturing process and other waste liquids produced in association with the production, treatment, processing or transportation of hydrocarbons.

Building: means any structure used or intended for supporting or sheltering any use or occupancy. Buildings with an occupant load of 3 or fewer in accordance with Table 1004.1.1 of the Building Code are not subject to the setback requirements of this Part.

Building Code: as defined in Part Two.

Building Official: as defined in Section 5, Part 1.

Closed Loop System: means a system utilized while Drilling so that reserve pits are not used and instead steel bins are used to collect all drilling waste.

Commission: means the Texas Railroad Commission and all state rules.

Completion: means the earlier of the date the work is completed for the Drilling, re-drilling or reworking of a Well and the crew involved in such activities is released or the date the rig is released.

Compliant well: means a well that is actively producing, actively used for injection or disposal, or has a valid Statewide Rule 14(b)(2) plugging extension.

Derrick: means any portable framework, tower, mast and/or structure, which is required or used in connection with Drilling or re-working a Well for the production of Gas.

Disposal Well: means a well drilled for the purpose of disposing of Brackish Water.

Drilling: means digging or boring a new Well for the purpose of exploring for, developing or producing Gas or for the purpose of injecting Gas, water or any other fluid or substance into the earth.

Drill Site: means the immediate area used during the Drilling, re-drilling or re-working of a Well.

Electrical Code: as defined in Part Four.

Emergency Response Plan: means a plan put in place to deal with emergency situations that may occur at the Drill Site and/or the Operation Site.

Energy Code: as defined in Part Eight.

Exploration: means geologic or geophysical activities, including seismic surveys, related to the search for Gas or other subsurface hydrocarbons.

FEMA: means the Federal Emergency Management Agency.

FIRM: means the Flood Insurance Rate Map.

Fire Chief: as defined in Section 5, Part 1

Fire Code: as defined in Part Three.

Fire Department: means the Fire Department of the Airport.

Frac Tank: means an enclosed steel tank used to hold Brackish Water.

Fracturing: means the injecting of a substance into a Well or formation so as to cause underground channels in hydro-carbon-bearing formations to open.

Fresh Water Fracing Pit: means a pond, open to the atmosphere, used to hold fresh water for Fracturing.

Fuel Gas Code: as defined in Part Seven.

Gas: means any fluid, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarefied state at standard temperature and pressure conditions and/or the gaseous components or vapors occurring in or derived from petroleum or Gas.

Gas Well: means any Well drilled, to be drilled, or used for the intended or actual production of natural gas.

Inactive well: means a well that is compliant or noncompliant well that is not actively producing, injecting, or disposing.

Mechanical Code: as defined in Part Five.

Non-compliant well: means a well that has been shut-in for a period in excess of twelve (12) months, has not been plugged, and does not have a valid Statewide Rule 14(b)(2) extension.

Oil: means crude petroleum oil and other hydrocarbons regardless of gravity which are produced at the wellhead in liquid form and the liquid hydrocarbons known as distillate or condensate recovered or extracted from Gas, other than gas produced in association with oil and commonly known as casinghead gas.

Oil Well: means any Well drilled, to be drilled, or used for the intended or actual production of Oil.

Operation Site: means the area used for development and production and all operational activities associated with Gas after Drilling activities are complete.

Operator: means, for each Well, the person listed on the Commission's Form W-1 or Form P-4 for a Gas Well or Oil Well that is, or will be actually in charge and in control of Drilling, maintaining, operating, pumping or controlling any Well, including, without limitation, a unit operator.

Permit: means any written license granted by the Airport authorizing the Operator to undertake activity on the Airport.

Plumbing Code: as defined in Part Six.

Production: means the period between Completion of Drilling and the Abandonment of the Well.

Re-Drill: means the Drilling of a new Well located in essentially the same place as an earlier Well or the re-completion of an existing Well by deepening or sidetrack operations extending more than one hundred fifty feet (150') from the existing Well bore.

Re-working: means re-completion or re-entry of an existing Well within the existing bore hole or by deepening or sidetrack operations which do not extend more than one hundred fifty feet (150') from the existing well bore, or replacement of well liners or casings.

Statewide Rule 14(b) (2) extension: A Texas Railroad Commission administratively granted extension of one year to plug a well, if: the well is in compliance with all other laws and Railroad Commission rules; the well and associated facilities are not a pollution hazard; the operator's report is current and active; and the operator has, and upon request, provides evidence of a good faith claim to operate the well.

Street: means any street, highway, sidewalk, alley, or avenue that is open to public use or is in support of Airport operations.

SWPPP: means stormwater pollution prevention plan.

TCEQ: means the Texas Commission on Environmental Quality.

USEPA: means the United States Environmental Protection Agency.

Well: means any single hole or bore to any horizon, formation, or strata, for the purpose of producing Gas and/or Oil from the Airport.

SECTION 3 AIRPORT OVERSIGHT

The Building Official is charged with the administration and enforcement of this part. The Building Official and the Fire Chief shall have the authority to enter and inspect any Drill Site or Operation Site to determine compliance with this Resolution and all applicable laws, rules, regulations, standards or directives adopted by the Airport Board or State. Failure of any person to permit access to the Building Official or Fire Chief shall constitute a violation of this Resolution. Additionally, the Building Official or Fire Chief and other Airport officials shall have the authority to issue any orders or directives required to implement the intent and purpose of this Resolution and its provisions. The Building Official or Fire Chief shall have the authority to request and receive any records, including any records sent to the Commission, logs, reports and the like, relating to the status or condition of any Well necessary to establish and determine compliance with a Permit. Failure of any person to provide any such requested material shall be deemed a violation of this Resolution.

SECTION 4 OPERATOR'S AGENT

Every Operator shall designate an agent, who is a resident of the State of Texas, upon whom all orders and notices provided in this Resolution may be served in person or by registered or certified mail. Every Operator designating such agent shall within ten (10) days notify the Building Official in writing of any change in such agent or such mailing address unless operations within the Airport are discontinued. Failure to do so shall be deemed a violation of this Resolution.

SECTION 5 SEISMIC SURVEY PERMIT REQUIREMENTS

A Permit shall be required for all geophysical tests, including but not limited to seismic surveys. All applications for a Permit to conduct geophysical tests, including but not limited to seismic surveys, shall be submitted to the Building Official for approval. No geophysical tests shall begin prior to the issuance of a Permit from the Airport Board. A Permit application shall include, but is not limited to, the following information:

- (a) Operator/applicant name, phone number, fax number, physical address, and e-mail address.
- (b) Detailed mapping of location and extent of the proposed geophysical test.
- (c) Detailed explanation of the survey or testing method to be used.
- (d) Frequency and strength of all radio frequency (RF) signals.

- (e) Under no circumstances may explosive charges, including, but not limited to, the use of dynamite, be used in any way related to the preparation for and/or conducting of a geophysical test.

**SECTION 6
GAS WELL AND DISPOSAL WELL PERMIT REQUIREMENTS**

- (a) No person acting either for himself or acting as an agent, employee, independent contractor, or servant of any person shall drill any Well or Disposal Well, assist in any way in the site preparation, re-working, Fracturing or operation of any Well or Disposal Well or to conduct any activity related to the production of Gas without first obtaining a Permit issued by the Building Official in accordance with this Resolution. Such activities include, but are not limited to, initial site preparation, re-working, Drilling, operations, construction of rigs, Fresh Water Fracing Pit or tank batteries, Fracturing and pressurizing.
- (b) The Operator must apply for and obtain a Permit for the Drilling of each Well or Disposal Well. The Operator shall neither apply for nor obtain a “blanket” Permit for more than one (1) well. A Disposal Well permit will only be issued for disposal of Brackish Water from oil and gas exploration and production, treatment or transportation of hydrocarbons within the boundaries of Dallas/Fort Worth International Airport property. All Disposal Wells must deposit Brackish Water into the Ellenberger formation. Each new Well or Disposal Well established at the ground surface will be considered a new Well or Disposal Well as applicable.
- (c) An existing Permit shall not constitute authority for the re-entering and Drilling of a Well the subject of Abandonment. An Operator shall obtain a new Permit in accordance with the provisions of this Resolution if the Operator is re-entering and Drilling an abandoned Well.
- (d) When a Permit has been issued to the Operator for the Drilling, re-entering, activating or converting of a Well, such Permit shall constitute sufficient authority for Drilling, operation, production gathering or production maintenance, repair, re-working, testing, plugging and Abandonment of the Well and/or any other activity associated with mineral exploration at an Operation Site. An amended Permit shall be obtained before such Well may be modified for purposes of re-drilling, deepening or converting such Well to a depth or use other than that set forth in the then-current Permit for such Well.
- (e) Any person who intends to re-work a Well using a Drilling rig or to engage in Fracturing a Well after initial Completion shall give written notice to, and receive written approval from, the Building Official. The notice must identify where the activities will be conducted and must describe the activities in detail, including, but not limited to the duration of the activities and the time the activities will be conducted. The notice must also provide the address and twenty-four (24) hour telephone number of the person conducting the activities.

- (f) A Permit shall automatically terminate, unless extended, if Drilling is not commenced within one year from the date of the issuance of the Permit. A Permit may be extended by the Building Official upon written request by the Operator and proof that the regulatory standards of the requested Permit for such location have not changed.
- (g) Permits required by this Resolution are in addition to and are not in lieu of any permit, which may be required by any other governmental agency.
- (h) No Permit shall be issued for any Well to be drilled within the floodway identified by FEMA on the most current FIRM. Wells proposed in the floodplain outside of the floodway shall comply with the requirements of the Building Official.
- (i) No Permit shall be issued for any Well to be drilled that is not in compliance with this Resolution.
- (j) By acceptance of any Permit issued pursuant to this Resolution, the Operator expressly stipulates and agrees to be bound by and comply with the provisions of this Resolution. The terms of this Resolution shall be deemed to be incorporated in any Permit issued pursuant to this Resolution with the same force and effect as if this Resolution was set forth verbatim in such Permit.
- (k) Operator must provide to the Building Official, a copy of all H-5 and mechanical integrity tests required by the Commission.
- (l) All wells located at DFW Airport must be compliant with Texas Railroad Commission rules. Wells that have not been in operation for a year must be plugged and abandoned in accordance with Railroad Commission Statewide Rule 14(b) (2). This rule requires that plugging operations on each inactive well commence within one year after operations have ceased. Prior to abandonment, wells must be plugged consistent with Railroad Commission rules, with cement in a manner that will not allow movement of fluids into or between Underground Sources of Drinking Water (USDWs).

SECTION 7 PERMIT APPLICATION

- (a) Every application for a Permit issued pursuant to this Resolution shall be on forms required by the Building Official, shall include payment of the construction permit and plan review fees and shall be signed by the Operator, or some person duly authorized to sign on his behalf, and filed with the Building Official. The application shall include the following information:

- (1) The date of the application and type of Permit requested.
- (2) Map showing proposed transportation route and road(s) for equipment, chemicals or waste products used or produced under the Permit.
- (3) Proposed Well name and Well depth.
- (4) Name, telephone number, fax number, physical address of individual designated to receive notice, and, if possible, e-mail address.
- (5) Names and addresses of representatives or Operator's agent with supervisory authority over the Drill Site or Operation Site and a twenty-four (24) hour telephone number.
- (6) Location and description of all improvements and structures within eight hundred feet (800') of the Well. Such locations and descriptions shall be prepared by a Registered Professional Land Surveyor.
- (7) A site plan of the proposed Drill Site and Operation Site showing the location of all improvements and equipment, including the location of the proposed Well and other facilities including, but not limited to, Fresh Water Fracing Pit, Disposal Well, tanks, pipelines, compressors, separators and storage tanks or storage sheds. All site plans must include the following criteria:
 - a. Location of proposed Buildings and structures indicating sizes in square feet.
 - b. The location and intensity of exterior lighting fixtures.
 - c. The location of mechanical equipment.
 - d. Outside storage areas.
 - e. Curb cut locations.
 - f. Parking, loading, and maneuvering areas.
 - g. The location, materials and dimensions of screening improvements as required.
 - h. Waste disposal locations.
 - i. Streets immediately adjacent to the Operation Site.

- j. Drill Site and Operation Site plans shall be submitted on a sheet size of 24" x 36" minimum, or as approved by the Building Official.
 - k. Airport boundaries where applicable.
 - l. Date the drawing was prepared with name, address, and phone number of preparer.
 - m. North arrow, at a maximum scale of 1:50 immediately adjacent to the Drill Site or Operation Site.
 - n. Title Block identifying the Drill Site or Operation Site location.
 - o. Vicinity location map at 1" = 2000'.
 - p. Location of 100-year flood limits where applicable.
 - q. Texas NAD83 State Plane Coordinates for all four corners.
- (8) Copy of all reports and permits required by the Commission, specifically including a copy of the approved Commission Form W-1, H-5 and/or P-4.
 - (9) A description of public utilities required during Drilling and Production.
 - (10) A description of the water source to be used during Drilling.
 - (11) A copy of the Erosion Control Plan as required by the Airport Board.
 - (12) A copy of the determination by the TCEQ of the depth of useable quality ground water.
 - (13) A copy of the TCEQ permit.
 - (14) A statement, under oath, signed by the Operator or designated representative, that the information submitted with the application is, to the best knowledge and belief of the Operator or designated representative, true and correct.
 - (15) Three copies of a Hazardous Material Management Plan and additionally, all material safety data sheets for all hazardous materials that will be located, stored, transported and/or temporarily used on the Drill Site shall be provided to the Building Official.
 - (16) Three copies of the Hazardous Materials Inventory Statement.

- (17) Operator shall submit to the Building Official, for review and approval, an Emergency Response Plan establishing written procedures to minimize any hazard resulting from Drilling, Completion or producing of a Gas Well. Said plan shall use existing guidelines established by the Commission, TCEQ, Texas Department of Transportation, the Fire Code and/or the USEPA. A copy of the Emergency Response Plan shall be kept on site.
- (18) A map showing the location of all underground transmission pipelines.

**SECTION 8
PERMITTING PROCEDURE**

- (a) All Well Permit applications will be filed through the Building Official.
- (b) It is the responsibility of the Building Official to review and approve or disapprove all applications for Permits based on the criteria established by this Resolution.
- (c) After the filing of a completed application, payment of permit and plan review fees and remittance of all insurance and security per the requirements of this Resolution for a Permit, the Building Official will determine whether the Permit application shall be approved or denied.
- (d) The provisions of this Resolution shall apply to any application for a Permit that is filed with the Building Official.
- (e) If all the requirements of this Resolution are met, the Building Official shall issue a Permit for the activity for which the Permit application was made.
- (f) If the Building Official denies a Permit application, the Building Official shall notify the Operator in writing of such denial stating the reasons for the denial. The Operator may cure those conditions that caused the denial and resubmit the application to the Building Official for approval and issuance of the Permit.

**SECTION 9
AMENDED GAS WELL PERMITS**

- (a) An amended Permit may be issued for, but not limited to, the following changes in Drill Site or Operation Site activities:
 - (1) Re-drilling;
 - (2) Deepening beyond one hundred fifty feet (150') of the permitted depth;
 - (3) Site access; and

- (4) Locations and/or quantities of equipment as determined by the Building Official;
- (b) Applications for amended Permits shall be in writing, shall be signed by the Operator, and shall include the following:
 - (1) A description of the proposed amendments;
 - (2) Any changes to the information submitted with the application for the existing Permit (if such information has not previously been provided to the Airport Board);
 - (3) Such additional information as is reasonably required by the Building Official to demonstrate compliance with the Permit;
 - (4) Such additional information as is reasonably required by the Building Official to prevent imminent destruction of property or injury to persons; and
 - (5) An amended site plan and plat indicating the new bottom-hole location.
- (c) All applications for amended Permits shall be filed with the Building Official for review. Incomplete applications may be returned to the applicant, in which case the Building Official shall provide a written explanation of the deficiencies.
- (d) If the activities proposed by the amendment are not materially different from the activities covered by the existing Permit then the Building Official shall approve or disapprove the amendment after the application is filed.
- (e) If the activities proposed by the amendment are materially different from the activities covered by the existing Permit, and do not create a risk of destruction of property or injury to persons, then the Building Official shall approve or disapprove the amendment. If, however, the activities proposed by the amendment are materially different and, in the judgment of the Building Official might create a risk of destruction of property or injury to persons that were not associated with the activities covered by the existing Permit or that were not otherwise taken into consideration by the existing Permit, the Building Official may require the amendment to be processed as a new Permit application.

**SECTION 10
SUSPENSION OR REVOCATION OF WELL PERMITS**

- (a) If an Operator (or its officers, employees, agents, contractors, or representatives) fails to comply with any requirement of a Permit (including any requirement incorporated by reference as part of the Permit), the Airport Board shall give written notice to the Operator specifying the nature of the failure and giving the Operator a reasonable time to cure, taking into consideration the nature and

extent of the failure, the extent of the efforts required to cure, and the potential impact on the health, safety, and welfare of the public. In no event, however, shall the cure period be less than ten (10) days unless the failure presents a risk of imminent danger to property or injury to persons or unless the failure involves the Operator's failure to provide periodic reports as required by this Resolution.

- (b) If the Operator fails to correct the noncompliance, the Airport Board may suspend or revoke the Permit pursuant to the provisions of this Resolution.
- (c) No person shall carry on any operations performed under the terms of a Permit issued under this Resolution during any period of any suspension or revocation of the Permit or pending a review of the decision or order of the Airport Board in suspending or revoking the Permit. Nothing contained herein shall be construed to prevent the necessary, diligent and bona fide efforts to cure and remedy the default or violation for which the suspension or revocation of the Permit was ordered for the safety of persons or as required by the Building Official or the Fire Chief.
- (d) If the Operator does not cure the noncompliance within the time specified in this Resolution, the Airport Board, upon written notice to the Operator, may notify the Commission and request that the Commission take any appropriate action.

SECTION 11 PERIODIC REPORTS

- (a) The Operator shall notify the Building Official of any changes to the following information within ten (10) days after the change occurs:
 - (1) The name, physical address, telephone number, and fax number of the Operator;
 - (2) The name, address, and telephone number of the person designated to receive notices from the Airport Board (which person must be a resident of Texas that can be served in person or by registered or certified mail); and
 - (3) The Operator's emergency action response plan (including "drive-to-maps" from rights-of-way to each Drill Site or Operation Site).
- (b) The Operator shall notify in writing the Building Official of any change to the name, address, and twenty-four (24) hour phone number of the person(s) with supervisory authority over Drilling or operations activities within one (1) business day.
- (c) The Operator shall provide a copy of any "incident reports" or written complaints submitted to the Commission and a copy to the Airport Board within thirty (30) days after the Operator has notice of the existence of such reports or complaints.

- (d) Beginning on December 31st after each Well is completed, and continuing on each December 31st thereafter until the Operator notifies the Building Official that there has been an Abandonment of the Well and the Operation Site is restored, the Operator shall submit a written report to the Building Official identifying any changes to the information that was included in the application for the applicable Permit that have not been previously reported to the Building Official.

SECTION 12
BOND, LETTERS OF CREDIT, INDEMNITY INSURANCE

- (a) *General requirements.* The Operator shall be required to:
- (1) Comply with the terms and conditions of this Resolution and the Permit issued hereunder.
 - (2) Promptly clear each Drill Site and Operation Site of all litter, trash, waste and other substances used, allowed, or occurring in the operations, and after Abandonment or Completion grade, level and restore such property to the same surface conditions as nearly as possible as existed before operations as determined by the Building Official.
 - (3) Promptly pay all fines, penalties and other assessments imposed due to breach of any terms of the Permit.
 - (4) Promptly restore to its former condition any property damaged by the Operator.
- (b) *Bond, irrevocable letter of credit.* Prior to the issuance of a Permit the Operator shall provide the Building Official with a security instrument in the form of a bond or an irrevocable letter of credit as follows:
- (1) *Bond.* A bond shall be executed by a reliable bonding or insurance institution authorized to do business in Texas, acceptable to the Airport Board. The bond shall become effective on or before the date the Permit is issued and shall remain in force and effect for at least a period of six (6) months after the expiration of the Permit term or until there has been an Abandonment of the Well and the Operation Site is restored, whichever occurs last. The Operator shall be listed as principal and the instrument shall run to the Airport Board, as obligee, and shall be conditioned that the Operator will comply with the terms and regulations of this Resolution and all other laws and regulations. The original bond shall be submitted to the Building Official.
 - (2) *Letter of Credit.* A letter of credit shall be issued by a reliable bank authorized to do business in Texas and shall become effective on or before

the date the Permit is issued. The letter of credit shall remain in force and effect for at least a period of six (6) months after the expiration of the Permit term or until there has been an Abandonment of the Well and the Drill Site or Operation Site is restored, whichever occurs last. The Airport Board shall be authorized to draw upon such letter of credit to recover any fines, penalties or costs to remedy assessed under this Resolution. Evidence of the execution of a letter of credit shall be submitted to the Building Official by submitting an original signed letter of credit from the banking institution.

- (3) The principal amount of any security instrument shall be fifty thousand dollars (\$50,000) for any single Well. After Completion of a Well, the Operator may submit a request to the Building Official to reduce the existing bond to ten thousand dollars (\$10,000) for the remainder of the time the Well produces without reworking. During reworking operations, the amount of the bond or letter of credit shall be maintained at fifty thousand dollars (\$50,000). If at any time after no less than a fifteen (15) day written notice to the Operator, the Airport Board shall deem any Operator's bond or letter of credit to be insufficient, it may require the Operator to increase the amount of the bond or letter of credit up to a maximum of two hundred fifty thousand dollars (\$250,000) per Well.
- (4) Whenever the Building Official finds that a default has occurred in the performance of any requirement or condition imposed by this Resolution, a written notice shall be given to the Operator. Such notice shall specify the work to be done, the estimated cost and the period of time deemed by the Building Official to be reasonably necessary for the completion of such work. After receipt of such notice, the Operator shall, within the time therein specified, either cause or require the work to be performed, or failing to do so, shall pay over to the Airport Board one hundred twenty-five percent (125%) of the estimated cost of doing the work as set forth in the notice. In no event, however, shall the cure period be less than thirty (30) days unless the failure presents a risk of imminent destruction of property or injury to persons or unless the failure involves the Operator's failure to provide periodic reports as required by this Resolution. The Airport Board shall be authorized to draw against any irrevocable letter of credit or bond to recover such amount due from the Operator. Upon receipt of such monies, the Airport Board shall proceed by such mode as deemed convenient to cause the required work to be performed and completed, but no liability shall be incurred other than for the expenditure of said sum in hand. In the event there has not been a proper Abandonment of the Well under the regulations of the Commission, such additional money may be demanded from the Operator as is necessary to properly plug and abandon the Well and restore the Drill Site or Operation Site in conformity with the regulations of this Resolution.

- (5) In the event the Operator does not cause the work to be performed and fails or refuses to pay over to the Airport Board the estimated cost of the work to be done as set forth in the notice, or the issuer of the security instrument refuses to honor any draft by the Airport Board against the applicable irrevocable letter of credit or bond, the Airport Board may proceed to obtain compliance and abate the default by way of civil action against the Operator, or by criminal action against the Operator, or by both such methods.
 - (6) When there has been a proper Abandonment of the Well or Wells covered by said irrevocable letters of credit or bond in conformity with all regulations of this Resolution, and in conformity with all regulations of the Commission and notice to that effect has been received by the Airport Board, or upon receipt of a satisfactory substitute, the irrevocable letter of credit or bond issued in compliance with these regulations shall be terminated and cancelled.
- (c) *Insurance.* The Operator must at all times maintain the specific coverages listed below.
- (1) Environmental pollution liability coverage. Operator shall purchase and maintain in force for the duration of the Permit, insurance for environmental pollution liability applicable to bodily injury; property damage, including loss of use of damaged property or of property that has not been physically injured or destroyed; cleanup costs; and defense, including costs and expenses incurred in the investigation, defense or settlement of claims; all in connection with any loss arising from the insured site. Coverage shall be maintained in an amount of at least one million dollars (\$1,000,000) per loss, with an annual aggregate of at least ten million dollars (\$10,000,000).
 - a. Coverage shall apply to sudden and accidental pollution conditions resulting from the escape or release of smoke, vapors, fumes, acids, alkalis, toxic chemicals, liquids or gases, waste material or other irritants, contaminants or pollutants.
 - b. The Operator shall maintain continuous coverage and shall purchase extended coverage period insurance when necessary. The extended coverage period insurance must provide that any retroactive date applicable to coverage under the policy precedes the effective date of the issuance of the Permit by the Building Official.
 - (2) Control of Well. The policy should cover the cost of controlling a Well that is out of control, re-drilling or restoration expenses, seepage and pollution damage as first party recovery for the Operator and related expenses, including, but not limited to, loss of equipment, experts and evacuation of residents, in the amount of five million dollars (\$5,000,000) per

occurrence/no aggregate, if available, otherwise an aggregate of ten million dollars (\$10,000,000). Five hundred thousand dollars (\$500,000) sub-limit endorsement may be added for damage to property for which the Operator has care, custody and control.

SECTION 13 SETBACK REQUIREMENTS

The following are minimum setbacks.

- (a) It shall be unlawful to drill, re-drill, deepen, re-enter, activate or convert any Well or Disposal Well, the center of which, at the surface of the ground, is located:
 - (1) Within six hundred feet (600') from any Building; or
 - (2) Within one hundred feet (100') from any Building accessory to, but not necessary to the operation of the well; or
 - (3) Within seventy-five feet (75') of any existing or planned right of way for street, highway or rail; or
 - (4) Within two hundred feet (200') of any existing potable water well.
- (b) Tank batteries, separators and compressors and their associated vents and flares shall be located at least three hundred feet (300') from any Street or Building not used in operations on the Drill Site or Operations Site, nor less than five hundred feet (500') from any flammable bulk storage facility.
- (c) Fresh Water Fracing Pits shall be located at least one hundred feet (100') from any Street or Building.
- (d) The measurement of all distances shall be calculated from the proposed Well bore, Disposal Well bore, tank battery, separator, compressor or Fresh Water Fracing Pit in a straight line, without regard to intervening structures or objects to the closest exterior point of the object listed in items (a) through (c) above. The above calculations shall be prepared by a Registered Professional Land Surveyor.
- (e) As to any public park, residence, religious institution, hospital building, school or other public building that is outside the boundaries of the Airport, the distances set out in subsections (a) through (c) of this section may not be reduced without both of the following:
 - (1) Written notarized waivers granted by all the surface owners must be filed, at the expense of the Operator, in the applicable county records. All

waivers must identify the property address, block and lot number, subdivision name and plat volume and page number.

- (2) With an approved variance obtained in accordance with procedures outlined under Section 20 of this Part.
- (f) As to any Building that is within the boundaries of the Airport, the distances set out in subsections (a) through (c) of this section may be reduced with an approved variance in accordance with procedures outlined under Section 20 of this Part but may not be reduced to less than that permitted by the Fire Code.

SECTION 14 ON SITE AND TECHNICAL REGULATIONS

- (a) Abandoned Wells. All Wells shall be plugged and abandoned in accordance with the rules of the Commission; however, all Well casings shall be cut and removed to a depth of at least three feet (3') below the surface. No Building shall be built over an abandoned Well. A well marker, with the well number displayed on it, must be welded to the top of the cut off well pipe.
- (b) Blowout prevention. In all cases, blowout prevention equipment shall be used on all wells being drilled, worked-over or in which tubing is being changed. Protection shall be provided to prevent blowout during petroleum or gas operations as required by and in conformance with the requirements of the Commission and the recommendations of the American Petroleum Institute. The Operator must equip all Drilling Wells with adequate blowout preventers, flow lines and valves commensurate with the working pressures involved as required by the Commission.

The ram-type blowout preventers, valves, and manifolds shall be pressure tested as follows:

- 1.) at the time of installation,
- 2.) whenever any seal subject to test pressure is broken,
- 3.) following related repairs and
- 4.) at 30 day intervals thereafter.

A period of more than thirty (30) days between blowout preventer tests may be allowed, with the Building Official's approval, when well operations prevent testing, provided the tests will be conducted as soon as possible before normal operations resume. The record of communications with the Building Official shall be entered in the driller's log.

During drilling and completion operations, the ram-type blowout preventers shall be tested by closing at least once each trip, and the annular-type preventer shall be tested by closing on drill pipe once each week. All of the

above described tests and/or drills shall be recorded in the drilling log and made available to the Building Official upon request.

- (c) Hazardous materials storage. All chemicals and/or hazardous materials shall be stored in such a manner as to prevent, contain, and facilitate rapid remediation and cleanup of any accidental spill, leak, or discharge of a hazardous material. Operator shall have all material safety data sheets for all hazardous materials on site. All applicable federal and state regulatory requirements for the proper labeling of containers shall be followed. All hazardous materials and/or special hazards at the Well sites shall be protected in accordance with National Fire Protection Association standards, and the Fire Code. Appropriate pollution prevention actions shall be required and include, but are not limited to, chemical and materials raised from the ground (e.g., wooden pallets), bulk storage, installation and maintenance of secondary containment systems, and protection from stormwater and weather elements.
- (d) The following requirements shall apply to all Fracturing operations performed on a Well:
 - (1) A watchperson shall be required at all times during such operations; and
 - (2) At no time shall the Well be allowed to flow or vent directly to the atmosphere without first directing the flow through separation equipment or into a portable tank.
- (e) Compliance. Operator shall comply at all times with all applicable federal, state and Airport Board requirements. In the event of any conflicts between the provisions of this Resolution, and the Commission rules and regulations, the more restrictive provision shall apply. Whenever necessary to protect health, safety or welfare, the Building Official or the Fire Chief may direct any Operator to locate, relocate, remove or replace any Well surface facilities located within a particular Operation Site.
- (f) Discharge. No person shall place, deposit, discharge, or cause or permit to be placed, deposited or discharged, any oil, naphtha, petroleum, asphalt, tar, hydrocarbon substances or any refuse including wastewater or brine from any gas operation or the contents of any container used in connection with any gas operation in, into, or upon any Streets, lots, storm drain, ditch or sewer, sanitary drain or any body of water or any property of the Airport.
- (g) Drill stem testing. All open hole formation or drill stem testing shall be done during daylight hours, with adequate advance notification thereof to the Building Official to enable him to be present during such testing. Drill stem tests may be conducted only if the Well effluent during the test is produced through an adequate gas separator to storage tanks and the effluent remaining

in the drill pipe at the time the tool is closed is flushed to the surface by circulating drilling fluid down the annulus and up the drill pipe.

- (h) Drip pans and other containment devices. All materials on location (liquids, semi-liquids and solids) and any tanks, containers, pumps, lubricating systems, engines, fuel and chemical storage tanks or systems containing such materials shall be provided with drips pans or other containment devices appropriate to the risks and hazards that those materials pose to workers, the public and the environment.
- (i) Dust, vibration, odors. All Drilling and production operations shall be conducted in such a manner as to minimize, so far as practicable, dust, vibration, or noxious odors, and shall be in accordance with the best accepted practices incident to Drilling for the production of Gas and other hydrocarbon substances. All equipment used shall be so constructed and operated so that, vibrations, dust, odor or other harmful or annoying substances or effect will be minimized by the operations carried on at any Drilling or production site or from anything incident thereto; nor shall the site or structures thereon be permitted to become dilapidated, unsightly or unsafe. Proven technological improvements as identified by the Building Official in industry standards of Drilling and production in this area may be adopted as they become available if capable of reducing dust, vibration and odor.
- (j) Electric lines. All electric lines to production facilities shall be located in a manner compatible to those already installed in the surrounding area.
- (k) Emergency Response Plan. Prior to the commencement of any Gas or other hydrocarbons site activities, Operator shall submit to the Building Official an Emergency Response Plan establishing written procedures to minimize any hazard resulting from Drilling, Completion or producing of a Gas Well. Said plan shall use existing guidelines established by the Commission, TCEQ, Texas Department of Transportation and/or the USEPA. The Emergency Response Plan shall be kept current with any additions, modifications, and/or amendments concerning all construction-related activities, natural gas operations and, and/or natural gas production. Those updates to the Plan which might materially impact the needs or actions of first responders or the DFW Airport Emergency Management Plan shall be submitted to the approved distribution list as soon as practical. A copy of the Emergency Response Plan shall be kept on site.
- (l) Explosives. Use of explosives within Airport property shall require an Operational Permit issued by the DFW Department of Public Safety Fire Prevention Office. Each use of explosives will be limited to down-hole activities during a single period of time, individual locations and use for jet perforation of wells or other technical applications such as pipe recovery, as described to, and approved by, the DFW DPS Fire Prevention Office prior to use.

- (m) Fire prevention; sources of ignition. Firefighting apparatus and supplies as approved by the Fire Department and required by any applicable federal, state, local law, or the Fire Code shall be provided by the Operator, at the Operator's cost, and shall be maintained on the Drill Site at all times. The Operator shall be responsible for the maintenance and upkeep of such equipment. At a minimum, the Operator shall provide at each Drill Site at least four portable fire extinguishers, the size, rating, distribution and maintenance of which shall be in accordance with the National Fire Protection Association Standard #10 and Standard #30. The Fire Department may require more fire extinguishers based on an evaluation of the hazards at the individual sites. Each Well shall be equipped with an automated valve that closes the Well in the event of an abnormal change in operating pressure. All wellheads shall contain an emergency shut off valve to the well distribution line. Lightning protection equipment shall be installed as required at every site in accordance with the National Fire Protection Association Standard 780. Tank battery facilities shall be equipped with a remote foam line and a lightning arrestor system.
- (n) Gas emission or burning restricted. No person shall allow, cause or permit Gas to be vented into the atmosphere or to be burned by open flame except as provided by law or as permitted by the Commission.
- (o) Grass, weeds, trash. Each Drill Site and Operation Site shall be kept clear of high grass, weeds, and combustible trash.
- (p) Lights. No person shall permit any lights located on any Drill Site or Operation Site to be directed in such a manner so that they shine directly on Streets or Buildings. To the extent practicable, and taking into account safety considerations, Drill Site and Operation Site lighting shall be directed downward and shielded so as to both prevent direct illumination of and minimize glare on Streets and Buildings within six hundred feet (600').
- (q) Muffling exhaust. Exhaust from any internal combustion engine, stationary or mounted on wheels, used in connection with the Drilling or for use on any production equipment shall not be discharged into the open air unless it is equipped with an exhaust muffler, or mufflers or an exhaust muffler box constructed of noncombustible materials sufficient to suppress noise and prevent the escape of noxious gases, fumes or ignited carbon or soot. All Fracturing operations shall be conducted during daylight hours unless the Operator has notified the Building Official that Fracturing will occur before or after daylight hours, and the Building Official has approved of such procedures.
- (r) Organic solvents. Organic solvents, such as trichloroethylene and carbon tetrachloride, shall not be used for cleaning any element, structure, or component of the Derrick, drilling rig, platform, and/or associated equipment,

tools, or pipes. To the maximum extent practicable, high flash point mineral spirits shall be used.

- (s) Pipe dope for thread protection. Lead-free pipe dope shall be substituted for API specified pipe dope.
- (t) Pits. All Drilling and Wells drilled shall utilize a Closed Loop System. Fresh Water Fracing Pits must be netted at all times to exclude access by waterfowl.
- (u) Private roads and Drill Sites. Prior to the commencement of any Drilling, all roads used for access to the Drill Site and the Operation Site itself shall be at least twenty-two feet (22') wide, have an overhead clearance of fourteen feet (14') and shall be an All-Weather Hard Surface and maintained in accordance with the Fire Code, and to be non-erodible . In particular cases these requirements governing surfacing of roads may be altered at the discretion of the Fire Chief after consideration of all circumstances including, but not limited to, the following: distances from Streets and Buildings; topographical features; nature of the soil; and exposure to wind. All access roads must be kept clean and unobstructed at all times.
- (v) Signs (Refer to Part 2 for sign permitting requirements).
 - (1) A sign shall be immediately and prominently displayed at the gate on the temporary and permanent site fencing erected pursuant to this Resolution. Such sign shall be of durable material, maintained in good condition and, unless otherwise required by the Commission, shall have a surface area of not less than sixteen (16) square feet with contrasting lettering not less than four inches (4") tall and shall be lettered with the following:
 - a. Location Name and Pad Name;
 - b. Name of Operator;
 - c. The emergency 911 number; and
 - d. 24 Hour telephone numbers of two (2) persons responsible for the Well who may be contacted in case of emergency.
 - (2) Permanent weatherproof signs reading "DANGER NO SMOKING ALLOWED" in both English and Spanish shall be posted immediately upon Completion at the Operation Site fencing at the entrance of each Operation Site and tank battery or in any other location approved or designated by the Fire Department. Sign lettering shall be four inches (4") in height and shall be red on a white background or white on a red background. Well and lease designation signage shall be posted in those

locations and sizes as required by the Commission in Rule 3.3 Identification of Properties, Wells, and Tanks.

- (w) Storage of equipment. On-site storage is prohibited on the Operation Site. No equipment shall be stored on the Drill Site or Operation Site, unless it is necessary to the everyday operation of the Well. Lumber, pipes, tubing and casing shall not be left on the Operation Site except when Drilling or Well servicing operations are being conducted on the Operation Site. No vehicle or item of machinery shall be parked or stored on any Street, or upon any Operation Site which constitutes a fire hazard or an obstruction to or interference with fighting or controlling fires except that equipment which is necessary for Drilling or production operations on the Drill Site or Operation Site. The Fire Department shall determine whether equipment constitutes a fire hazard.
- (x) Storage tanks. All tanks intended to contain hydrocarbons and permanent structures shall conform to the API specifications unless other or additional specifications are approved by the Fire Department. All tanks shall require a Fire Code permit and application must be made in accordance with the Fire Code. All storage tanks shall be equipped with a secondary containment system including lining with an impervious material. The secondary containment system shall be a minimum of one and one-half (1-1/2) times the contents of the largest tank in accordance with the Fire Code. Drip pots shall be provided at the pump out connection to contain the liquids from the storage tank. All tanks shall be set back pursuant to the standards of the Commission and the Fire Code. Each storage tank system shall be equipped with a level control device that will automatically activate a valve to close the Well in the event of excess liquid accumulation in the tank system. No meters, storage tanks, separation facilities, or other above ground facilities, other than the wellhead and flow lines, shall be placed in a floodway identified by FEMA on the most current FIRM. Meters, storage tanks, separation facilities, or other above ground facilities proposed in the floodplain shall be outside of the floodway and shall be subject to approval by the Building Official.
- (y) Swabbing, bailing and purging Wells. No person shall begin the operation of swabbing a Well without first complying with the provisions of this Section. In swabbing, bailing or purging a Well, all deleterious substances removed from the borehole shall be placed in appropriate tanks and no substances shall be permitted to pollute any surface or subsurface fresh water. No Well shall be swabbed before a device, commonly known as a lubricator, has been placed on the flow casing above all outlets or flow lines of the Well. The lubricator shall be not less in diameter than the flow casing and equipped with an adequate oil saver or stuffing box at the top. The total inside length of the lubricator shall be not less than five feet (5') more than the total length of swab and turn back on swab line. The lubricator shall have a nipple not less than two inches (2") in diameter nor more than four inches (4") in length, placed not

more than six inches (6") from the top of the flow line or lines between the gate valve on the flow lines and flow casings. The nipple shall be provided with a gate valve not less than two inches (2") in size. All equipment and parts of the lubricator shall be of a type designed and tested to withstand a pressure of 3,000 pounds per square inch. All pressure tests shall be by the hydrostatic method.

- (z) No refinery, processing, treating or absorption plant of any kind, shall be constructed, established or maintained within the Airport except as necessary to render gas into a quality suitable for delivery to third party pipelines. Natural gas fractionation will require a separate permit.
- (aa) Surface casing. Surface casing shall be in full compliance with the applicable rules and regulations of the Commission. Surface casing shall have a centralizer in the middle of the shoe joint, a centralizer on the top of the second joint of casing, and centralizers every fourth joint. Surface casing must be new pipe of API grade J or K or higher grade and have a minimum burst pressure rating of 2,900 psi. In the event a rupture, break or opening occurs in the surface or production casing, the Operator or drilling contractor shall promptly report the incident to the Building Official. Immediate action shall be taken to repair such casing and the Building Official shall be given the opportunity to witness the repairs.
- (bb) Valves. Each Well must have a shutoff valve to terminate the Well's production. The Fire Department shall have access to the Well site to enable it to close the shut-off valve in an emergency.
- (cc) Storage. Any permanent, temporary or portable tank, vessel, container, pit or impoundment used for storage of products, materials or wastes shall be selected and maintained to be fit for the purpose and capacity in which it will be used. Any such storage shall only be used for materials and wastes from oil and gas exploration and production activities within the boundaries of Dallas/Fort Worth Airport. All waste shall be disposed of in such time, place and manner as to comply with the air and water pollution control regulations of the Federal Government, the State, this Resolution and any other applicable requirement of the Airport Board.
- (dd) Watchperson. The Operator must keep a watchman or security personnel on site during the Drilling or re-working of a Well when other workers are not on the premises.
- (ee) Installation of pipelines on, under or across Airport property. The Operator shall apply to the Airport Board for a Permit to use the Airport for the purpose of constructing, laying, maintaining, operating, repairing, replacing and removing pipelines. Prior to installation, the owner of the pipeline shall submit to the Building Official the pipeline design criteria, including but not limited to,

operating pressures, pipeline gradient and elevation to sea level, location, pipe ASTM grade, and pipe wall thickness. Prior to and subsequent to installation of each segment of new or replacement pipeline, the pipe and pipeline must receive and pass on-site inspection of compliance with the design criteria and the process of installation. All new or replacement pipe or pipelines shall be covered and must be at least 48 inches below the existing ground level as verified and approved by the Building Official. Operator shall:

- (1) Not interfere with or damage existing water, sewer or gas lines or the facilities of public utilities located on, under or across a Street.
- (2) Furnish to the Building Official a site plan showing the location of such pipelines.
- (3) Design, construct, maintain and operate natural gas pipelines in accordance with 49 U.S.C. 60101, et seq.; 49 Code of Federal Regulations (CFR) Part 191, Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety-Related Condition Reports; 49 CFR Part 192, Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards; and 49 CFR Part 193, Liquefied Natural Gas Facilities: Federal Safety Standards.
- (4) Grade, level and restore such property to the same surface condition, as nearly as practicable, as existed prior to the laying of the pipeline.
- (5) If a pipeline becomes unsafe or is not properly maintained, or in the event a leak is detected, the Operator of the line shall immediately evaluate the leak or release and either shut in the pipeline or, as soon as possible, shall initiate repairs according to the procedure in section (oo) below.
- (6) As mandated by DOT requirements under CFR 192.701, each owner or operator of a gas pipeline for which a Permit is required under this Resolution shall have it surveyed at least twice each year with intervals not to exceed 7.5 months for the purpose of determining whether it is in safe condition and free from leaks, breaks or open spaces. The owner or operator shall provide a copy of the leakage survey report required under DOT CFR 192.706 supported by an affidavit by the person making the survey to the DFW Department of Public Safety Fire Prevention Office, within 30 days of completion of the survey. For failure to timely make the survey and report, or if the report discloses or it otherwise appears that any line is leaking, defective or unsafe, the pipeline shall be closed and shut-in until such time as the leak has been repaired, or a repair plan or report has been approved by the Building Official.
- (7) The location of all new or replacement pipe or pipelines shall be marked by the owner(s) thereof or by the person installing or operating the pipe or

pipeline. Marker signs shall be placed at all locations where pipe or pipelines cross property boundary lines and at each side of a Street which the pipe or pipeline crosses. The top of all marker signs shall be a minimum of four feet (4') above ground level, and the support post must be sufficient to support the marker sign and shall be painted yellow or such other color as may be approved by the Building Official. All marker signs shall comply with US Department of Transportation standards regarding size, shape, color, installation, positioning, maintenance and other related signage requirements. It is the joint and severable responsibility of the owner and the operator of any and all pipelines to maintain the markers in accordance with this Section.

- (ff) Streets. No Permit shall be issued for any Well to be drilled within any Street, and no Street shall be blocked, encumbered, or closed due to any Exploration, Drilling or production operations.
- (gg) Vehicle routes. Vehicles associated with Drilling and/or production in excess of three (3) tons shall be restricted to those arterials or routes designated by the Airport.
- (hh) Tank specifications for a Gas Well. All tanks and permanent structures shall conform to the API specifications unless other specifications are approved by the Airport Board. The top of the tanks shall be no higher than twelve feet (12') above the terrain surrounding the tanks.
- (ii) All Drilling, re-entry and operations at any Well shall be conducted using the best available technology. All casing, valves, Blowout Preventers, drilling fluids, tubing, bradenhead, Christmas tree and wellhead connections shall be of a type and quality consistent with sound engineering practices. The setting and cementing of casing and running of drill stem tests shall be performed in a manner consistent with the best available technology. All persons engaged in Drilling or production operations shall observe and follow the recommendations and regulations of the API and the Commission, except in those instances specifically addressed by this Resolution.
- (jj) Upon Completion of the Well, the Operator shall provide a copy of the Commission Completion Report W15, and certify by affidavit that the Well has been completed according to good engineering practices. The affidavit shall stipulate the number of sacks of cement, the class of cement, blended materials, weight of cement in pounds per gallon, cement displacement pressure, final pumping pressure and whether checkvalves held the pressure. Commencement and completion times of such operation shall be stipulated. The affidavit must be completed by a cementing service company and signed by both the Operator and the cementing service company.

- (kk) No person shall commence any operation to change the equipment of a Well for the purpose of cleaning, repairing or reconditioning any such Well, before notifying the Building Official that such operation is to be commenced. No person shall commence such operation unless he receives approval. The Building Official shall give approval for converting from natural to artificial production if it appears that the provisions of this Resolution have been and are being complied with.
- (ll) In no case shall Gas or air be transported through any pipeline at a working pressure in excess of 1,000 pounds. If it is necessary to use greater working pressure, a gas or air booster plant shall be installed not closer than 75 feet from the Derrick floor of a Well or tank battery and the compressor unit not less than 100 feet from the Derrick floor of the Well being served. In no event shall more than 1,500 pounds working pressure be used in flowing a Well by artificial means.
- (mm) All Gas gathering lines and pipelines on DFW Airport shall be designed, installed, tested and maintained in accordance with the most current version of 49CFR192 – Transportation of Natural or Other Gas by Pipeline: Minimum Federal Safety Standards. All permanent fresh water and Brackish water HDPE lines shall be tested to ASTM D-2837 following installation or repair.
- (nn) At each Well where air or gas lift is used, there shall be placed on the air or gas lift an indicating pressure gauge which shall show the working pressure of air or gas delivered to the Well at all times. All gauges installed on lines shall be tested and corrected every six (6) months.
- (oo) The Building Official shall inspect all pressure lines in use at any Well or at any project to ensure that tubing, fittings, equipment or connections are reasonably tight, safe and free from leaks. If it becomes necessary to change or remove any pipeline, the entire expense of change or removal shall be borne by the owner of the line requiring repair. Each leak noted shall be classified by a qualified person as to its risk to people and property based on the leak location, line use and content, line pressure, surrounding land use and other considerations. Each leak shall be classified upon discovery, and a repair schedule shall be developed to make repairs as soon as possible, but not to exceed one month. The leak shall be monitored regularly until repairs are made. All such repair plans shall be submitted to and approved by the Building Official.
- (pp) All pipelines, connections and fixtures installed or used for the purpose of gas transportation shall be operated and maintained in a safe manner at all times so as to prevent all leakage or escape of their contents.
- (qq) The Building Official shall have the authority to require the immediate shutting in or closing of any Well if he finds there exists, within a 100-foot radius of any Well, any Gas or gasoline vapor in a quantity sufficient to constitute, in his sole

judgment, or in the sole judgment of the Fire Chief, a fire hazard. The Well shall remain shut in or closed in until the hazard and its cause have been remedied.

- (rr) In the event of a fire or discovery of a fire, smoke, or unauthorized release of flammable or hazardous materials, the Operator shall immediately report such condition to the Fire Department.
- (ss) Every Disposal Well shall be constructed so as to seal the injection zone from the upper portion of the casing. Cement shall be circulated to the surface for injection zone casing. The annulus between the casings shall be filled with a non-corrosive fluid, then sealed and a 1/4-inch female fitting with cutoff valve shall be attached so that the pressure annulus may be measured by the Building Official by attaching a gauge with a 1/4-inch male fitting. The annulus between the production casing and the injection tubing shall be pressure tested to a pressure at least 250 psi greater than the injection pressure proposed for the Well. The Building Official shall be given the opportunity to witness and approve the pressure testing. A copy of all H-5 test reports must be provided to the Building Official. A pressure shall be maintained in the annulus sufficient to monitor the fluids in the annulus. Any significant deviation from the established pressure shall be cause to shut down the Well, and may result in cancellation of the operating Permit, until the established pressure can once again be maintained.
 - (1) The DFW Airport Permit for Disposal Well shall reflect the maximum injection pressure as permitted by the Commission. Exceeding this injection pressure shall be considered a violation of this Section.
 - (2) Injection lines for such wells shall be buried to a minimum depth of four feet (4'), and shall be pressure tested (static) annually at a minimum of 150 percent of the pressure normally encountered at the injection pump discharge for a period of hours to be fixed by the Building Official. The Building Official shall be notified in writing five (5) days in advance of such test and may supervise it. Test results shall be filed with the Building Official upon completion.
 - (3) Before performing any down-hole work on a Disposal Well, the Operator shall notify the Building Official at least five (5) days in advance of performing the work, or as soon as practical in the event of emergency repair work. The Building Official shall be given the opportunity to witness the installation of tubing and packer in the Disposal Well. The annulus between the injection tubing and the production casing shall then be pressure tested as required by Commission Rule 3.9.12 Testing. The Building Official shall be given the opportunity to witness the pressure testing of this annulus.

- (4) The Operator of the well shall submit to the Building Official all reports and notifications at the same frequency that such reports and notifications are required under TX RRC Rule 3.9 Disposal Wells, or its equivalent.

SECTION 15 SCREENING

- (a) Throughout the entire Exploration, Drilling, and production process there shall be screening improvements (fences, walls, Berms and landscaping) required during each phase of the process if the Drill Site or Operation Site is visible from a Building or Street, exclusive of construction roads, haul roads or access roads. Without regard to visibility, each Fresh Water Fracing Pit that is open to the atmosphere or surface shall be screened.
- (1) During Drilling. A temporary chain link fence with all-weather screening fabric at least six feet (6') in height shall be established around the entire Operation Site to obscure view of the Drilling activities. A secured entrance gate shall be required. All gates are to be kept locked when the Operator or his employees are not within the enclosure. A "Knox Padlock" or "Knox Box with a key" shall be provided to access the Well site to be used only in case of an emergency.
- (2) Completion through Abandonment (production phase). A painted architectural metal fence or other approved fencing and/or screening shall be required to enclose and visually screen the Well and all associated equipment. An earthen Berm may also be required. The masonry walls, Berms, and landscaping shall be in compliance with standard engineering and design practices and shall meet the following minimum requirements:
- a. The painted architectural fence or other approved fencing and/or screening material and design shall be generally compatible with the design of similar facilities, Building and structures on and/or adjacent to the site as approved by the Building Official; and
- b. Painted architectural fences shall be at least eight feet (8') in height.
- (3) Each Fresh Water Fracing Pit shall be surrounded by a temporary chain link fence with all-weather screening fabric at least six feet (6') in height. A secured entrance gate shall be required. All gates are to be kept locked when the Operator or his employees are not within the enclosure. A "Knox Padlock" or "Knox Box with a key" shall be provided to access the Well site to be used only in case of an emergency. If the Fresh Water Fracing Pit is open to the atmosphere or the surface, it shall be covered by netting sufficient to inhibit access to the pit by fowl.

- (b) Gate specifications. All temporary fences and masonry walls shall be equipped with at least one (1) gate. The gate shall meet the following specifications:
- (1) At least one gate shall be not less than twelve feet (12') wide and be composed of two (2) gates, each of which is not less than six feet (6') wide, or one (1) sliding gate not less than twelve feet (12') wide. If two (2) gates are used, gates shall latch and lock in the center of the span;
 - (2) The gates shall be of chain link construction, with all-weather screening fabric, that meets the applicable specifications, or of other approved material that, for safety reasons, shall be at least as secure as a chain link fence;
 - (3) The gates shall be provided with a combination catch and locking attachment device for a padlock, and shall be kept locked except when being used for access to the site; and
 - (4) Operator must provide the Fire Department with a "Knox Padlock" or "Knox Box with a key" to access the Well site to be used only in case of an emergency.

SECTION 16 CLEANUP AND MAINTENANCE

- (a) Cleanup after well servicing. After the Well has been completed or there has been an Abandonment, the Operator shall clean the Drill Site or Operation Site, complete restoration activities and repair all damage to property caused by such operations within sixty (60) days.
- (b) Clean-up after spills, leaks and malfunctions. After any spill, leak or malfunction, the Operator shall remove or cause to be removed to the satisfaction of the Fire Department and the Building Official all waste materials from any property affected by such spill, leak or malfunction. Clean-up operations must begin immediately. If the Operator fails to begin clean-up within twenty-four (24) hours, the Airport Board shall have the right to contact the Commission in order to facilitate the removal of all waste materials from the property affected by such spill, leak or malfunction.
- (c) Painting. All production equipment shall be painted and maintained at all times, including wellheads, pumping units, tanks, and Buildings. When requiring painting of such facilities, the Building Official shall consider the deterioration of the quality of the material of which such facility or structure is constructed, the degree of rust, and its appearance. Paint shall be non-reflective and of a neutral color, compatible with surrounding uses. Neutral colors shall include sand, gray and unobtrusive shades of green, blue and brown, or other neutral colors approved by the Building Official.

- (d) Blowouts. In the event of the loss of control of any Well, Operator shall immediately take all reasonable steps to regain control regardless of any other provision of this Resolution and shall notify the Building Official and Fire Chief as soon as practicable. If in the opinion of the Building Official or the Fire Chief, a danger to persons and/or property exists because of such loss of Well control and that the Operator is not taking or is unable to take all reasonable and necessary steps to regain control of such Well, the Building Official may then employ any well control expert or experts or other contractors or suppliers of special services, or may incur any other expenses for labor and material which the Building Official deems necessary to regain control of such Well. The Airport Board shall then have a valid lien against the interest in the Well of all working interest owners to secure payment of any expenditure made by the Airport Board pursuant to such action of the Building Official in gaining control of said Well.

**SECTION 17
PLUGGED AND ABANDONED WELLS**

- (a) Surface requirements for the Abandonment of a Well. Whenever Abandonment occurs pursuant to the requirements of the Commission, the Operator shall be responsible for the restoration of the Well site to its original condition as nearly as practicable, in conformity with the regulation of this Resolution.
- (b) Abandonment shall be approved by the Building Official after restoration of the Drill Site and/or Operation Site has been accomplished in conformity with the following requirements at the discretion of the Building Official:
- (1) The Derrick and all appurtenant equipment thereto shall be removed from the site;
 - (2) All tanks, towers, and other surface installations shall be removed from the site;
 - (3) All concrete foundations, piping, wood, guy anchors and other foreign materials regardless of depth, except surface casing, shall be removed from the site, unless otherwise directed by the Commission;
 - (4) If any soil was contaminated, it shall be removed in accordance with local, State and Federal regulations;
 - (5) All holes and depressions shall be filled to grade with clean, compactable soil;
 - (6) All waste, refuse or waste material shall be removed; and

- (7) During Abandonment, Operator shall comply with all applicable sections in this Resolution.
- (c) Abandoned Well requirement. The Operator shall furnish the following to the Building Official:
- (1) A copy of the approval of the Commission confirming compliance with all Abandonment proceedings under state law; and
 - (2) A notice of intention to abandon under the provisions of this Section and stating the date such work will be commenced. Abandonment may then be commenced on or subsequent to the date so stated.
- (d) Abandonment requirements prior to new construction. A Well Site or Drill Site where there has been an Abandonment shall meet the most current Abandonment requirements of the Commission prior to the issuance of any Permit for development of the property. No structure shall be built over an abandoned Well.
- (e) The Operator can only abandon a Well if the Building Official has reviewed and approved the Abandonment.

SECTION 18 TECHNICAL ADVISOR

The Airport Board may from time to time employ a technical advisor or advisors who are experienced and educated in the gas industry or the law as it pertains to gas matters. The function of such advisor(s) shall be to advise, counsel or represent the Airport Board on such matters relating to gas operations within the Airport as the Airport Board may want or require and the effect thereof, both present and future, on the health, welfare, comfort and safety of the public. In the event such technical advisor(s) is (are) employed for the purpose of advising, counseling or representing the Airport Board relative to an Operator's unique and particular set of circumstances, case or request relating to this Resolution, then the cost for such services of such technical advisor(s) shall be assessed against and paid for by such Operator in addition to any fees or charges assessed pursuant to this Resolution. Prior to the employment of a technical advisor, the Airport Board shall inform the Operator of the intended scope of work and the estimated costs and expenses.

SECTION 19 MEANS OF APPEAL

Refer to Part One, Construction and Fire Prevention Standards Resolution for Board of Appeals.

SECTION 20
VARIANCE RESOLUTION COMMITTEE

The Airport Board hereby establishes a Variance Resolution Committee for Gas Exploration and Production, hereinafter referred to as the Variance Resolution Committee, for the purpose of considering variances to the requirements of Part Nine. The Variance Resolution Committee shall consist of the following Airport staff positions:

Vice President, Commercial Development or successor department
Vice President, Department of Public Safety or successor department
Vice President, Finance or successor department
Vice President, Operations or successor department
Vice President, Planning or successor department

- (a) An Applicant for a Permit required by this Part may apply for a variance from the requirements of this Part by submitting to the Building Official a written request for variance. The request must include the following:
- (1) Description of the requested variance and an explanation of why it should be granted;
 - (2) Description of alternatives considered and why each is not the preferred alternative;
 - (3) Description of the economic consequences if the variance is not granted; and
 - (4) Description of how the level of health, safety and welfare of the public will be maintained if the variance is granted.
- (b) The Building Official shall forward copies of the variance request to the Variance Resolution Committee members. On a case-by-case basis, the Variance Resolution Committee shall consider the following in granting a variance:
- (1) Whether the operations proposed are safe and reasonable under the circumstances and conditions prevailing in the area, considering the particular location and the character of the improvements located there;
 - (2) How the operations proposed compare to available alternatives;
 - (3) Whether the operations proposed would conflict with the orderly growth and development of the Airport;
 - (4) The economic consequence if the variance is not granted;

- (5) Whether the operations proposed adequately protect the health, safety and welfare of the public; and
 - (6) Whether the operations proposed provide acceptable access for fire personnel and fire fighting equipment.
- (c) Approval of a variance requires that a minimum of three Variance Resolution Committee members vote in favor of the approval. The Variance Resolution Committee shall notify the Airport tenants affected by any request for variance and allow them to address the request in writing within twenty (20) days of the notice. Only variances that would result in a setback distance between any Well or Disposal Well and a Building to less than the minimum setback outlined in Section 13 of this Part will be deemed to affect an Airport tenant.

The Variance Resolution Committee shall not be required to hold public hearings, except upon request of two Committee members. The Variance Resolution Committee shall notify the Airport Board in writing of each variance request at least twenty (20) days prior to the granting of such variance. Upon request of two voting Airport Board members, a variance shall be placed on a public meeting agenda of the Airport Board. The Variance Resolution Committee shall not thereafter grant the variance request without consent of the Airport Board.

The details of each action granting or denying the requested variance shall be recorded and entered in the files of the Office of the Building Official, and the Building Official shall forward a letter to the Applicant stating whether the Variance Resolution Committee has approved or denied the variance request and listing any conditions placed upon an approval. The Variance Resolution Committee shall report each such action to the Airport Board on at least a quarterly basis.

SECTION 21 SEVERABILITY CLAUSE

It is the intention of the Airport that the phrases, clauses, sentences, paragraphs and sections of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional or unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Financial Services
CMO: Jeanne Chipperfield, 670-7804
MAPSCO: N/A

SUBJECT

Authorize an extension through September 30, 2016 for Community Development Block Grant funded projects which have not met the twelve-month obligation or twenty-four month expenditure requirement - Financing: No cost consideration to the City

BACKGROUND

On August 18, 1993, the City Council approved Resolution No. 93-3001, establishing specific timeframes for the obligation and expenditure of Community Development Block Grant (CDBG) funds. Funds are to be obligated within 12 months and expended within 24 months of budget adoption. On March 28, 2007, the City Council approved Resolution No. 07-0992, enhancing the City's existing expenditure policy with additional benchmarks. Additional time to obligate and expend funds may be granted by the City Council.

Timely expenditure of CDBG funds by entitlement cities continues to be a primary concern of the U. S. Department of Housing and Urban Development (HUD). HUD requires that cities expend CDBG funds so that at least 60 days prior to the start of a new program year, the unexpended balance of CDBG funds should be less than 1.5 times the cities' CDBG allocation amount for the current year. The City of Dallas continues to comply with this HUD regulation.

For FY 2015-16, a review of the projects based on the timely expenditure policy (including the benchmarks), identified unspent funds remaining in 28 projects recommended for extension for a total of \$4,291,471 and unspent funds remaining in 13 projects recommended for reprogramming for a total of \$1,064,334.

On January 7, 2016, the Community Development Commission (CDC) Financial Monitoring Committee reviewed and recommended the City Manager's proposed extensions and reprogramming of CDBG funds with no amendments.

BACKGROUND (Continued)

On January 7, 2016, the CDC reviewed and approved the CDC Financial Monitoring Committee's recommendation from the January 7, 2016 committee meeting. Unspent funds remaining in 28 projects were recommended for extension for a total of \$4,291,471 and unspent funds remaining in 13 projects were recommended for reprogramming for a total of \$1,064,334.

On February 1, 2016, the Housing Committee is scheduled to be briefed on the FY 2015-16 CDBG Extensions and Reprogramming recommendations.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 18, 1993, the City Council approved Resolution No. 93-3001, establishing specific timeframes for the obligation and expenditure of Community Development Block Grant (CDBG) Funds.

On March 28, 2007, the City Council approved Resolution No. 07-0992, enhancing the City's existing expenditure policy with additional benchmarks.

On June 10, 2015, the City Council approved final adoption of the FY 2015-16 Consolidated Plan Budget and the FY 2014-15 Reprogramming Budget by Resolution No. 15-1055.

On January 7, 2016, the Community Development Commission (CDC) Financial Monitoring Committee reviewed and recommended the City Manager's proposed extensions and reprogramming of CDBG funds with no amendments.

On January 7, 2016, the Community Development Commission was briefed and recommended extending and reprogramming of the CDBG project funds.

Information about this item will be presented to the Housing Committee on February 1, 2016.

FISCAL INFORMATION

No cost consideration to the City.

February 10, 2016

WHEREAS, on August 18, 1993, the City Council approved Resolution No. 93-3001 establishing specific timeframes for the obligation and expenditure of Community Development Block Grant (CDBG) funds; and

WHEREAS, on March 28, 2007, the City Council approved Resolution No. 07-0992 enhancing the City's existing expenditure policy with additional benchmarks; and

WHEREAS, on June 10, 2015, the City Council approved final adoption of the, FY 2015-16 Consolidated Plan Budget and the FY 2014-15 Reprogramming Budget by Resolution No. 15-1055; and

WHEREAS, at the discretion of the City Council, the timeframes may be extended for obligating and expending CDBG funded activities; and

WHEREAS, on January 7, 2016, the Community Development Commission (CDC) Financial Monitoring Committee reviewed and recommended the City Manager's proposed extensions and reprogramming of CDBG funds with no amendments; and

WHEREAS, on January 7, 2016, the Community Development Commission was briefed on the extensions and reprogramming of the CDBG project funds and approved the Financial Monitoring Committee's recommendation. Unspent funds remaining in 28 CDBG projects, totaling \$4,291,471 were recommended for extension. In addition, 13 CDBG projects, totaling \$1,064,334 were identified for reprogramming in conjunction with the FY 2016-17 Consolidated Plan Budget; and

WHEREAS, on February 1, 2016, the Housing Committee was briefed on the FY 2015-16 CDBG Extensions and Reprogramming recommendations.

Now, Therefore,

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

Section 1. That the City Council hereby authorizes an extension to the timeframes for the obligation and expenditure of prior CDBG funds to September 30, 2016 per Attachment A.

Section 2. That the City Council hereby authorizes the release of funds from their originally budgeted purposes for future reprogramming in conjunction with the FY 2016-17 Consolidated Plan Budget per Attachment B.

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

ATTACHMENT A
CDBG Extension of Expenditures/Commitment Policy
Recommended by Community Development Commission (CDC) 01/07/2016
Briefed to Housing Committee on 02/01/2016

	FY	Fund	Unit	Project Name	Amount
1	10-11	0R00	501C	Business Incentive Program - Façade Improvements	\$122,813
2	12-13	CD12	866E	Community Based Development Org - CWCDC	\$97,217
3	11-12	CD11	763D	Community Based Development Org - EDCO	\$284,417
4	10-11	CD10	491C	Community Based Development Org - EDCO	\$101,508
5	10-11	CD10	493C	Community Based Development Org - EDCO	\$14,105
6	14-15	CD14	447G	Housing Development Support	\$75,000
7	12-13	CD12	873E	Mortgage Assistance Program	\$62,507
8	13-14	CD13	221F	Mortgage Assistance Program	\$410,625
9	10-11	CD10	487C	NIP-Ideal/Rochester Park Street Improvements	\$11,528
10	09-10	08RP	682B	NIP-Neighborhood Investment Program-Infrastructure	\$80,373
11	07-08	06R2	8676	NIP-Neighborhood Investment Program-Infrastructure	\$154
12	13-14	CD13	295F	NIP-South Dallas/Fair Park Public Improvements	\$556,279
13	10-11	10RP	807D	NIP-Neighborhood Investment Program-Infrastructure	\$1,020,459
14	12-13	CD12	951E	NIP-South Dallas/Ideal-Rochester Public Improvements	\$74,548
15	10-11	10RP	804D	NIP-Spring Avenue Infrastructure	\$62,480
16	11-12	CD11	805D	NIP-Spring Avenue Infrastructure	\$229,615
17	10-11	CD10	484C	NIP-Spring Avenue Infrastructure	\$211,790
18	10-11	CD10	502C	NIP-West Dallas Public Improvement	\$7,403
19	13-14	12R1	954E	Reconstruction Program	\$185,389
20	13-14	CD13	225F	Reconstruction Program	\$43,923
21	11-12	CD11	712D	Residential Development Acquisition Loan Program	\$64,719

CDBG Extension of Expenditures/Commitment Policy
 Recommended by Community Development Commission (CDC) 01/07/2016
 Briefed to Housing Committee on 02/01/2016

	FY	Fund	Unit	Project Name	Amount
22	12-13	CD12	897E	Residential Development Acquisition Loan Program	\$496,798
23	12-13	CD12	881E	South Dallas/Fair Park - Major Systems Repair Program	\$12,352
24	14-15	CD14	458G	Fair Housing Enforcement	\$8,168
25	13-14	CD13	291F	BAC#8 Business & Community Lenders of Texas	\$17,247
26	14-15	CD14	459G	Citizen Participation/CDC Support/HUD Oversight (P/PO)	\$34,078
27	14-15	CD14	460G	After-School/Summer Outreach Program-School Sites	\$5,207
28	14-15	CD14	462G	Park and Recreation Program Oversight (P/PO)	\$770
				Grand Total	\$4,291,471

ATTACHMENT B
CDBG Reprogramming of Expenditures/Commitment Policy
Recommended by Community Development Commission (CDC) 01/07/2016
Briefed to Housing Committee on 02/01/2016

	FY	Fund	Unit	Project Name	Amount
1	14-15	CD14	439G	Dedicated SAFEII Expansion - Code Inspection - DPD	\$25,634
2	14-15	CD14	444G	City Office of Senior Affairs	\$32,908
3	14-15	CD14	445G	Clinical Dental Care Program	\$100,000
4	14-15	CD14	447G	Housing Development Support	\$186,393
5	14-15	CD14	456G	Senior Services Program	\$4,010
6	14-15	CD14	458G	Fair Housing Enforcement	\$20,144
7	13-14	CD13	284F	BAC#1 Maple Ave Greater Dallas Hispanic Chamber	\$10,285
8	13-14	CD13	286F	BAC#3 Singleton Blvd Greater Dallas Hispanic Chamber	\$34,309
9	13-14	CD13	289F	BAC#6 Greater Dallas Asian American Chamber of Commerce	\$6,439
10	14-15	CD14	441G	Economic Development Program Oversight (P/PO)	\$47,354
11	14-15	CD14	459G	Citizen Participation/CDC Support/HUD Oversight (P/PO)	\$78,773
12	14-15	CD14	495G	Neighborhood Vitality Project Delivery	\$275,700
13				Reprogrammed Funds	\$242,386
				Grand Total	\$1,064,334

AGENDA ITEM # 23

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

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 23-Z 24-W

SUBJECT

Authorize a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip Corporation (QuikTrip), for the purpose of designing, constructing, and maintaining a trailhead for the Bachman Creek Greenbelt Trail located at 3900 Shorecrest Drive – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Bachman Creek Greenbelt (approximately 41 acres) located at 3900 Shorecrest Drive, just north of Love Field Airport. This passive-use park is used for open space. A trail runs through the park along the north side of Bachman Creek which connects to and is a part of the Bachman Lake Park Trail in adjacent Bachman Lake Park to the west. Currently, there is no direct publicly accessible access to Bachman Creek Greenbelt for nearby residential neighborhoods. The proposed trailhead project will provide direct, publicly accessible access to Bachman Creek Greenbelt for the surrounding neighborhood via the proposed trailhead to the existing hike and bike trail. The project will include new trails and renovation and expansion of a portion of the existing trail. The development of a trailhead will increase access, visibility, and use of Bachman Creek Greenbelt. Future trails are planned to the west which will connect the Bachman Lake Park Trail to the future Elm Fork Greenbelt Trail, an important segment of the Dallas Integrated Trail Circuit, providing off-road access to downtown and beyond.

The trailhead project will include parking adjacent to Lemmon Avenue and West Northwest Highway, landscaping, seating, paving, and a drinking fountain. Because of the configuration and limited space available for the proposed trailhead, access drive, and parking lot, the proposed park's driveway and parking spaces will be shared by park users, QuikTrip, and its patrons. Signage will be posted and maintained identifying that the parkland parking spaces are available for use by park and QuikTrip patrons.

BACKGROUND (Continued)

The agreement will be subject to the following terms:

- 1) The term is for 20 years with two consecutive five-year renewal options.
- 2) The City grants QuikTrip, as the immediately adjacent property owner, a license for the non-exclusive use of the trailhead and trailhead parking lot.
- 3) QuikTrip, at its own cost, is responsible for the development of the design and construction plans and specifications for the improvements to the trailhead project at Bachman Creek Greenbelt. QuikTrip will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.
- 4) QuikTrip will hire a contractor to construct improvements. The City of Dallas shall have the right to observe and inspect the construction work. QuikTrip and its contractors will be responsible for all permits and other approvals. The City will take possession of the improvements upon acceptance.
- 5) City of Dallas may terminate the Agreement without cause after giving ninety days' notice or with cause after thirty days' notice.
- 6) QuikTrip shall have the right to make changes during the term of the agreement subject to approval by the City and the limitations enumerated in the agreement.
- 7) The City shall have the right to enter the premises and to make changes, repairs, and alterations to maintain the trailhead and parking area.
- 8) QuikTrip shall be responsible for all operations, management, and maintenance of the improvements, including the cost for all utilities for the improvements in accordance with those specified in the agreement.

QuikTrip will design, construct, and maintain the parking, landscape, and other trailhead project improvements. No permitting, platting, licensing, or other approval required by the City for the development and operation of QuikTrip will be contingent upon any of the trailhead improvements or use of parkland. The City of Dallas shall retain full and unencumbered ownership and control of all parkland. There will be no transfer, lease, or sale of parkland.

The consummation of the agreement is contingent upon, and subject to approval of the use by Park Board approval and Council approval at a public hearing, scheduled for consideration on February 10, 2016, for the use of parkland in accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004).

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the development and maintenance agreement on December 3, 2015.

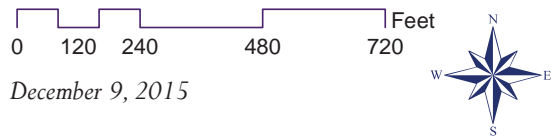
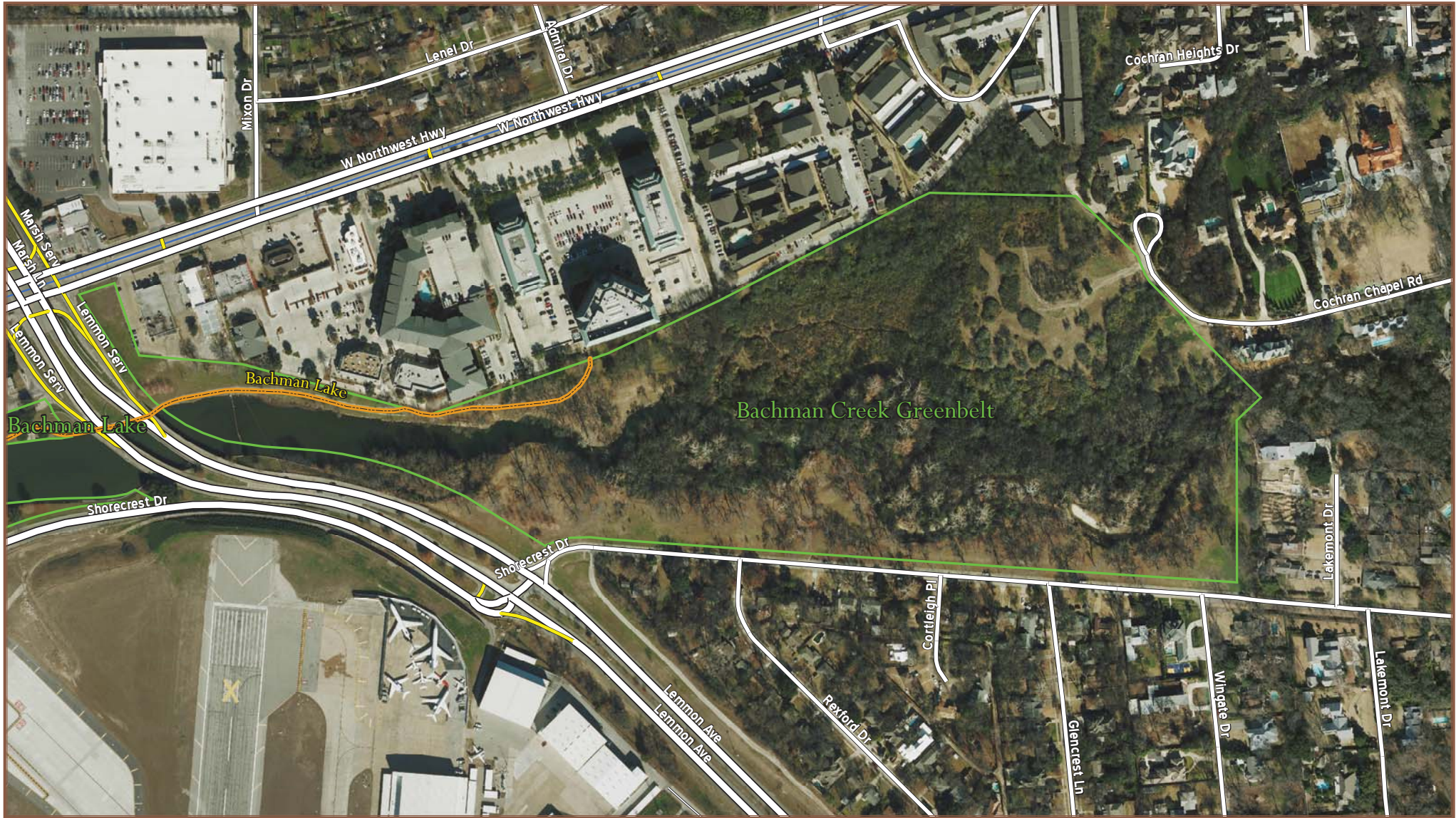
Information about this item will be presented to the Quality of Life & Environment Committee on February 8, 2016.

FISCAL INFORMATION

No cost consideration to the City.

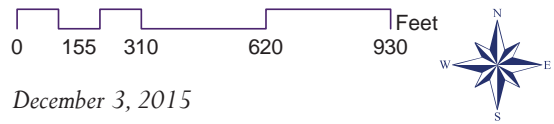
MAPS

Attached



December 9, 2015

Bachman Creek Greenbelt



Bachman Creek Greenbelt
(3900 Shorecrest Dr.)

Mapsco
23 Z
24 W

District
13

February 10, 2016

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements with park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and QuikTrip Corporation (QuikTrip), an Oklahoma Corporation, desire to enter into a development and maintenance agreement for the purpose of designing, constructing, and maintaining a trailhead on parkland in Bachman Creek Greenbelt located at 3900 Shorecrest Drive and shown in Exhibit A, which provide accessible public access to the existing hike and bike trail; and

WHEREAS, the City desires to have QuikTrip construct, develop, and maintain a portion of parkland during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip for the design, construction, development and maintenance of a trailhead, and landscaping improvements for the Bachman Creek Greenbelt Trail for the purpose of providing public access to the existing hike and bike trail for the benefit of the citizens of Dallas.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development and maintenance agreement with QuikTrip, after approval as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for an initial term of 20 years with two consecutive five-year renewal options.

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.

LANDSCAPE CHECK LIST

City of Dallas Landscape Ordinance

MANDATORY PROVISIONS:

- ✓ Tree Survey - Must include trees 6" caliper and greater on the lot and/or within 50' of construction.
- ✓ Tree Protection - permanent protective fencing around the drip line of each protected tree to remain. Ref. A1B-LD-00.
- ✓ Protected Tree Mitigation - Replacement trees must equal, in caliper, the caliper of protected trees removed. Approved replacement trees to be 2" minimum caliper and be of a species on the approved tree list. See below.
- ✓ Site Trees - Must have one 2" caliper tree per 4000 square feet of lot area with a minimum of 4 trees. All site trees must be located on the lot.
50,000 sq ft / 4000 = 10 site trees
- NA Perimeter Landscape Buffer Strip - Must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists and at least be 10' wide. Must contain buffer plant material as defined in Sec. 51A-10.22(b)(1).
- NA Screening of off-street loading spaces - Must be screened from residential adjacent public streets. Minimum 6' height. See Sec. 51A-4.002(b)(3) for methods of screening and automatic irrigation required for any screening material.
- ✓ Street Trees - Must have one 3" caliper large tree per 50' of street frontage with a minimum of 2 trees. All street trees must be located within 50' of the projected street curb.
50' linear ft
Required Street Trees = 2 (3" cal. min.)
- ✓ Parking Lot Trees - All required parking spaces must be located within 120' of the trunk of a 2" caliper (min.) large canopy tree. Parking lot trees may not be placed closer than 25' to the paved portion of the parking lot.

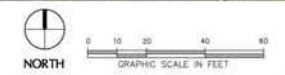
DESIGN STANDARDS

- ✓ Screening of off-street parking - Screen all parking lots on the building site or artificial lot. Must be voluntary, extend along entire street frontage excluding driveways and utility corridors, and at least 3' in height (for large evergreen shrubs, 3' height, 1" gallon, 3" on center, 3" wide bed, or 3" tall solid fence, or 3" tall berm, or a combination with an automatic irrigation system required). Underground parking is considered to be screened for purposes of this subsection.
- Northwest Highway - Provided shrub screen
- ✓ Enhanced Pedestrian Walkways - Walkways must consist of enhanced pavement intended for pedestrian use and occupy at least 5% of the lot.



B TRAIL CONNECTION ELEVATION
SCALE 1/4" = 1'-0"

A LANDSCAPE PLAN
SCALE 1" = 20'-0"



Norwood, Jackson, Buchanan
Landscape Architecture
Service Place No. 19770 Col Road, Suite 210
Dallas, Texas 75221
Tel: 972-259-2033
Fax: 972-259-2022
rjpb@njb.com



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QuikTrip No. 0961
NORTHWEST HWY & LEMON AVE
DALLAS, TEXAS

Revisions	No.	Date	Item

Date: 05/13/15
Drawn: MA
Checked: KWB
Project No:

Sheet Title:
Exhibit A
Scale: as noted
Sheet No:



Exhibit A



4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 24975
Tulsa, OK 74101-3475
(918) 615-7700

Store # 0961	Overall aerial view looking NE	Address: SEC of Lemmon and NW Hwy	City, State: Dallas, TX						
Serial # 08-0961-PE02	Scale: NTS	Issue Date: 12/01/15	Drawn By: BP	Rev/Notes:					
				<small>COPYRIGHT © 2011 QUIKTRIP CORPORATION DESIGN PATENTS QUIKTRIP PLANS ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION, TULSA, OKLAHOMA. THESE PLANS ARE PROTECTED IN THEIR ENTIRETY BY DOMESTIC AND INTERNATIONAL COPYRIGHT AND PATENT STATUTES. ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.</small>					

AGENDA ITEM # 24

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

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 22-X Y

SUBJECT

Authorize a public hearing to be held on March 23, 2016, to receive comments on the proposed use of a portion of the Elm Fork Greenbelt located at 10400 Wildwood Drive, totaling approximately 296,757 square feet of land, by the Texas Department of Transportation for the construction of improvements to State Highway Loop 12/Walton Walker Boulevard - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as the Elm Fork Greenbelt located west of downtown Dallas within the Trinity River corridor. Texas Department of Transportation (TxDOT), through its design-build contractor, SouthGate Constructors, has requested use of a portion of the Elm Fork Greenbelt to be used as a compensatory storage area, consisting of approximately 296,757 square feet (6.813 acres) as required by local, state, and federal regulations regarding floodplain management.

TxDOT's highway project requires fill within the floodplain. Since such fill will reduce the flood storage in the floodplain, TxDOT must excavate a floodable area to replace the lost flood storage area. The area within the Elm Fork Greenbelt which TxDOT has identified for compensatory storage would require excavation of approximately 18,274 cubic yards of material. Excavated depths would range from several inches to approximately three-and-a-half-feet. Excavation and final grading of the site would follow the existing profile of the land which currently is a gentle slope from northeast to southwest towards the Elm Fork of the Trinity River. When the project is completed the compensatory storage area will surface drain to the Elm Fork of the Trinity River - no ponding will occur as a result of construction. At no time will ownership or any rights of the parkland be transferred to TxDOT. The compensatory storage area will not encumber the parkland which may be used for any parkland purpose which is currently allowed.

BACKGROUND (Continued)

The proposed compensatory storage area is adjacent to a future trailhead of the Elm Fork Trail as envisioned in the Elm Fork Greenbelt Master Plan adopted by the Park and Recreation Board on June 4, 2015. The area is currently vegetated with non-native grasses, forbs, and shrubs. The area also contains piles of illegally dumped construction debris. TxDOT will remove all debris and vegetation as part of the project.

In keeping with the character of the surrounding greenbelt, and as an amenity of the trailhead of the future Elm Fork Greenbelt Trail, the compensatory storage area will be planted with a native prairie plant seed mixture. If required, preparation of the site may necessitate importation of topsoil and irrigation. TxDOT will be responsible for maintenance of the restored site for a period of two years after seeding is complete to ensure establishment of the prairie.

In compliance with the law, TxDOT has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 21, 2016, the Park and Recreation Board authorized a public hearing to be held on March 23, 2016.

Information about this item will be presented to the Quality of Life & Environment Committee on February 8, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Compensatory Storage Area

Elm Fork Greenbelt

City of Irving



January 21, 2016

Elm Fork Greenbelt
 (10400 Wildwood Dr)
 Compensatory Storage Area

Mapsco
 22 X,Y

District
 6

February 10, 2016

WHEREAS, the City of Dallas owns land known as Elm Fork Greenbelt and TxDOT has determined that a compensatory storage area is needed and in the public interest for the proper construction and development of improvements to State Highway Loop 12/Walton Walker Boulevard, and is necessary; and

WHEREAS, said improvements require the use of approximately 296,757 square feet (6.813 acres) of land from the Elm Fork Greenbelt, as described in Exhibit A, attached hereto and made a part hereof, because the use of this parkland is necessary to accomplish the purpose, and the Park and Recreation Board of the City of Dallas is agreeable to providing the property for this use; and

WHEREAS, in consideration for this use, TxDOT will pay the fair market value of the use, as determined by an independent appraisal; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the utilization of the Elm Fork Greenbelt.

Now, Therefore,

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

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on March 23, 2016.

SECTION 2. That the approval of the aforementioned project by the City Council, at the close of the public hearing, shall be construed as making the proper findings as to the use, taking and temporary conveyance of parkland, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

February 10, 2016

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.

RE: CITY OF DALLAS

PLAT TO ACCOMPANY DESCRIPTION



SCALE: 1" = 100'



N53°20'28"E 236.48'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	314.88'	251.44'	71°45'06"	181.85'	N03°38'11"E	294.70'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°22'30"E	40.00'
L2	N34°59'27"W	72.77'
L3	S84°58'11"E	67.05'
L3	N00°28'02"E	162.50'

BLOCK 8367

CITY OF DALLAS
JANUARY 31, 1964
VOL. 244, PG. 425
D. R. D. C.

JOSHUA MCANTS
SURVEY
ABSTRACT NO. 934

BLOCK 6488

N00°49'05"W 435.60'

ELI MERRELL
SURVEY
ABSTRACT
NO. 978

COMPENSATORY
STORAGE AREA
6.813 AC. OR
296,757 SQ. FT.

CITY OF DALLAS
JANUARY 31, 1964
VOL. 244, PG. 425
D. R. D. C.

CITY OF DALLAS
JANUARY 31, 1964
VOL. 244, PG. 425
D. R. D. C.

BLOCK 8367

LEGEND

- 5/8" IRON ROD FOUND
- 1/2" IRON ROD SET WITH PLASTIC CAP "MCGRAY MCGRAY"
- O.P.R.D.C. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY
- M.R.D.C. MAP RECORDS, DALLAS COUNTY
- D.R.D.C. DEED RECORDS, DALLAS COUNTY
- P.O.B. POINT OF BEGINNING
- C.M. CONTROLLING MONUMENT

NOTES:

- THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, ADDITIONAL ENCUMBRANCES MAY AFFECT THIS EASEMENT.

PRELIMINARY

12/31/15

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE

Note: This plat is not valid unless an original signature through an original seal appears on its face. There is a description to accompany this plat.

COMPENSATORY STORAGE AREA
6.813 ACRES OR 296,757 SQ. FT.
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURVEYED BY:



McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591
TBPLS FIRM # 10095500

PROJECT NUMBER: 14-143	PARTY CHIEF: J. ROGERS	CITY OF DALLAS BLOCK: 8367
DATE: 12/31/2015	TECH: A. BURROUGHS	
SCALE: 1"=100'	CITY OF DALLAS FOLDER:	CITY OF DALLAS FILE NO.:

Exhibit A

1 of 5

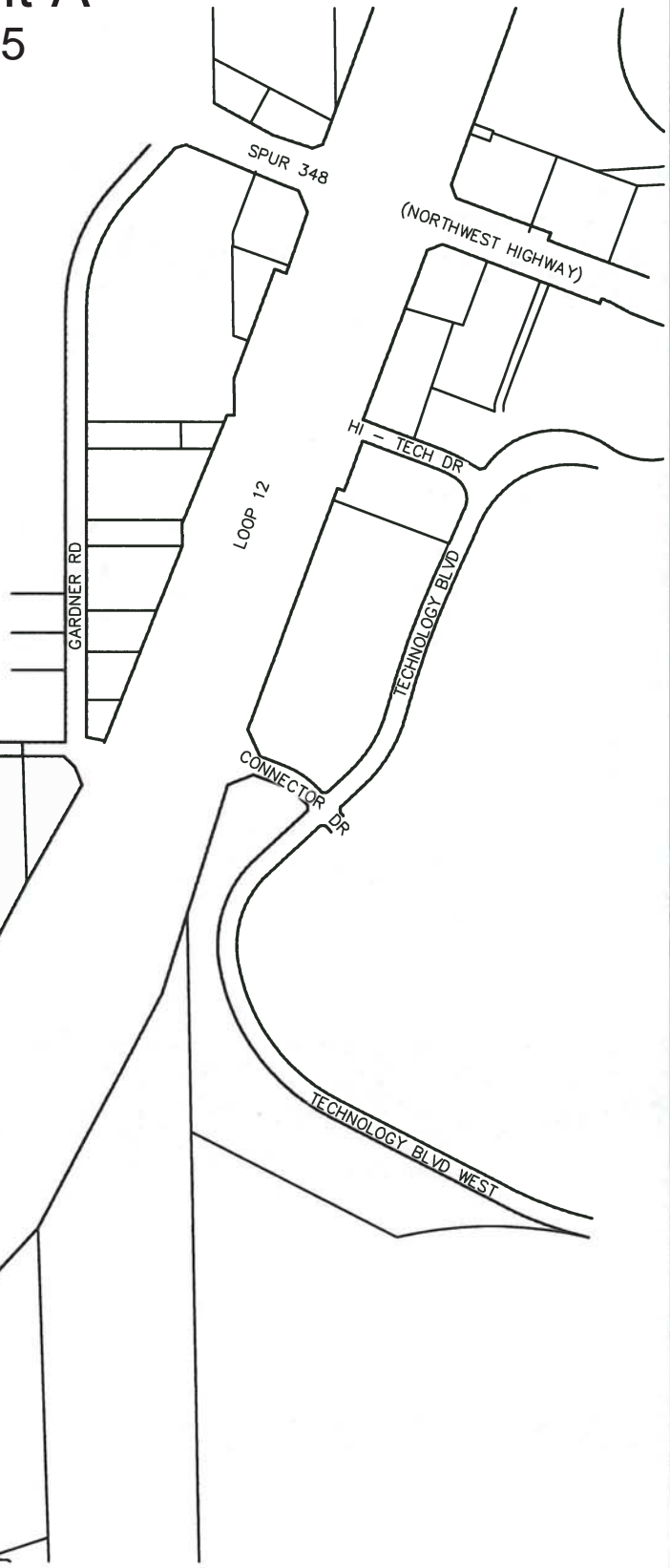
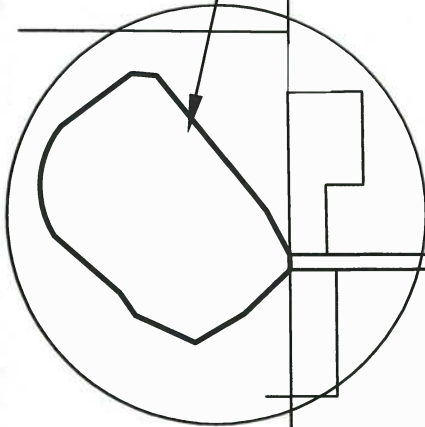
LOCATOR MAP

Exhibit A

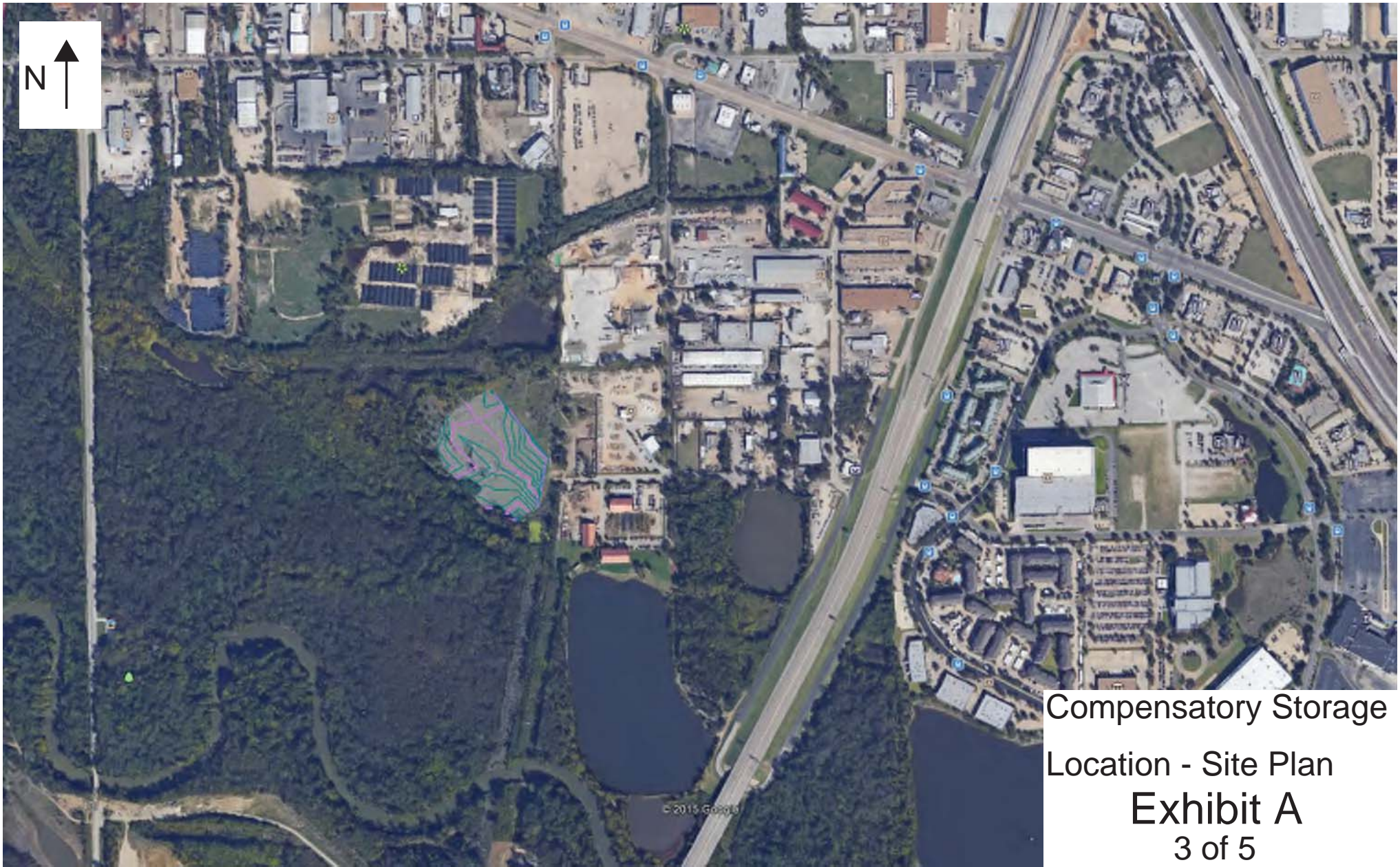
2 of 5



PROJECT LOCATION
COMPENSATORY STORAGE AREA



PRELIMINARY



Compensatory Storage

Location - Site Plan

Exhibit A

3 of 5

12/14/2015



Compensatory Storage
Location - Grading Plan
Exhibit A

Compensatory Storage Location - Contour Map

Exhibit A
5 of 5



100 ft

12/14/2015

AGENDA ITEM # 25

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

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 32-R 33-N

SUBJECT

Authorize a public hearing to be held on March 23, 2016, to receive comments on the proposed use of a portion of the Elm Fork Greenbelt located at 3123 Proctor Street, totaling approximately 67,592 square feet of land, by the Texas Department of Transportation for construction of improvements to State Highway 183/John W. Carpenter Freeway - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as the Elm Fork Greenbelt located west of downtown Dallas within the Trinity River corridor. The City of Dallas has partnered with the Texas Department of Transportation (TxDOT) on the State Highway 183/Interstate 35E project since the commencement of Project Pegasus in early 1999. Pursuant to the goals of the project, on January 12, 2000, the Dallas City Council passed Resolution No. 00-0276 approving and endorsing the recommended preferred alternative.

TxDOT, through its design-build contractor, SouthGate Constructors, has requested a three-year Temporary Construction Easement, consisting of approximately 67,592 square feet (1.552 acres), for construction of improvements to State Highway 183 in the Elm Fork Greenbelt, adjacent to the existing State Highway 183 bridge and appurtenances. TxDOT's contractor requires temporary use a small portion of the City's parkland in the Elm Fork Greenbelt for their project. Such use may include: ingress and egress; construction of temporary structures; temporary placement of excavated material; and storage of construction equipment, vehicles, and materials as necessary for construction work. In consideration for this temporary conveyance by easement, TxDOT, or TxDOT's contractor, will pay the fair market value of this easement, or equivalent in-kind value, as determined by an independent appraisal. Upon completion of the project, the area will be restored to its pre-construction condition or better.

BACKGROUND (Continued)

In compliance with the law, TxDOT has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services, including hike and bike trail development.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 21, 2016, the Park and Recreation Board authorized a public hearing to be held on March 23, 2016.

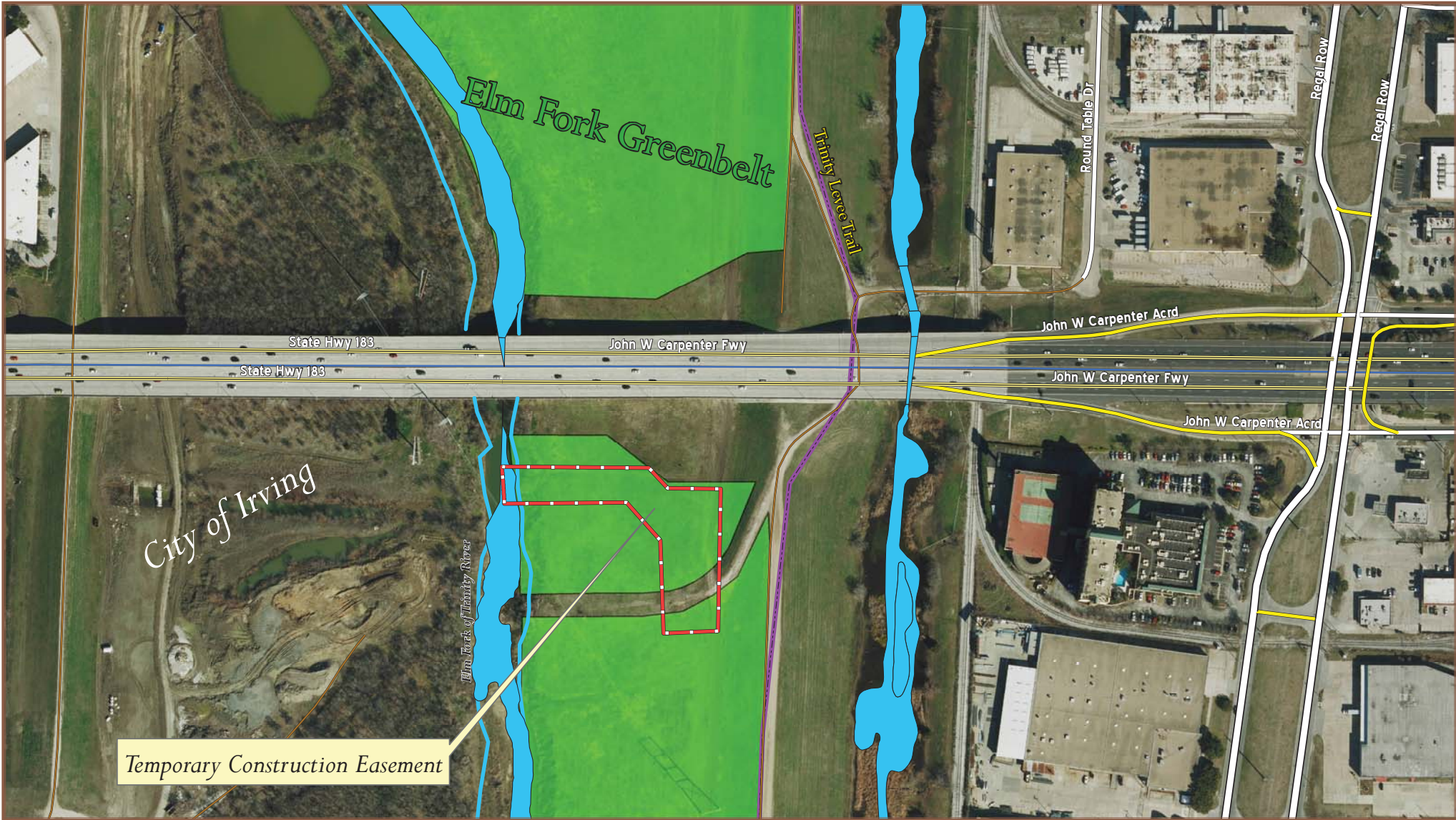
Information about this item will be provided to the Quality of Life & Environment Committee on February 8, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



January 21, 2016

Elm Fork Greenbelt
(3123 Proctor St)
Temporary Construction Easement

Mapsco
32 R, 33 N

District
6

February 10, 2016

WHEREAS, on January 12, 2000, the Dallas City Council adopted Resolution No. 00-0276, approving and endorsing PROJECT PEGASUS between the City and the Texas Department of Transportation (TxDOT); and

WHEREAS, the City of Dallas owns land known as Elm Fork Greenbelt and TxDOT has determined that a temporary construction easement is needed and in the public interest for the proper construction and development of improvements to State Highway 183/John W. Carpenter Freeway to decrease congestion and enhance travel and accessibility to downtown Dallas, and is necessary; and

WHEREAS, said improvements require a temporary construction easement of approximately 67,592 square (1.552 acres) of land from the Elm Fork Greenbelt, as described in Exhibit A, attached hereto and made a part hereof, because the use of this parkland is necessary to accomplish the purpose, and the Park and Recreation Board of the City of Dallas is agreeable to providing the property for this use; and

WHEREAS, in consideration for this temporary conveyance by easement, TxDOT will pay the fair market value of this easement, as determined by an independent appraisal; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the utilization of the Elm Fork Greenbelt.

Now, Therefore,

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

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on March 23, 2016.

February 10, 2016

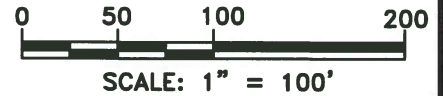
SECTION 2. That the approval of the aforementioned project by the City Council, at the close of the public hearing, shall be construed as making the proper findings as to the use, taking and temporary conveyance of parkland, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

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.

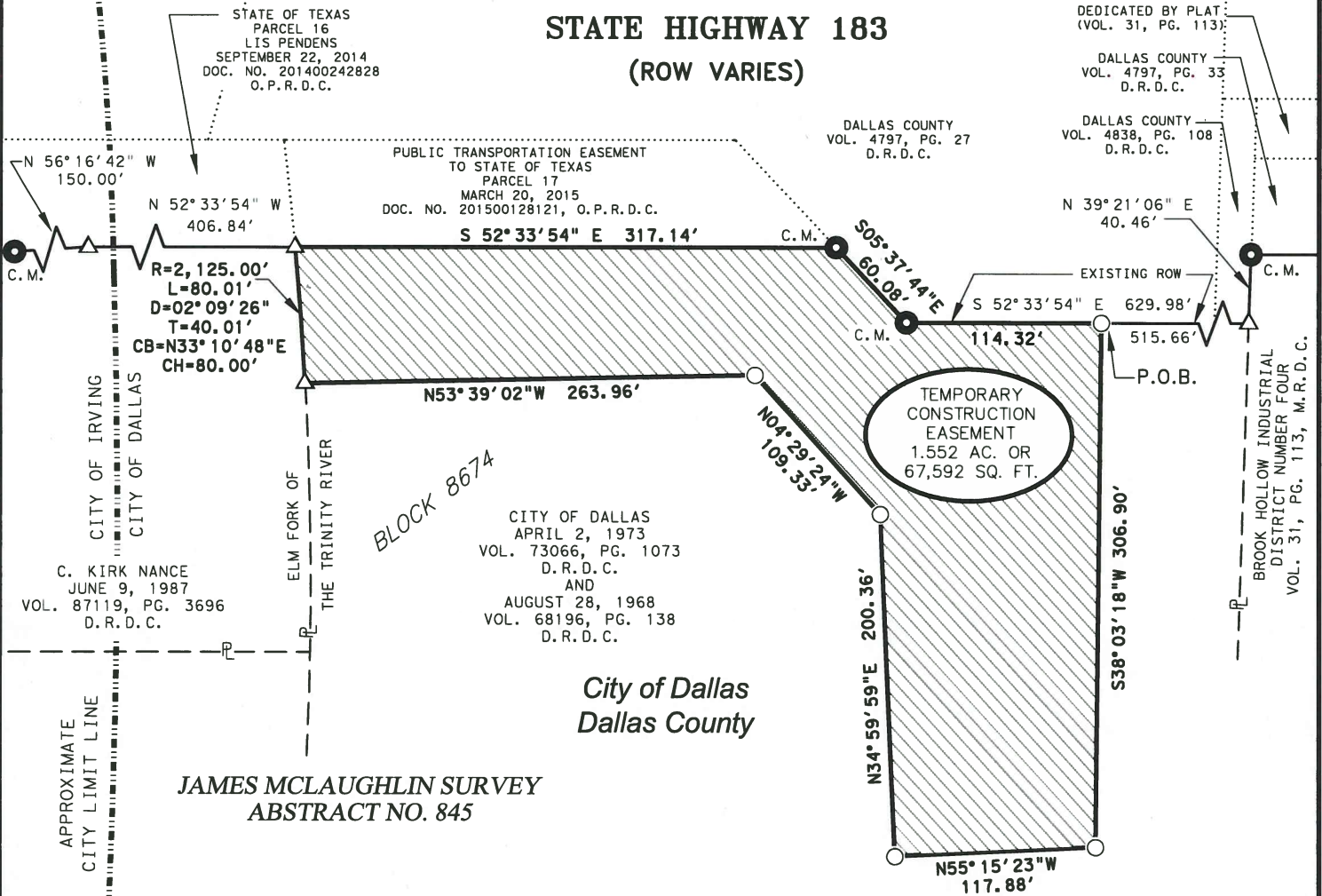
RE: CITY OF DALLAS

PLAT TO ACCOMPANY DESCRIPTION

Exhibit A
1 of 3



STATE HIGHWAY 183
(ROW VARIES)



City of Dallas
Dallas County

LEGEND

- 5/8" IRON ROD FOUND WITH TXDOT ALUM. CAP
- △ CALCULATED POINT
- 1/2" IRON ROD SET WITH PLASTIC CAP "MCGRAY MCGRAY"
- O.P.R.D.C. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY
- M.R.D.C. MAP RECORDS, DALLAS COUNTY
- D.R.D.C. DEED RECORDS, DALLAS COUNTY
- P.O.B. POINT OF BEGINNING
- C.M. CONTROLLING MONUMENT

- NOTES:
1. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983.
 2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, ADDITIONAL ENCUMBRANCES MAY AFFECT THIS EASEMENT.



10/16/15

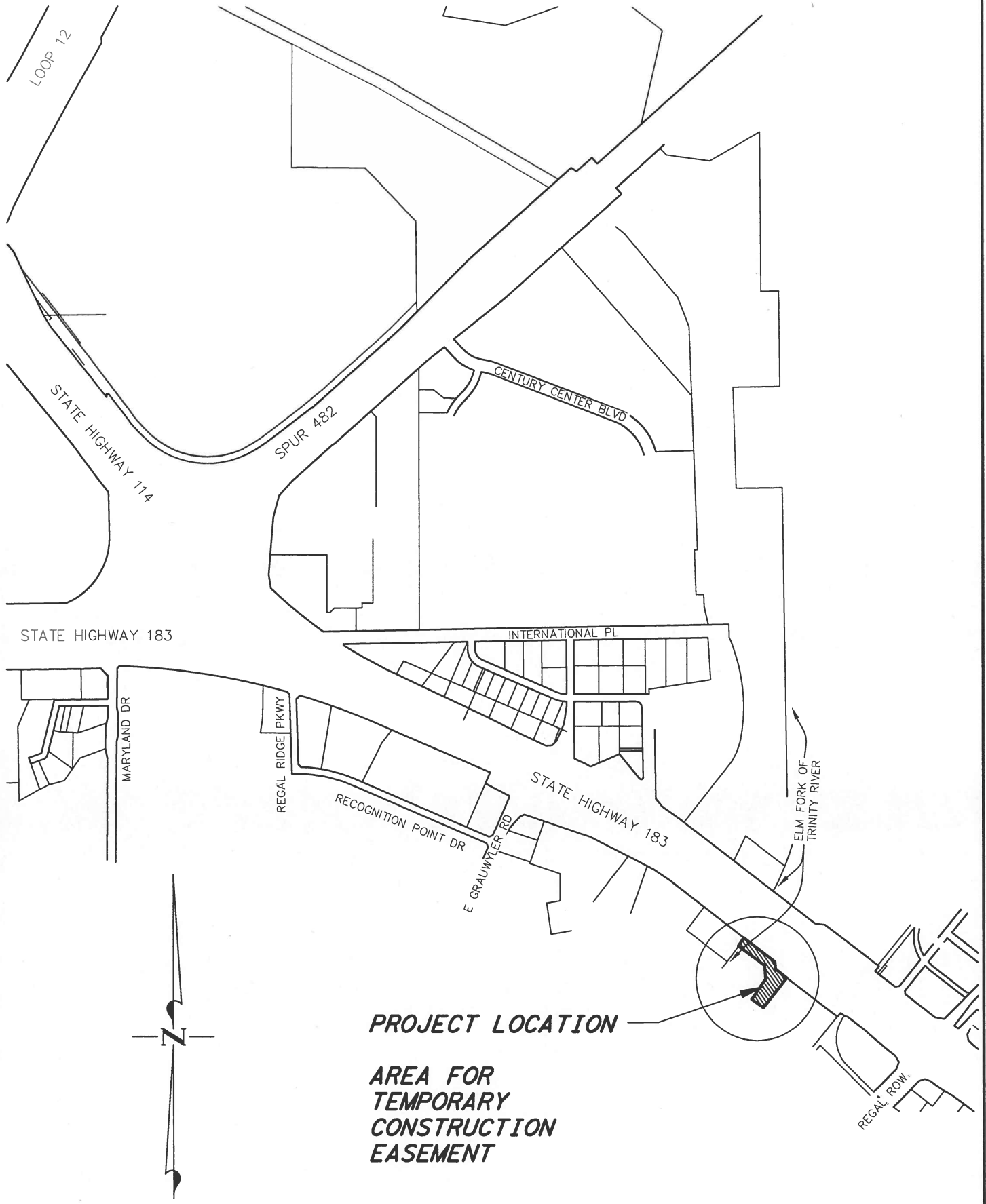
CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
Note: This plat is not valid unless an original signature through an original seal appears on its face. There is a description to accompany this plat.

TEMPORARY CONSTRUCTION EASEMENT
1.552 ACRES OR 67,592 SQ. FT.
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURVEYED BY:

McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591
TBPLS FIRM # 10095500

PROJECT NUMBER: 15-096	PARTY CHIEF: J. ROGERS	CITY OF DALLAS BLOCK: 8674
DATE: 10/16/15	TECH: A. BURROUGHS	
SCALE: 1"=100'	CITY OF DALLAS FOLDER:	CITY OF DALLAS FILE NO.:

LOCATOR MAP



PROJECT LOCATION

**AREA FOR
TEMPORARY
CONSTRUCTION
EASEMENT**

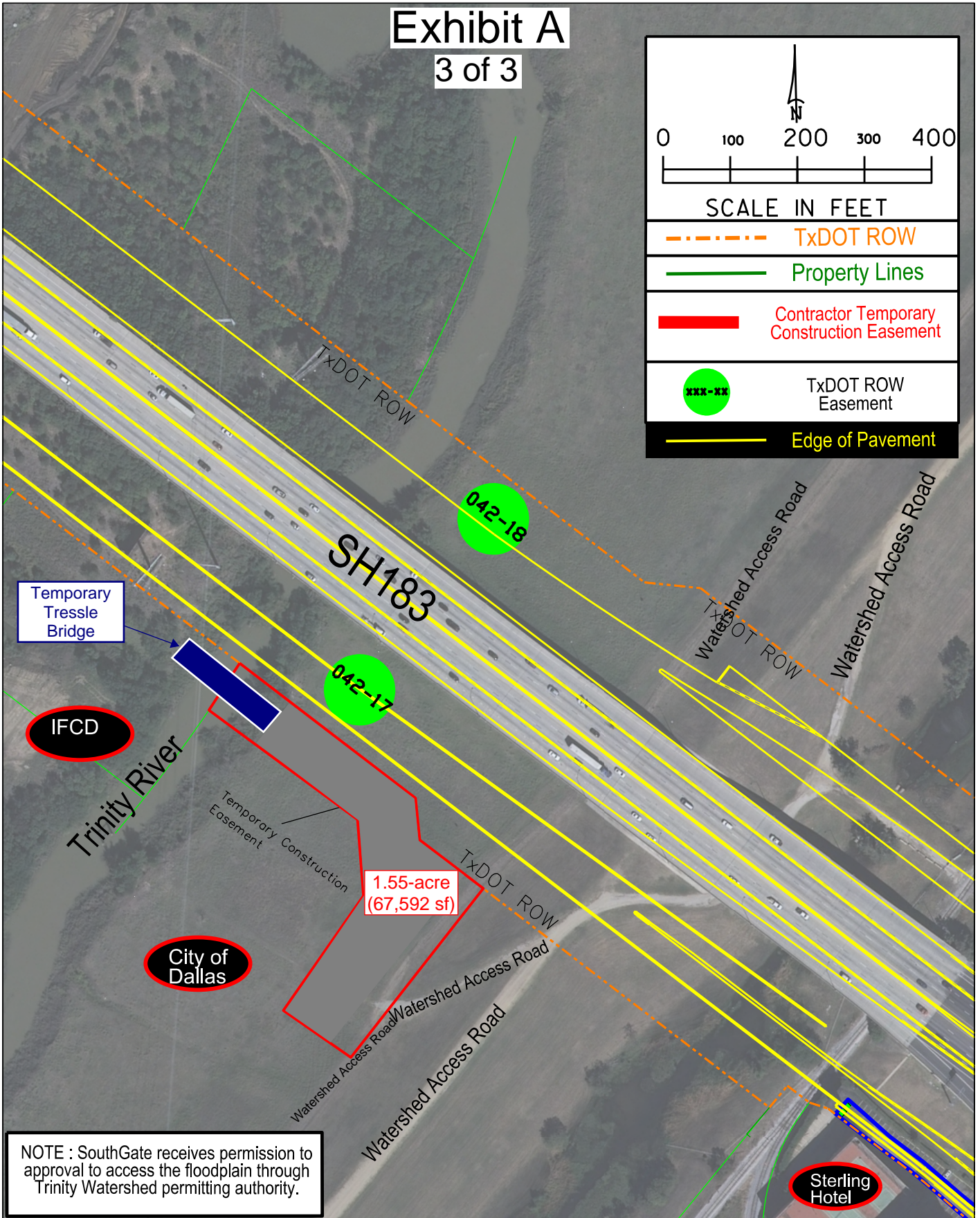
Exhibit A

3 of 3

0 100 200 300 400

SCALE IN FEET

- TxDOT ROW
- Property Lines
- Contractor Temporary Construction Easement
- TxDOT ROW Easement
- Edge of Pavement



NOTE : SouthGate receives permission to approval to access the floodplain through Trinity Watershed permitting authority.

Temporary Construction Easement



Midtown Express
Trinity TCE
Exhibit "A"

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Housing/Community Services

CMO: Ryan S. Evans, 671-9837
Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 72E

SUBJECT

Authorize an amendment for a seven-year lease agreement with Cash Flow Management, Inc. for approximately 3,600 square feet of office space located at 1110 South Santa Fe Trail, Duncanville, TX to be used as a Women, Infants and Children Clinic for the period April 1, 2016 through March 31, 2023 - Not to exceed \$429,264 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing four-year lease agreement with Cash Flow Management, Inc. to extend the lease agreement for an additional seven years for approximately 3,600 square feet of office space located at 1110 South Santa Fe Trail. The seven-year extension will provide for the continued use of the Women, Infants and Children (WIC) Clinic to serve the residents of the Duncanville area.

The WIC program is a United States Department of Agriculture program administered in Texas by the Department of State Health Services. The countywide program has been administered by the City of Dallas' Housing/Community Services Department since 1974. The WIC program provides nutritious food, nutrition education, breastfeeding promotion and support, referrals to health services, and immunizations. The program serves infants and children under age 5 and pregnant, postpartum and breastfeeding women.

The lease will begin on April 1, 2016 through March 31, 2023.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a lease agreement with Cash Flow Management, Inc. on February 23, 2005, by Resolution No. 05-0738.

Authorized a First Amendment to the Lease Agreement on November 10, 2008, by Resolution No. 08-3123.

Information about this item will be provided to the Economic Development Committee on February 1, 2016.

FISCAL INFORMATION

\$429,264 – Department of State Health Services Grant Funds (subject to annual appropriations)

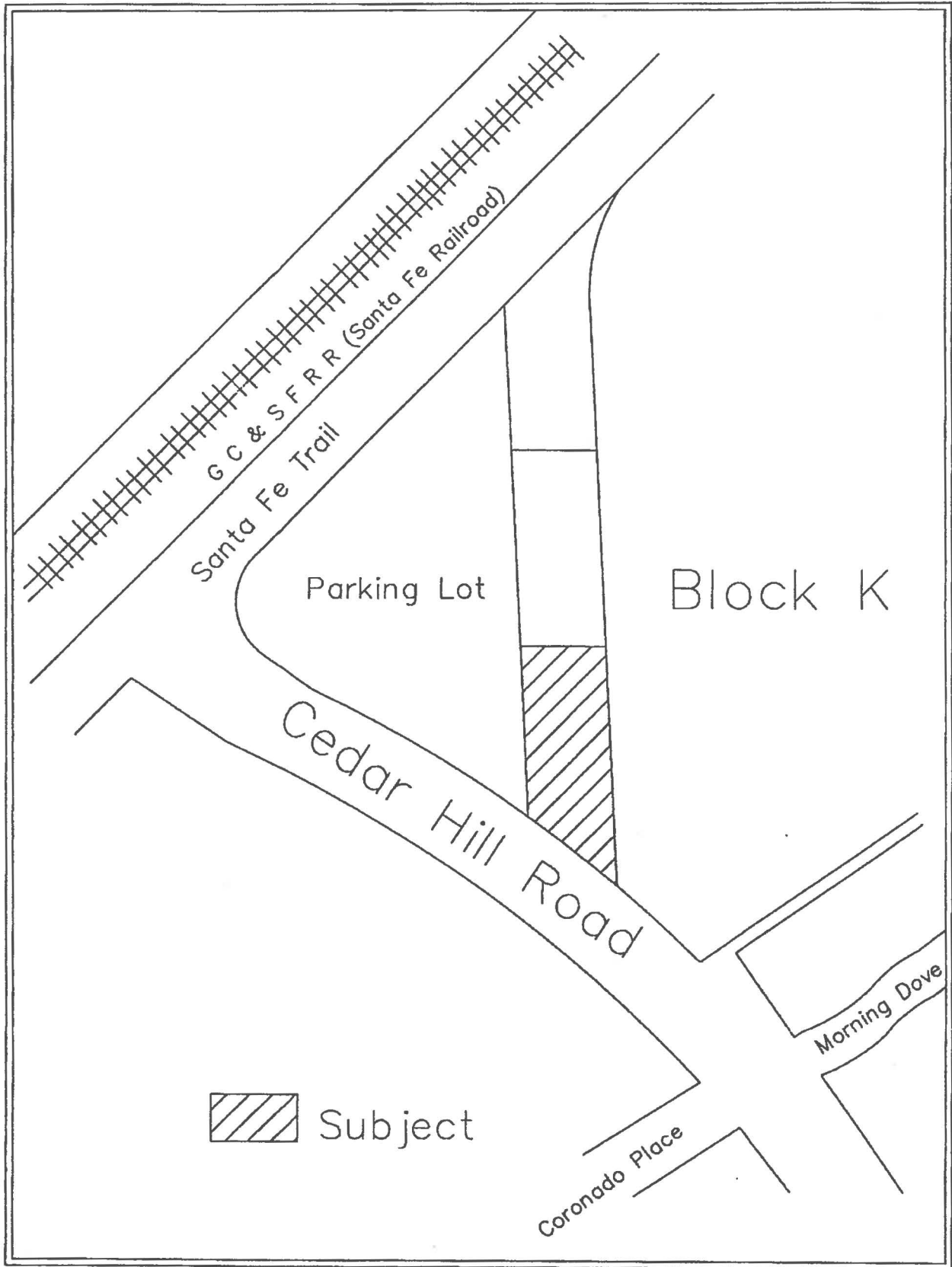
OWNER

Cash Flow Management, Inc.

Cliff Boyd, Owner

MAP

Attached



February 10, 2016

WHEREAS, on February 23, 2005, the City Council of the City of Dallas, approved Resolution No. 05-0738, authorizing the City Manager to execute a lease agreement dated April 1, 2005 (the "Lease") with Cash Flow Management, Inc., as Lessor ("Landlord") and the City of Dallas, as Lessee ("City") for approximately 3,600 square feet of office space located at 1110 South Santa Fe Trail, Duncanville, Dallas County, Texas with parking in the adjacent lot at 1120 South Santa Fe Trail (the "Premises") to be used by Housing and Community Services Woman, Infant and Children's Program; and

WHEREAS, the Lease was amended by the First Amendment to Lease Agreement dated November 10, 2008, extending the term of the Lease for a four-year period by Resolution No. 08-3123; and

WHEREAS, the Lease term, as amended, expires by its own terms on March 31, 2016; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the Lease to provide for an additional seven-year term;

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a Second Amendment to Lease Agreement between Cash Flow Management, Inc., a Texas corporation and the City of Dallas.

Section 2. That the special terms and conditions of the Second Amendment to Lease Agreement are:

- a) The term of the Lease is extended for an additional seven (7) years, effective April 1, 2016 and ending March 31, 2023, provided however, that City retains the right to terminate the Lease as provided elsewhere therein.
- b) Monthly rental payments shall be as follows (subject to annual appropriations):

April 1, 2016 – March 31, 2019	\$5,046.00 per month
April 1, 2019 – March 31, 2021	\$5,121.00 per month
April 1, 2021 – March 31, 2023	\$5,196.00 per month
- c) All other terms of the Lease, as previously amended, not expressly amended hereby shall remain unchanged and in full force and effect.

February 10, 2016

Section 3. That the Chief Financial Officer is hereby authorized to draw warrants payable to Cash Flow Management, Inc. or its successors and assigns on the first day of each month in advance during the lease term beginning April 1, 2016 in the amount specified below:

April 1, 2016 – March 31, 2019 (subject to annual appropriations)	\$5,046.00 per month
April 1, 2019 – March 31, 2021 (subject to annual appropriations)	\$5,121.00 per month
April 1, 2021 – March 31, 2023 (subject to annual appropriations)	\$5,196.00 per month

Section 4. That the payments will be charged as follows:

April 1, 2016 – September 30, 2016: Fund F470, Dept. HOU, Unit 1805, Object Code 3330, Encumbrance No. HOULEASEN30, Commodity Code 97145, Vendor No.518219.

October 1, 2016 – March 31, 2023: Fund TBD, Dept. HOU, Unit TBD, Object Code 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No.518219.

Section 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, security and communications companies, upon receipt of a bill for services or other applicable charges throughout the term of the lease.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM
Warren M.S. Ernst, City Attorney

BY: _____


Assistant City Attorney

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 45P

SUBJECT

An ordinance granting a private license to 400 S. Record Street, LLC for a total of approximately 13,006 square feet to occupy, maintain and utilize portions of Wood, Market, Young and Record Streets right-of-way, near the intersection of Young and Market Streets – Revenue: \$3,300 one-time fee, plus the \$20 ordinance publication fee

BACKGROUND

This item grants a private license to 400 S. Record Street, LLC for a total of approximately 13,006 square feet to occupy, maintain and utilize streetscape improvements and two canopies on portions of Wood, Market, Young and Record Streets right-of-way, near the intersection of Young and Market Streets. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Information about this item will be provided to the Economic Development Committee on February 1, 2016.

FISCAL INFORMATION

Revenue: \$3,300 one-time fee, plus the \$20 ordinance publication fee

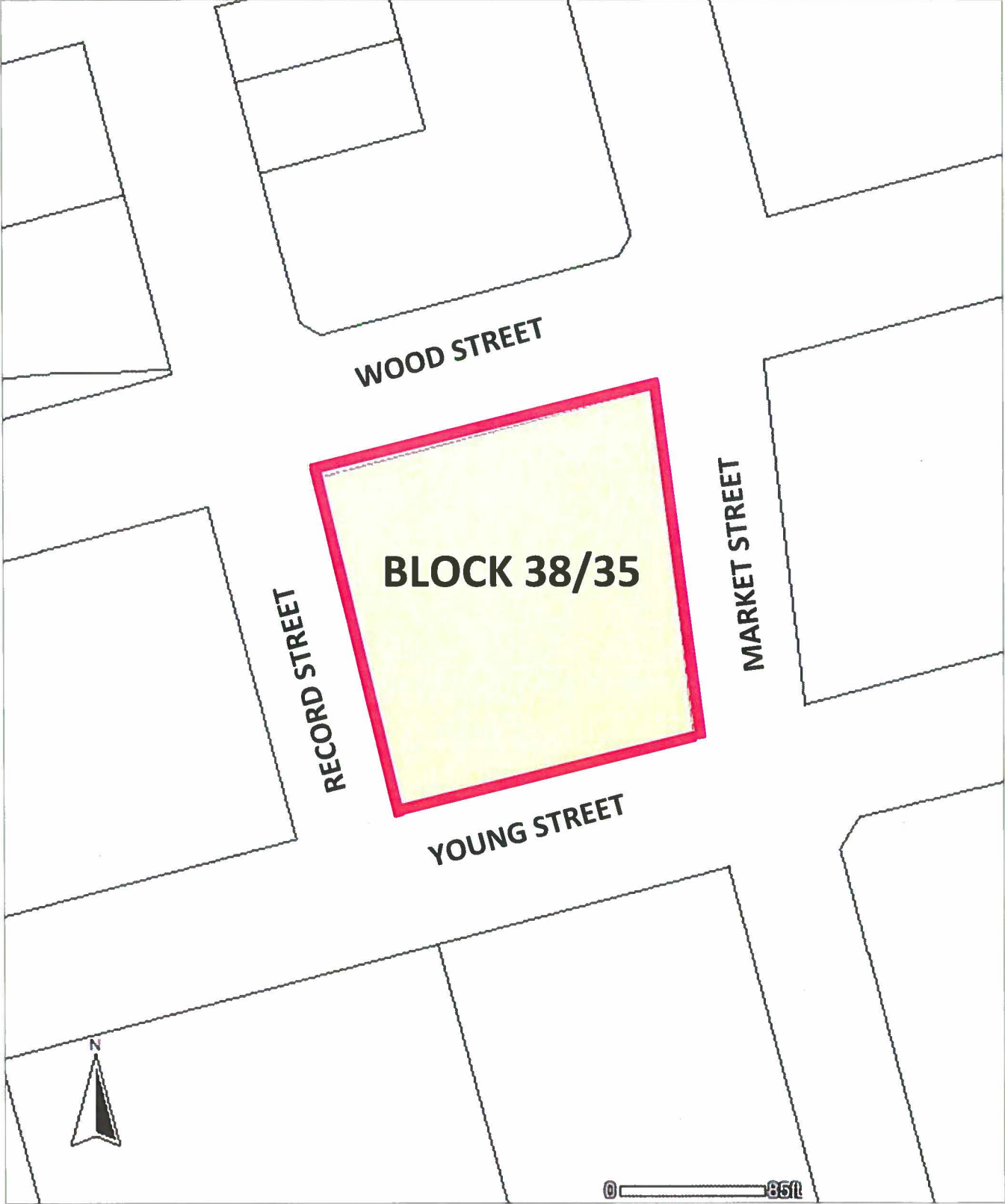
OWNER

400 S. Record Street, LLC

Thomas A Hartland-Mackie, Governing Person

MAP

Attached



LICENSING AREA

ORDINANCE NO. _____

An ordinance granting a private license to 400 S. Record Street, LLC to occupy, maintain and utilize a portion of Wood, Market, Young and Record Streets right-of-way located near the intersection of Young and Market Streets adjacent to City Block 38/35 within the limits hereinafter more fully described, for the purpose of installing and maintaining streetscape improvements consisting of planter boxes, granite sidewalks, bollards with light poles, a bench and two canopies; providing for the terms and conditions of this license; providing for the one-time fee to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to 400 S. Record Street, LLC, a Texas limited liability company, its successors and assigns, hereinafter referred to as "**GRANTEE**", to occupy, maintain and utilize for the purpose set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas a one-time fee in the sum of **THREE THOUSAND, THREE HUNDRED AND NO/100 (\$3,300.00) DOLLARS**, said sum to become due and payable upon the final passage of this ordinance and shall cover the consideration for the license term. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated fee within sixty (60) days of the due date, the Director of Department of Sustainable Development and Construction may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in Fund 0001, Department DEV, Unit 1181, Revenue Source 8200. In the event **GRANTEE's** check

for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: to install, occupy, maintain and use streetscape improvements consisting of planter boxes, granite sidewalks, a bench, bollards with light poles and two canopies.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing body, to terminate and cancel this license, upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** shall amend the Central Business District Streets and Vehicular Circulation Plan to change the right-of-way on both Record and Market Streets from 80' to 67' to match abandonment Ordinance No. 821903.
- b) **GRANTEE** shall, at no time during or after the project cause any delay to emergency traffic or cause interruption to water supply in the area.
- c) **GRANTEE** shall ensure that the entire American Disability Act path around Wood, Market, Young and Record Streets meet ADA/TDLR requirements.
- d) **GRANTEE** shall meet with ADA Truncated Dome Pavers to contrast with surrounding pavement/paver colors.
- e) **GRANTEE** shall obtain a right-a-way permit for all work in the right-of-way.
- f) **GRANTEE** shall obtain approval by Public Works Department for 12" wide curb detail and removal for 12" minimum gutter section.
- g) **GRANTEE** shall contact the Texas Excavation Safety System (Texas811) to have facilities marked and located within affected easements before any excavations are started.
- h) **GRANTEE** shall call in utility locates prior to installation of new facilities.
- i) **GRANTEE** shall ensure that if AT&T should have to work in Record Street right-of-way, they are not responsible for any damages to canopy.
- j) **GRANTEE** shall redesign the proposed planter areas to run parallel to the pedestrian path of travel to better maximize the width of available pedestrian sidewalk.

SECTION 8. That the license granted hereby shall not become effective until and unless **GRANTEE** files a final acceptance, in writing, to the terms and conditions of this ordinance with the Director of Department of Sustainable Development and Construction and said written acceptance shall be forwarded to the City Secretary of the City of Dallas. In the event said written final acceptance is not filed within six (6) months after the passage of this ordinance as provided for herein, then the Director of Department of Sustainable Development and Construction, or designee, may terminate

this license.

SECTION 9. That upon receipt of **GRANTEE's** final written acceptance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 10. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 11. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Record of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

Upon receipt of the fee for the year 2015, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. 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 *Ben N. Lopez #*
Assistant City Attorney

BY *Kathryn Green*
for Assistant Director

Passed _____.

AERIAL LICENSE AGREEMENT EXHIBIT A-TRACT 1 OF 2

FOR

PART OF RECORD STREET ADJACENT TO CITY BLOCK 38/35
 BETWEEN THE ELEVATIONS OF 453.60' FEET AND 456.10' FEET MEAN SEA LEVEL
 JOHN N. BRYAN SURVEY, ABSTRACT NO. 149, CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 324 square foot tract of land located in the John N. Bryan Survey, Abstract No. 149, City of Dallas, Dallas County, Texas, being part of Record Street (64' right-of-way), as created by The Town of Dallas as recorded in Volume D, Page 698, transcribed to Volume 143, Page 401, Deed Records, Dallas County, Texas, being adjacent to Official City of Dallas Block 38/35 and Tract 1 as described to 400 S. Record Street, LLC, by Special Warranty Deed as recorded under Instrument No. 201400264745, Official Public Records, Dallas County, Texas, being between the elevations of 453.60 feet and 456.10 feet mean sea level, and being described more particularly as follows:

COMMENCING at an 'X' cut found at the Northwest corner of Parcel IV of that certain tract of land abandoned by City of Dallas Ordinance No. 17423 recorded in Volume 82128, Page 2501, Deed Records, Dallas County, Texas, at the intersection of the Southerly right-of-way line of Wood Street (80' R.O.W.), with the Easterly right-of-way line of said Record Street:

THENCE South 14 deg. 07 min. 20 sec. East, along the East line of said Record Street and the West line of said 400 S. Record Street, LLC tract, a distance of 75.96 feet to a point for the Northeast corner of the herein described tract, same being the POINT OF BEGINNING;

THENCE South 14 deg. 07 min. 20 sec. East, continuing along the common line of said 400 S. Record Street, LLC tract and said Record Street, a distance of 48.07 feet to a point for the Southeast corner of the herein described tract;

THENCE through the interior of said Record Street as follows:

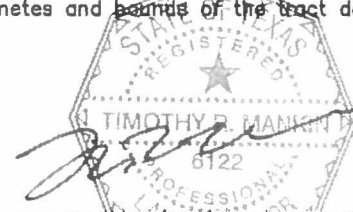
North 59 deg. 07 min. 20 sec. West, a distance of 11.47 feet to a point for the Southwest corner of the herein described tract;

North 14 deg. 07 min. 20 sec. West, a distance of 31.85 feet to a point for the Northwest corner of the herein described tract;

North 30 deg. 52 min. 40 sec. East, a distance of 11.47 feet to the POINT OF BEGINNING and containing 324 square feet or 0.007 acre of computed land, more or less.

REVIEWED BY
JS 10.15.2015
 SPAG 3375

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the tract described.



TIMOTHY R. MANKIN
 Registered Professional Land Surveyor No. 8122

GENERAL NOTES:

1. Basis of Bearing - Based on the North line (North 76 deg. 00 min. 00 sec. East) of Tract 1 as described to 400 S. Record Street, LLC, by Special Warranty Deed as recorded under Instrument No. 201400264745, Official Public Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

JOB NO.: P-2980

DATE: 8/18/2015

NOT TO SCALE

DRAWN: J.B.W.

PEISER & MANKIN SURVEYING, LLC

www.peisersurveying.com

623 E. DALLAS ROAD
 GRAPEVINE, TEXAS 76051
 817-481-1806 (O)
 817-481-1809 (F)
 FIRM NO. 100999-00



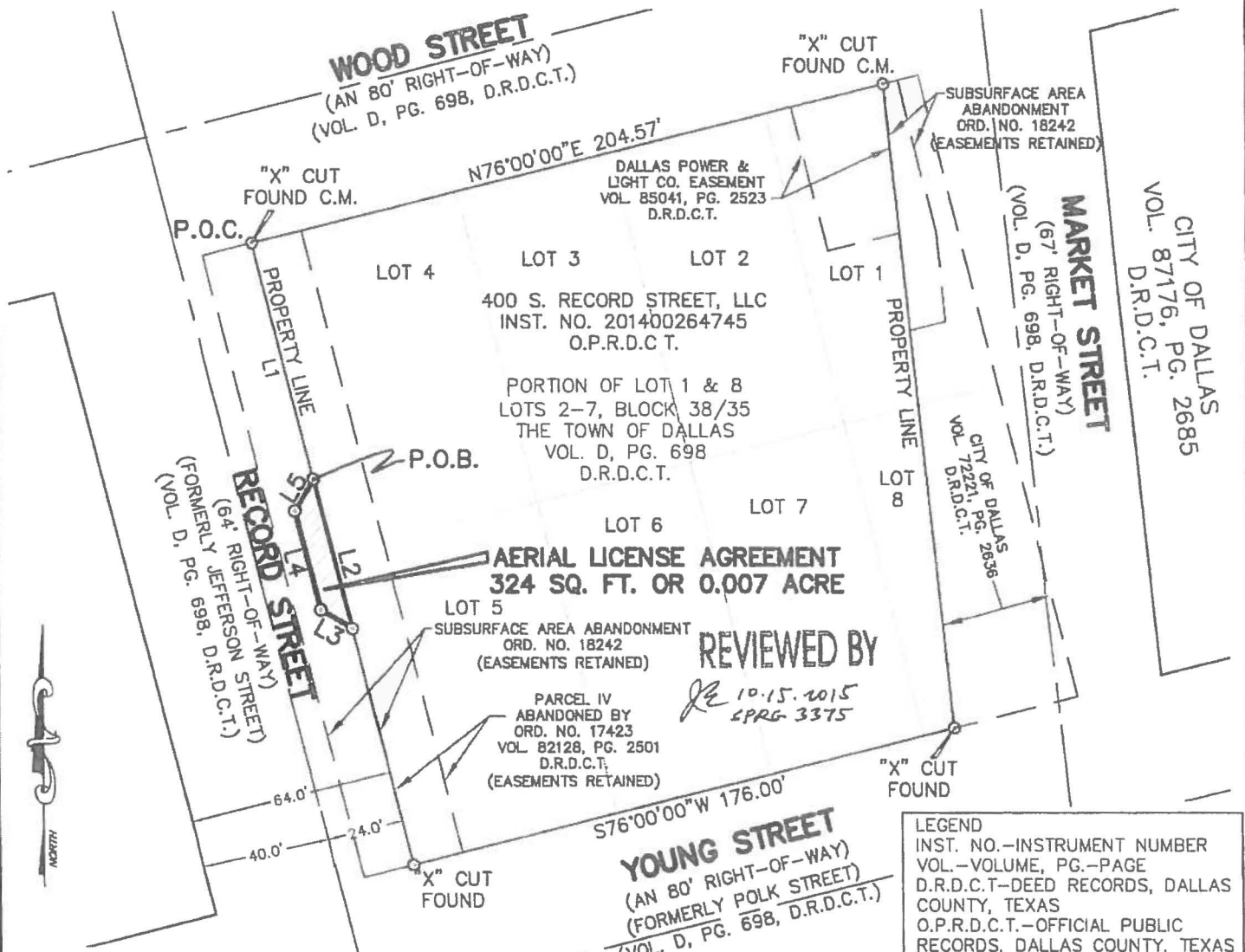
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 MORTGAGE

AERIAL LICENSE AGREEMENT EXHIBIT A-TRACT 2 OF 2

FOR
PART OF RECORD STREET ADJACENT TO CITY BLOCK 38/35
BETWEEN THE ELEVATIONS OF 453.60' FEET AND 456.10' FEET MEAN SEA LEVEL
JOHN N. BRYAN SURVEY, ABSTRACT NO. 149, CITY OF DALLAS, DALLAS COUNTY, TEXAS



LINE TABLE

LINE	LENGTH	BEARING
L1	75.96'	S 14°07'20" E
L2	48.07'	S 14°07'20" E
L3	11.47'	N 59°07'20" W
L4	31.85'	N 14°07'20" W
L5	11.47'	N 30°52'40" E

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

LEGEND

INST. NO.—INSTRUMENT NUMBER
VOL.—VOLUME, PG.—PAGE
D.R.D.C.T.—DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.—OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
ORD. NO.—ORDINANCE NUMBER
P.O.C.—POINT OF COMMENCING
P.O.B.—POINT OF BEGINNING
C.M.—CONTROLLING MONUMENT

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plot of survey accurately sets out the metes and bounds of the tract described.

TIMOTHY R. MANKIN
61

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	P-2980
DATE:	8/18/2015
SCALE:	1" = 50'
DRAWN:	J.B.W.

**PEISER & MANKIN
SURVEYING, LLC**

www.peisersurveying.com

623 E. DALLAS ROAD
GRAPEVINE, TEXAS 76051
817-481-1806 (O)
817-481-1809 (F)
FIRM NO. 100999-00



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MORTGAGE**

AERIAL LICENSE AGREEMENT EXHIBIT A-TRACT 2 OF 2

FOR

PART OF MARKET STREET ADJACENT TO CITY BLOCK 38/35
 BETWEEN THE ELEVATIONS OF 453.60' FEET AND 456.10' FEET MEAN SEA LEVEL
 JOHN N. BRYAN SURVEY, ABSTRACT NO. 149, CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 384 square foot tract of land located in the John N. Bryan Survey, Abstract No. 149, City of Dallas, Dallas County, Texas, being part of Market Street (67' right-of-way), as created by The Town of Dallas as recorded in Volume D, Page 698, transcribed to Volume 143, Page 401, Deed Records, Dallas County, Texas and Deed to City of Dallas as recorded in Volume 72221, Page 2636, Deed Records, Dallas County, Texas, being adjacent to Official City of Dallas Block 38/35 and Tract 1 as described to 400 S. Record Street, LLC, by Special Warranty Deed as recorded under Instrument No. 201400264745, Official Public Records, Dallas County, Texas, being between the elevations of 453.60 feet and 456.10 feet mean sea level, and being described more particularly as follows:

COMMENCING at an 'X' cut found at the Southeast corner of said 400 S. Record Street, LLC tract at the intersection of the Westerly right-of-way line of said Market Street, with the Northerly right-of-way line of Young Street (80' right-of-way):

THENCE North 05 deg. 59 min. 24 sec. West, along the westerly line of said Market Street and the easterly line of said 400 S. Record Street, LLC tract, a distance of 8.80 feet to a point for the Southwest corner of the herein described tract, same being the POINT OF BEGINNING;

THENCE North 05 deg. 59 min. 24 sec. West, continuing along the common line of said Market Street and said 400 S. Record Street, LLC tract, a distance of 74.08 feet to a point for the North corner of the herein described tract;

THENCE through the interior of said Market Street as follows:

South 14 deg. 07 min. 20 sec. East, a distance of 73.34 feet to a point for the Southeast corner of the herein described tract;

South 75 deg. 52 min. 40 sec. West, a distance of 10.48 feet to the POINT OF BEGINNING and containing 384 square feet or 0.009 acre of computed land, more or less.

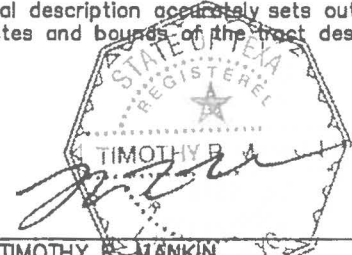
REVIEWED BY

TJ 10.16.2015
SPRG-3376

GENERAL NOTES:

1. Basis of Bearing - Based on the North line (North 76 deg. 00 min. 00 sec. East) of Tract 1 as described to 400 S. Record Street, LLC, by Special Warranty Deed as recorded under Instrument No. 201400264745, Official Public Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the tract described.



TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	P-2980
DATE:	8/18/2015
NOT TO SCALE	
DRAWN:	J.B.W.

PEISER & MANKIN SURVEYING, LLC

www.peisersurveying.com

623 E. DALLAS ROAD
GRAPEVINE, TEXAS 76051

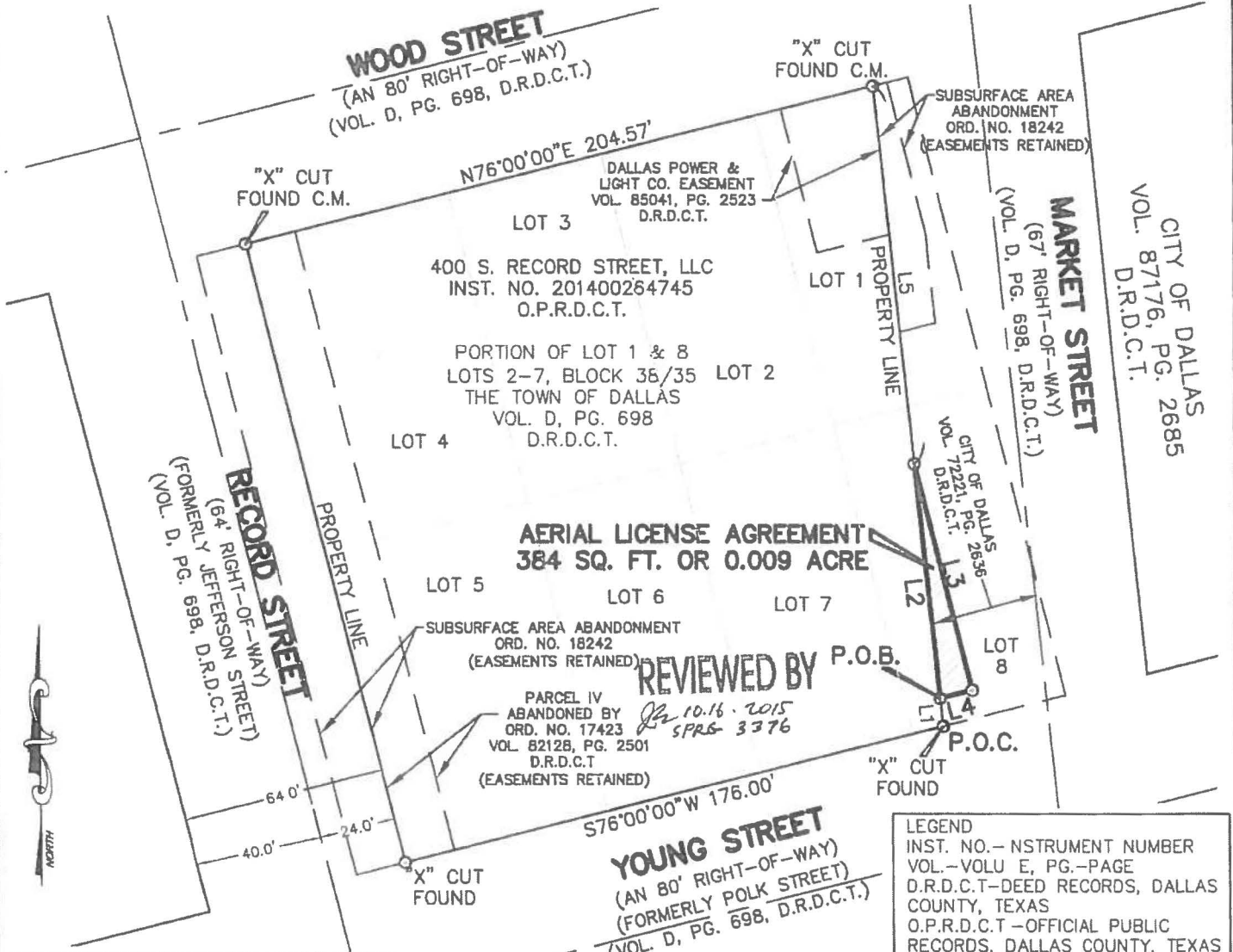
817-481-1806 (O)
817-481-1809 (F)
FIRM NO. 100999-00



**COMMERCIAL • RESIDENTIAL
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 MORTGAGE**

AERIAL LICENSE AGREEMENT

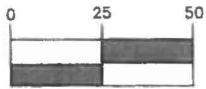
FOR PART OF MARKET STREET ADJACENT TO CITY BLOCK 38/35
 BETWEEN THE ELEVATIONS OF 453.60' FEET AND 456.10' FEET MEAN SEA LEVEL
 JOHN N. BRYAN SURVEY, ABSTRACT NO. 149, CITY OF DALLAS, DALLAS COUNTY, TEXAS



LINE TABLE

LINE	LENGTH	BEARING
L1	8.80'	N 05°59'24" W
L2	74.08'	N 05°59'24" W
L3	73.34'	S 14°07'20" E
L4	10.48'	S 75°52'40" W
L5	119.09'	S 05°59'24" E

GRAPHIC SCALE



(IN FEET)
 1 inch = 50 ft.

LEGEND
 INST. NO.- INSTRUMENT NUMBER
 VOL.-VOLUME E, PG.-PAGE
 D.R.D.C.T-DEED RECORDS, DALLAS COUNTY, TEXAS
 O.P.R.D.C.T-OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 ORD. NO.-ORDINANCE NUMBER
 P.O.C.-POINT OF COMMENCING
 P.O.B.-POINT OF BEGINNING
 C.M.-CONTROLLING MONUMENT

The undersigned, Registered Professional Land Surveyor, hereby certifies that this part of survey accurately sets out the rates and bounds of the tract described.

(Signature)
TIMOTHY R. MANKIN
 Registered Professional Land Surveyor No. 6122

JOB NO.: P-2980
 DATE: 8/18/2015
 SCALE: 1" = 50'
 DRAWN: J.B.W.

PEISER & MANKIN SURVEYING, LLC
 www.peisersurveying.com
 623 E. DALLAS ROAD
 GRAPEVINE, TEXAS 76051
 817-481-1806 (O)
 817-481-1809 (F)
 FIRM NO. 100999-00



COMMERCIAL BOUNDARIES • RESIDENTIAL TOPOGRAPHY
 MORTGAGE

LICENSE AGREEMENT

FOR

EXHIBIT A-TRACT 3 ^{1 OF 3}

PART OF WOOD, MARKET, YOUNG, AND RECORD STREETS ADJACENT TO CITY BLOCK 38/35
JOHN N. BRYAN SURVEY, ABSTRACT NO. 149, CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 12,298 square foot tract of land located in the John N. Bryan Survey, Abstract Number 149, City of Dallas, Dallas County, Texas, being part of Wood Street (80' right-of-way), Market Street (67' right-of-way), Young Street (80' right-of-way), and Record Street (64' right-of-way), as created by the Town of Dallas, according to the plat thereof recorded in Volume D, Page 698, transcribed to Volume 143, Page 401 of the Deed Records of Dallas County, Texas, and created by Deed to City of Dallas as recorded in Volume 72221, Page 2636, Deed Records, Dallas County, Texas, being adjacent to Official City of Dallas Block 38/35 and Tract 1 as conveyed to 400 S. Record Street, LLC, by Special Warranty Deed as recorded under Instrument No. 201400264745, Official Public Records, Dallas County, Texas, and being described more particularly as follows:

COMMENCING at an 'X' cut found at the Northwest corner of Parcel IV of that certain tract of land abandoned by City of Dallas Ordinance No. 17423 recorded in Volume 82128, Page 2501, Deed Records, Dallas County, Texas, at the intersection of the Southerly right-of-way line of said Wood Street, with the Easterly right-of-way line of said Record Street:

THENCE through the interior of said Wood Street as follows:

North 14 deg. 07 min. 20 sec. West, a distance of 17.43 feet to a point in the northwesterly line of the herein described tract, same being the beginning of a non-tangent curve to the right, having a radius of 20.00 feet, a central angle of 15 deg. 08 min. 12 sec., and a chord bearing and distance of North 68 deg. 18 min. 12 sec. East, 5.27 feet, same being the POINT OF BEGINNING;

Along said non-tangent curve to the right, an arc distance of 5.28 feet to a point for corner;

North 75 deg. 52 min. 18 sec. East, a distance of 194.61 feet to a point for corner in the intersection of said Wood Street and aforesaid Market Street, same being the beginning of a tangent curve to the right, having a radius of 15.00 feet, a central angle of 98 deg. 08 min. 56 sec., and a chord bearing and distance of South 55 deg. 03 min. 14 sec. East, 22.67 feet;

THENCE through the interior of said Market Street as follows:

Along said curve to the right, an arc distance of 25.70 feet to a point for corner;

South 05 deg. 58 min. 46 sec. East, a distance of 203.03 feet to a point for corner in the intersection of said Market Street and aforesaid Young Street, same being the beginning of a tangent curve to the right, having a radius of 20.00 feet, a central angle of 81 deg. 54 min. 44 sec., and a chord bearing and distance of South 34 deg. 58 min. 36 sec. West, 26.22 feet;

THENCE through the interior of said Young Street as follows:

Along said curve to the right, an arc distance of 28.59 feet to a point for corner;

South 75 deg. 55 min. 59 sec. West, a distance of 161.51 feet to a point for corner in the intersection of said Young Street and aforesaid Record Street, same being the beginning of a tangent curve to the right, having a radius of 20.00 feet, a central angle of 90 deg. 07 min. 17 sec., a chord bearing and distance of North 59 deg. 00 min. 23 sec. West, 28.31 feet;

THENCE through the interior of said Record Street as follows:

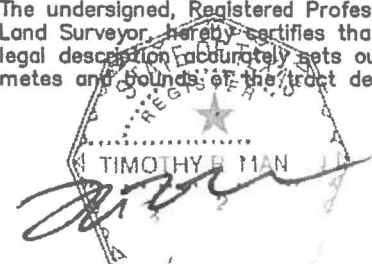
Along said curve to the right, an arc distance of 31.46 feet to a point for corner;

North 13 deg. 56 min. 45 sec. West, a distance of 195.10 feet to a point for corner in the intersection of said Record Street and aforesaid Wood Street, same being the beginning of a tangent curve to the right, having a radius of 20.00 feet, a central angle of 74 deg. 40 min. 51 sec., and a chord bearing and distance of North 23 deg. 23 min. 41 sec. East, 24.26 feet;

THENCE along said curve to the right and through the intersection of said Record Street and said Wood Street, an arc distance of 26.07 feet to the POINT OF BEGINNING and containing 50,355 square feet or 1.156 acres of computed land, more or less.

REVIEWED BY
JR 10.20.2015
SPRG 3377

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the tract described.



TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

GENERAL NOTES:

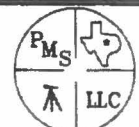
1. Basis of Bearing - Based on the North line (North 76 deg. 00 min. 00 sec. East) of Tract 1 as described to 400 S. Record Street, LLC, by Special Warranty Deed as recorded under Instrument No. 201400264745, Official Public Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

JOB NO.:	P-2980
DATE:	8/18/2015
REV:	10/16/2015
NOT TO SCALE	
DRAWN:	J.B.W.

**PEISER & MANKIN
SURVEYING, LLC**

www.peisersurveying.com

623 E. DALLAS ROAD
GRAPEVINE, TEXAS 76051
817-481-1806 (O)
817-481-1809 (F)
FIRM NO. 100999-00



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MORTGAGE**

LICENSE AGREEMENT

EXHIBIT A-TRACT 3 OF 3

FOR

PART OF WOOD, MARKET, YOUNG, AND RECORD STREETS ADJACENT TO CITY BLOCK 38/35
JOHN N. BRYAN SURVEY, ABSTRACT NO. 149, CITY OF DALLAS, DALLAS COUNTY, TEXAS

SAVE AND EXCEPT:

Beginning at an 'X' cut found at the Northwest corner of said Parcel IV at the intersection of the Southerly right-of-way line of said Wood Street (80' R.O.W.), with the Easterly right-of-way line of said Record Street (64' R.O.W.):

THENCE North 76 degrees 00 minutes 00 seconds East, along the Southerly line of said Wood Street, at 16.0 feet passing the Northeast corner of said Parcel IV of an abandoned part of said Record Street, in all a distance of 204.57 feet to an 'X' cut found in concrete for corner on the Westerly right-of-way line of said Market Street, (67' right-of-way), being the Northwest corner of said tract conveyed to the City of Dallas by deed recorded in Volume 72221, Page 2636 of said Deed Records;

THENCE South 05 degrees 59 minutes 24 seconds East, along the Westerly right-of-way line of said Market Street, a distance of 201.97 feet to an 'X' cut found in concrete at the Southwest corner of said City of Dallas tract on the Northerly right-of-way line of Young Street (80' right-of-way);

THENCE South 76 degrees 00 minutes 00 seconds West, along the Northerly right-of-way line of Young Street, a distance of 176.00 feet to an 'X' cut found in concrete at the Southwest corner of said Parcel IV on the Easterly right-of-way line of said Record Street;

THENCE North 14 degrees 07 minutes 20 seconds West, along said Easterly right-of-way line of said Record Street, a distance of 200.00 feet to the POINT OF BEGINNING and containing 38,057 square feet or 0.874 acre of computed land, more or less, leaving a total area of 12,298 square feet or 0.282 acres of computed land, more or less.

REVIEWED BY

10.20.2015
SPRG 3377

GENERAL NOTES:

1. Basis of Bearing - Based on the North line (North 76 deg. 00 min. 00 sec. East) of Tract 1 as described to 400 S. Record Street, LLC, by Special Warranty Deed as recorded under Instrument No. 201400264745, Official Public Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the tract described.



TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.: P-2980

DATE: 8/18/2015

REV: 10/16/2015

NOT TO SCALE

DRAWN: J.B.W.

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LICENSE AGREEMENT

FOR
PART OF WOOD, MARKET, YOUNG, AND RECORD
STREETS ADJACENT TO CITY BLOCK 38/35
JOHN N. BRYAN SURVEY, ABSTRACT NO. 149,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

WOOD STREET
(AN 80' RIGHT-OF-WAY)
(VOL. D, PG. 69B, D.R.D.C.T.)

RECORD STREET
(64' RIGHT-OF-WAY)
(FORMERLY JEFFERSON STREET)
(VOL. D, PG. 69B, D.R.D.C.T.)

SUBSURFACE AREA
ABANDONMENT
ORD. NO. 18242
(EASEMENTS RETAINED)

MARKET STREET
(67' RIGHT-OF-WAY)
(VOL. D, PG. 69B, D.R.D.C.T.)

CITY OF DALLAS
VOL. 87176, PG. 2685
D.R.D.C.T.

CITY OF DALLAS
VOL. 79221, PG. 2638
D.R.D.C.T.

DALLAS POWER &
LIGHT CO. EASEMENT
VOL. 85041, PG. 2523
D.R.D.C.T.

SUBSURFACE AREA ABANDONMENT
ORD. NO. 18242
(EASEMENTS RETAINED)

PARCEL IV
ABANDONED BY
ORD. NO. 17423
VOL. 82128, PG. 2501
D.R.D.C.T.
(EASEMENTS RETAINED)

PORTION OF LOT 1 & 8
LOTS 2-7, BLOCK 38/35
THE TOWN OF DALLAS
VO D, PG. 69B
D.R.D.C.T.

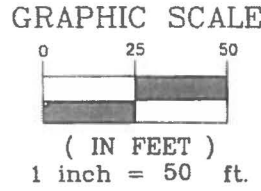
LICENSE AGREEMENT
12,298 SQ. FT.
OR 0.282 ACRE

LOT 4 400 S. RECORD STREET, LLC
INST. NO. 201400264745
O.P.R.D.C.T.

"X" CUT
FOUND C.M.

"X" CUT
FOUND

"X" CUT
FOUND



Basis of Bearing - Based on
the North line (North 76 deg.
00 min. 00 sec. East) of Tract
1 as described to 400 S.
Record Street, LLC, by Special
Warranty Deed as recorded
under Instrument No.
201400264745, Official Public
Records, Dallas County, Texas.

LEGEND
INST. NO.-INSTRUMENT NUMBER
VOL.-VOLUME, PG.-PAGE
D.R.D.C.T.-DEED RECORDS, DALLAS
COUNTY, TEXAS
O.P.R.D.C.T.-OFFICIAL PUBLIC
RECORDS, DALLAS COUNTY, TEXAS
ORD. NO.-ORDINANCE NUMBER
P.O.C.-POINT OF COMMENCING
P.O.B.-POINT OF BEGINNING
C.M.-CONTROLLING MONUMENT
S&E-SAVE AND EXCEPT

The undersigned Registered
Professional Land Surveyor, hereby
certifies that this plat of Survey
accurately sets out the angles and
bounds of the tract described.

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 8122

LINE TABLE

LINE	LENGTH	BEARING
L1	17.43'	N 14°07'20" W

REVIEWED BY *SRG 3377* 10.20.2015

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	5.28'	20.00'	15°08'12"	N 68°18'12" E	5.27'
C2	25.70'	15.00'	98°08'56"	S 55°03'14" E	22.67'
C3	28.59'	20.00'	81°54'44"	S 34°58'36" W	26.22'
C4	31.46'	20.00'	90°07'17"	N 59°00'23" W	28.31'
C5	26.07'	20.00'	74°40'51"	N 23°23'41" E	24.26'

JOB NO.: P-2980
DATE: 8/18/2015
REV: 10/16/2015

**PEISER & MANKIN
SURVEYING, LLC**

SCALE: 1" = 50'
DRAWN: J.B.W.

www.peisersurveying.com
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**EXHIBIT B - TEMPORARY LICENSE AGREEMENT
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

That this license is granted subject to the following additional conditions, terms and reservations:

- (a) That at such time as this license is terminated or canceled for any reason whatsoever, LICENSEE, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of LICENSEE. In the event, upon termination of this license, LICENSEE shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against LICENSEE; in neither event shall by the City be liable to LICENSEE on account thereof.
- (b) It is further understood that if and when the City, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of LICENSEE's installations and improvements thereon, any modifications or changes to LICENSEE's facilities in the licensed area or in construction or reconstruction of any public improvement attributable to LICENSEE's use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of LICENSEE and to the satisfaction of the Director of Sustainable Development and Construction.
- (c) At such time as this license is granted, it is agreed, and a condition hereof, that LICENSEE shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City as an additional insured protecting the City against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by LICENSEE of the licensed area and LICENSEE's installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than twelve (12) months following

**EXHIBIT B - TEMPORARY LICENSE AGREEMENT
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City.

1. **LICENSEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Director of Sustainable Development and Construction.
2. **LICENSEE** shall carry said insurance at its expense and shall furnish the City proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **LICENSEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **LICENSEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **LICENSEE's** use and occupancy thereof, **LICENSEE**, at is expense, shall be obligated to clean up the licensed area to the satisfaction of the City and any governmental body having jurisdiction thereover. The City may, at its option, clean the licensed area. If the City elects to do so, **LICENSEE** shall promptly pay to the City the reasonable cost of such cleanup upon receipt of bills therefor. **LICENSEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **LICENSEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **LICENSEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City as it now exists, or may hereafter be adopted or amended, and the ordinances of the City now in effect or those which may hereafter be passed or adopted. The City shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

**EXHIBIT B - TEMPORARY LICENSE AGREEMENT
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

- (f) The Governing Body of the City reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the LICENSEE's use of this license constitutes a nuisance or is inconsistent with the public use of the property.
- (g) As a condition hereof, LICENSEE agrees and is bound to defend, indemnify and hold the City, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or LICENSEE's installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of LICENSEE, or by LICENSEE's breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of LICENSEE, its officers, agents, employees or contractors in the use, occupancy and maintenance of LICENSEE's installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the LICENSEE and the City, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of LICENSEE's use of the licensed area or LICENSEE's improvements and equipment located thereon. In addition to the foregoing, LICENSEE covenants and agrees never to make a claim of any kind or character whatsoever against the City for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

**EXHIBIT B - TEMPORARY LICENSE AGREEMENT
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

- (h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): 1, 2, 3, 7, 9, 10, 11, 13

DEPARTMENT: Trinity Watershed Management
Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 16L 26E, Y 27F, K 28S, Y 34Q, 36R, 38A, J, 44Y 47D 53
C, K, 63A, B, H, U 64N

SUBJECT

Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects (list attached) - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)

BACKGROUND

This action will authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects. These projects were funded in the 2012 Bond Program.

Erosion control improvement projects will include the installation of gabion walls, retaining walls, gabion mattresses, slope and channel improvements to protect structures and minimize creek bank erosion along various creeks throughout the city.

Following are the locations, design cost, and the selected consulting firm for each project. The consulting firms were selected following a qualifications-based selection process in accordance with the City of Dallas AD 4-5 procurement guidelines.

<u>Location</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 2</u>		Huitt-Zollars, Inc.	
7832 & 7920 Royal Lane	11		\$96,255.00
6121, 6123, 6125, 6127			
6139 6141 Summer Creek Circle	13		\$91,741.00

BACKGROUND (Continued)

<u>Location</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 5</u>			
8444 Spring Valley	11	Urban Engineers Group, Inc.	\$51,117.00
9750 Royal Lane	10		\$51,022.00
8201 Fair Oaks Crossing	10		\$42,632.00
7920 Skillman	10		\$76,775.50
<u>Group 6</u>			
9233 Church Road	10	GWC Engineering, LP	\$24,230.54
11825 Sunland Street	9		\$19,767.79
1251 Tranquilla Dr.	9		\$21,513.04
6607, 6615 , 6621 Mercedes	9		\$32,956.02
8668 and 8656 Langdale Circle	10		\$45,944.11
10741 N. Lanett Circle	10		\$32,035.87
Dixon Branch at Easton Road	9		\$35,493.54
<u>Group 8</u>			
3435 Clarendon	1	Walter P. Moore & Associates	\$26,868.00
5910 Cedar Springs	2		\$33,168.00
3431 Kiesthill Drive	3		\$28,954.00
705 W Colorado	1		\$19,943.00
3721 Blue Ridge	3		\$27,653.00
2488 Wild Oak	7		\$29,743.00
445 Cavender	1		\$20,163.00
<u>Group 10</u>			
3817 S Hampton Rd	3	HDR Engineering Inc.	\$51,102.20
5410, 5416, 5810 and 5816 Caracas (Formerly Caracas 5410 and 5416)	3		\$39,546.61
2733 Bainbridge	3		\$18,016.68
2729 Blackstone	3		\$25,288.08
2745 Blackstone	3		\$24,886.08
2709 Blackstone	3		\$23,227.52

ESTIMATED SCHEDULE OF PROJECT

<u>Erosion Control Improvement</u>	<u>Begin Design</u>	<u>Complete Design</u>
<u>Group 2</u>		
7832 & 7920 Royal Lane	March 2016	September 2016
6121, 6123, 6125, 6127, 6139 & 6141 Summer Creek Circle	March 2016	September 2016

ESTIMATED SCHEDULE OF PROJECT (Continued)

Erosion Control Improvement Projects

**Begin
Design**

**Complete
Design**

Group 5

8444 Spring Valley	March 2016	September 2016
9750 Royal Lane	March 2016	September 2016
8201 Fair Oaks Crossing	March 2016	September 2016
7920 Skillman	March 2016	September 2016

Group 6

9233 Church Road	March 2016	September 2016
11825 Sunland Street	March 2016	September 2016
1251 Tranquilla Dr.	March 2016	September 2016
6607, 6615, 6621 Mercedes	March 2016	September 2016
8668 and 8656 Langdale Circle	March 2016	September 2016
10741 N. Lanett Circle	March 2016	September 2016
Dixon Branch at Easton Road	March 2016	September 2016

Group 8

3435 Clarendon	March 2016	September 2016
5910 Cedar Springs	March 2016	September 2016
3431 Kiesthill Drive	March 2016	September 2016
705 W Colorado	March 2016	September 2016
3721 Blue Ridge	March 2016	September 2016
2488 Wild Oak	March 2016	September 2016
445 Cavender	March 2016	September 2016

Group 10

3817 S Hampton Rd	March 2016	September 2016
5810, 5816 Caracas	March 2016	September 2016
2733 Bainbridge	March 2016	September 2016
2729 Blackstone	March 2016	September 2016
2745 Blackstone	March 2016	September 2016
2709 Blackstone	March 2016	September 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be briefed to the Transportation and Trinity River Project Committee on February 8, 2016.

FISCAL INFORMATION

2012 Bond Funds - \$664,495.58

2012 Bond Program (General Obligation Commercial Paper Funds) - \$87,375.00

Water Utilities Capital Construction Funds - \$238,172.00

<u>Council District</u>	<u>Amount</u>
1	\$ 66,974.00
2	\$ 33,168.00
3	\$238,674.17
7	\$ 29,743.00
9	\$109,730.39
10	\$272,640.02
11	\$147,372.00
13	<u>\$ 91,741.00</u>

Total Cost \$990,042.58

Erosion Control Improvement Projects

Group 2

Design (TWM)	\$138,400.00
Design (DWU)	\$ 49,596.00
Construction	<u>\$779,471.00</u>
Total Project Cost	\$967,467.00 (est.)

Group 5

Design (TWM)	\$ 169,958.50
Design (DWU)	\$ 51,588.00
Construction	<u>\$1,008,997.00</u>
Total Project Cost	\$1,230,543.50 (est.)

Group 6

Design (TWM)	\$ 163,304.91
Design (DWU)	\$ 48,636.00
Construction	<u>\$ 873,866.58</u>
Total Project Cost	\$1,085,807.49 (est.)

FISCAL INFORMATION (Continued)

Group 8

Design (TWM)	\$141,840.00
Design (DWU)	\$ 44,652.00
Construction	<u>\$786,020.15</u>
Total Project Cost	\$972,512.15 (est.)

Group 10

Design (TWM)	\$138,367.17
Design (DWU)	\$ 43,700.00
Construction	<u>\$762,606.78</u>
Total Project Cost	\$944,673.95 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Huitt-Zollars, Inc.

Hispanic Female	8	Hispanic Male	10
African-American Female	3	African-American Male	2
Other Female	3	Other Male	5
White Female	26	White Male	51

Urban Engineers Group, Inc.

Hispanic Female	2	Hispanic Male	1
African-American Female	0	African-American Male	1
Other Female	0	Other Male	4
White Female	0	White Male	1

GWC Engineering, LP

Hispanic Female	0	Hispanic Male	0
African-American Female	0	African-American Male	1
Other Female	0	Other Male	0
White Female	0	White Male	2

ETHNIC COMPOSITION (Continued)

Walter P. Moore & Associates

Hispanic Female	1	Hispanic Male	0
African-American Female	0	African-American Male	0
Other Female	2	Other Male	5
White Female	13	White Male	22

HDR Engineering, Inc.

Hispanic Female	7	Hispanic Male	20
African-American Female	5	African-American Male	4
Other Female	3	Other Male	12
White Female	58	White Male	151

MAPS

Attached

Erosion Control Improvements

<u>Erosion Control Improvement</u>	<u>Council District</u>	<u>Firm</u>	<u>Total Fee Amount</u>
<u>Group 2</u>			
7832 & 7920 Royal Lane	11	Huitt-Zollars, Inc.	\$96,255.00
6121, 6123, 6125, 6127			
6139 6141 Summer Creek Circle	13		\$91,741.00
<u>Group 5</u>			
8444 Spring Valley	11	Urban Engineer Group, Inc.	\$51,117.00
9750 Royal Lane	10		\$51,022.00
8201 Fair Oaks Crossing	10		\$42,632.00
7920 Skillman	10		\$76,775.50
<u>Group 6</u>			
9233 Church Road	10	GWC Engineering, LP	\$24,230.54
11825 Sunland Street	9		\$19,767.79
1251 Tranquilla Dr.	9		\$21,513.04
6607, 6615 , 6621 Mercedes	9		\$32,956.02
8668 and 8656 Langdale Circle	10		\$45,944.11
10741 N. Lanett Circle	10		\$32,035.87
Dixon Branch at Easton Road	9		\$35,493.54
<u>Group 8</u>			
3435 Clarendon	1	Walter P. Moore & Associates	\$26,868.00
5910 Cedar Springs	2		\$33,168.00
3431 Kiesthill Drive	3		\$28,954.00
705 W Colorado	1		\$19,943.00
3721 Blue Ridge	3		\$27,653.00
2488 Wild Oak	7		\$29,743.00
445 Cavender	1		\$20,163.00
<u>Group 10</u>			
3817 S Hampton Rd	3	HDR Engineering Inc.	\$51,102.20
5410, 5416, 5810 and 5816 Caracas (Formerly Caracas 5410 and 5416)	3		\$39,546.61
2733 Bainbridge	3		\$18,016.68
2729 Blackstone	3		\$25,288.08
2745 Blackstone	3		\$24,886.08
2709 Blackstone	3		\$23,227.52

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects (list attached) - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$187,996.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$187,996.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group, Inc.	BMDB6394Y0116	\$24,635.00	13.10%
Lim & Associates	PMDB01647Y0416	\$30,810.00	16.39%
Total Minority - Local		\$55,445.00	29.49%

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	\$24,635.00	13.10%	\$24,635.00	13.10%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$30,810.00	16.39%	\$30,810.00	16.39%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$55,445.00	29.49%	\$55,445.00	29.49%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects (list attached) - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)

Urban Engineering Group, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$221,546.50	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$221,546.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group, Inc.	BMDB6394Y0116	\$28,055.00	12.66%
Urban Engineerings Group, Inc.	HFDB10630Y0716	\$169,841.50	76.66%
Pacheco Koch & Associates, Inc.	HMMB25567Y0917	\$22,650.00	10.22%
MS Dallas Reprographics, Inc.	WFWB64722Y0417	\$1,000.00	0.45%
Total Minority - Local		\$221,546.50	100.00%

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	\$28,055.00	12.66%	\$28,055.00	12.66%
Hispanic American	\$192,491.50	86.89%	\$192,491.50	86.89%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$1,000.00	0.45%	\$1,000.00	0.45%
Total	\$221,546.50	100.00%	\$221,546.50	100.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects (list attached) - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)

GWC Engineering, LP is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$211,940.91	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$211,940.91	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group	BMDB6394Y0116	\$28,000.01	13.21%
Gorronдона & Associates	HMMB62084Y0616	\$26,700.00	12.60%
Total Minority - Local		\$54,700.01	25.81%

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	\$28,000.01	13.21%	\$28,000.01	13.21%
Hispanic American	\$26,700.00	12.60%	\$26,700.00	12.60%
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	\$54,700.01	25.81%	\$54,700.01	25.81%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects (list attached) - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)

Walter P. Moore & Associates is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$158,732.00	85.11%
Total non-local contracts	\$27,760.00	14.89%
TOTAL CONTRACT	\$186,492.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
VRX, Inc.	WFDB63318Y0316	\$18,850.00	11.88%
Total Minority - Local		\$18,850.00	11.88%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Spooner & Associates, Inc.	NMDFW114291116	\$27,760.00	100.00%
Total Minority - Non-local		\$27,760.00	100.00%

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%	\$27,760.00	14.89%
WBE	\$18,850.00	11.88%	\$18,850.00	10.11%
Total	\$18,850.00	11.88%	\$46,610.00	24.99%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with five consulting firms for the engineering design of twenty-six erosion control improvement projects (list attached) - Not to exceed \$990,043 - Financing: 2012 Bond Funds (\$664,496), General Obligation Commercial Paper Funds (\$87,375) and Water Utilities Capital Construction Funds (\$238,172)

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$182,067.17	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$182,067.17	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group, Inc.	BMDB6394Y0116	\$12,172.00	6.69%
Salcedo Group	HMDB94641Y1116	\$25,605.00	14.06%
JQ Infrastructure, LLC	IMDB80158Y0716	\$12,065.00	6.63%
Integrated Environmental Services	WFDB99638Y0516	\$3,822.92	2.10%
Total Minority - Local		\$53,664.92	29.48%

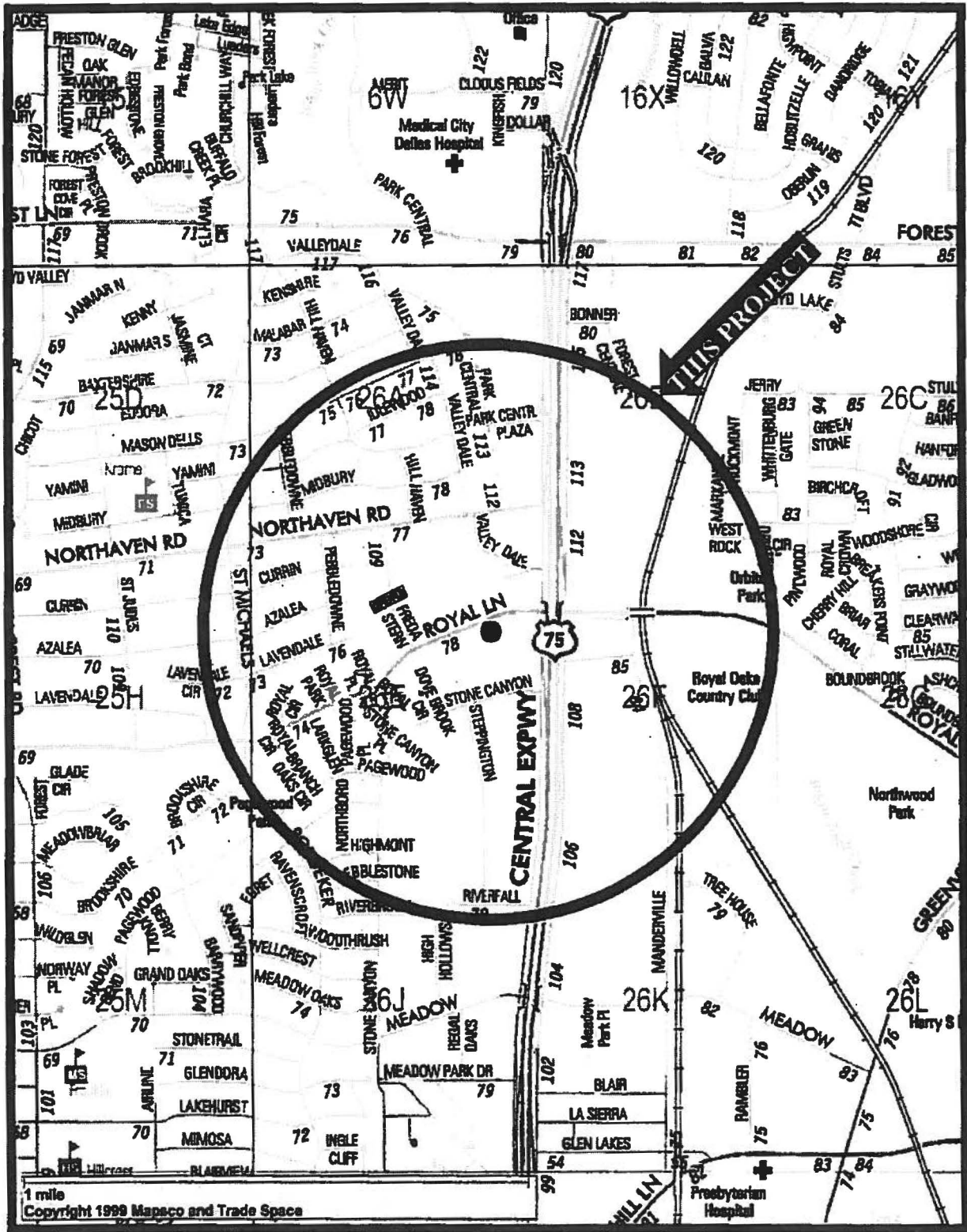
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

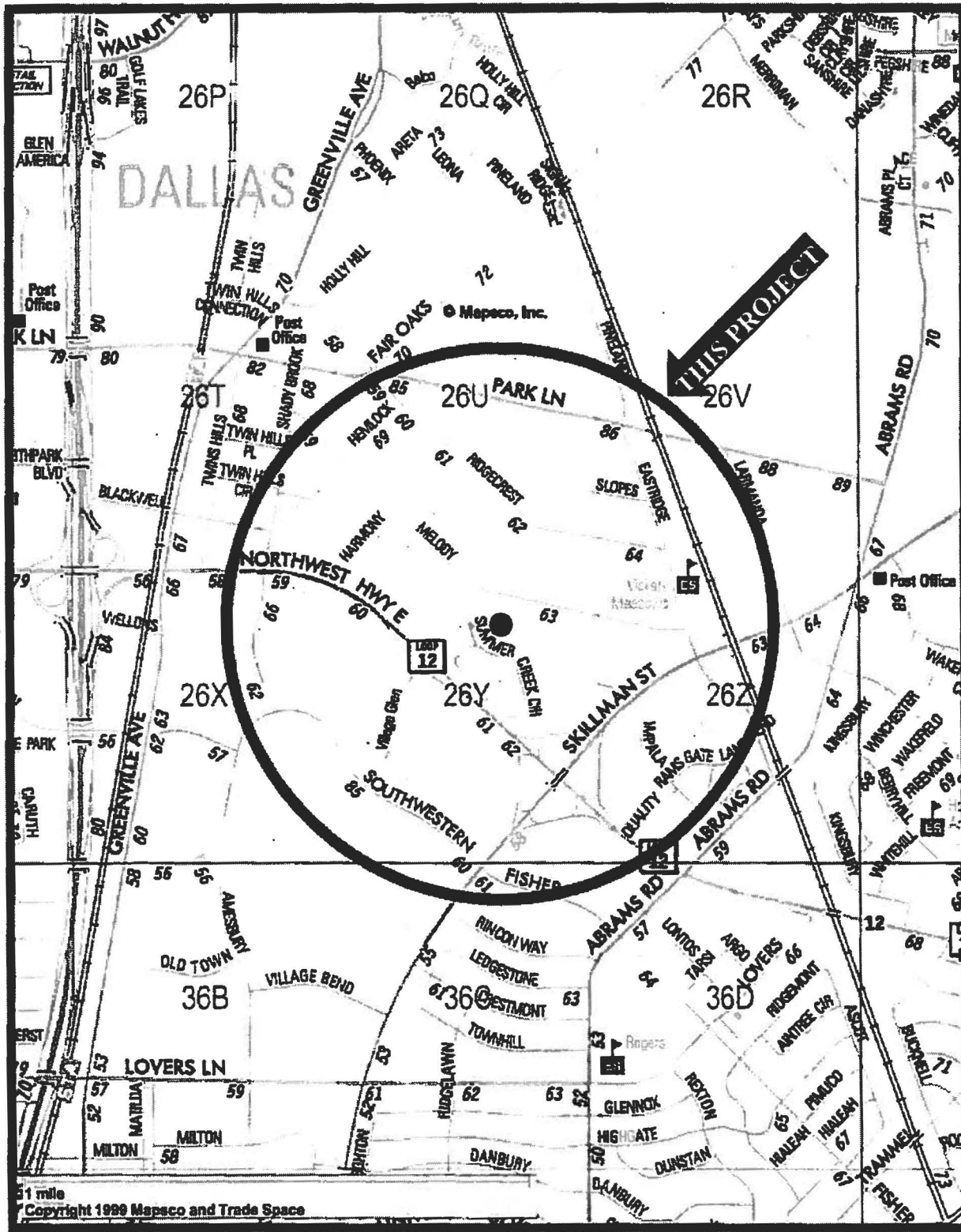
	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$12,172.00	6.69%	\$12,172.00	6.69%
Hispanic American	\$25,605.00	14.06%	\$25,605.00	14.06%
Asian American	\$12,065.00	6.63%	\$12,065.00	6.63%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$3,822.92	2.10%	\$3,822.92	2.10%
Total	\$53,664.92	29.48%	\$53,664.92	29.48%

EC Group 2: Map 1 of 2



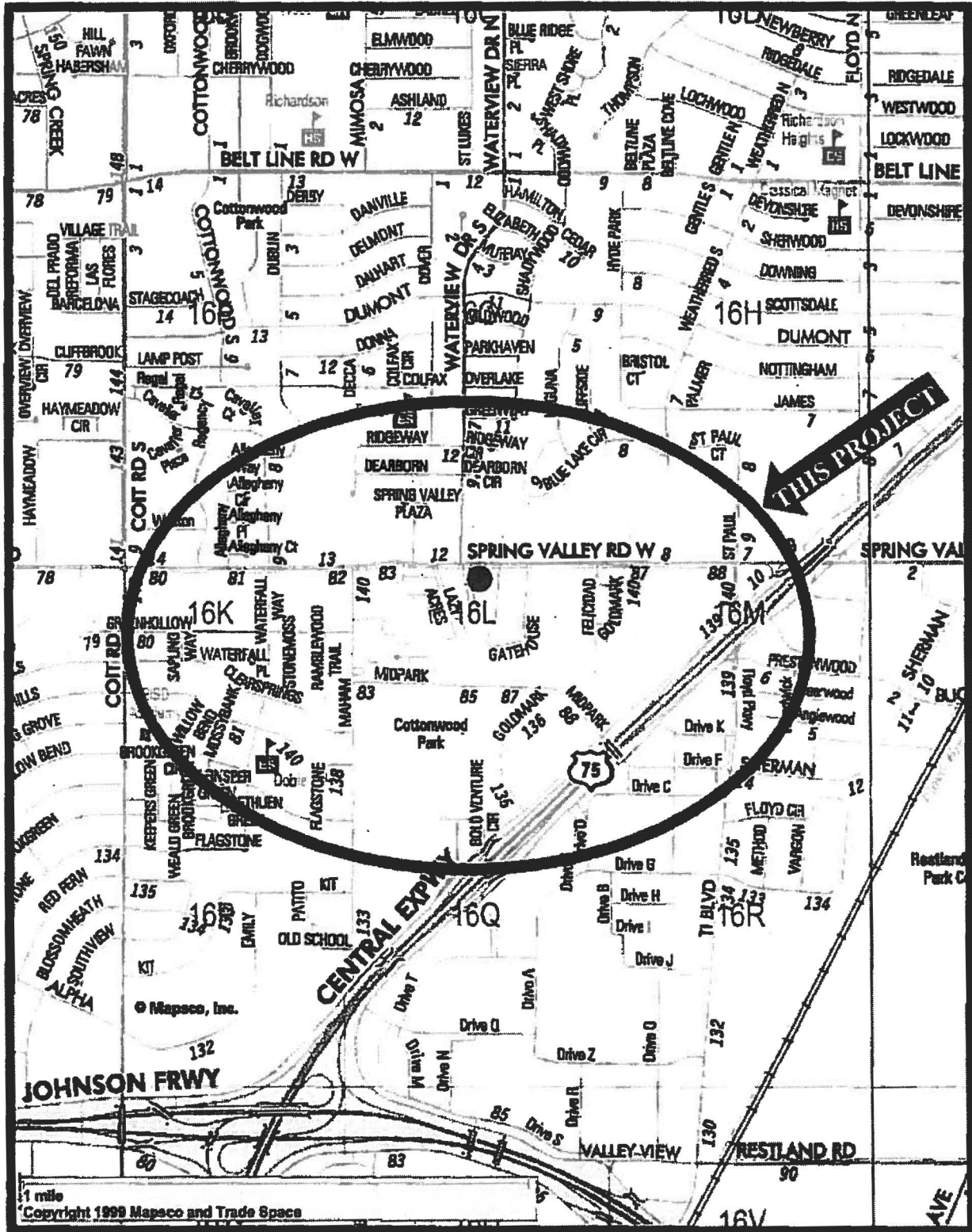
Mapsco 26-E

EC Group 2: Map 2 of 2



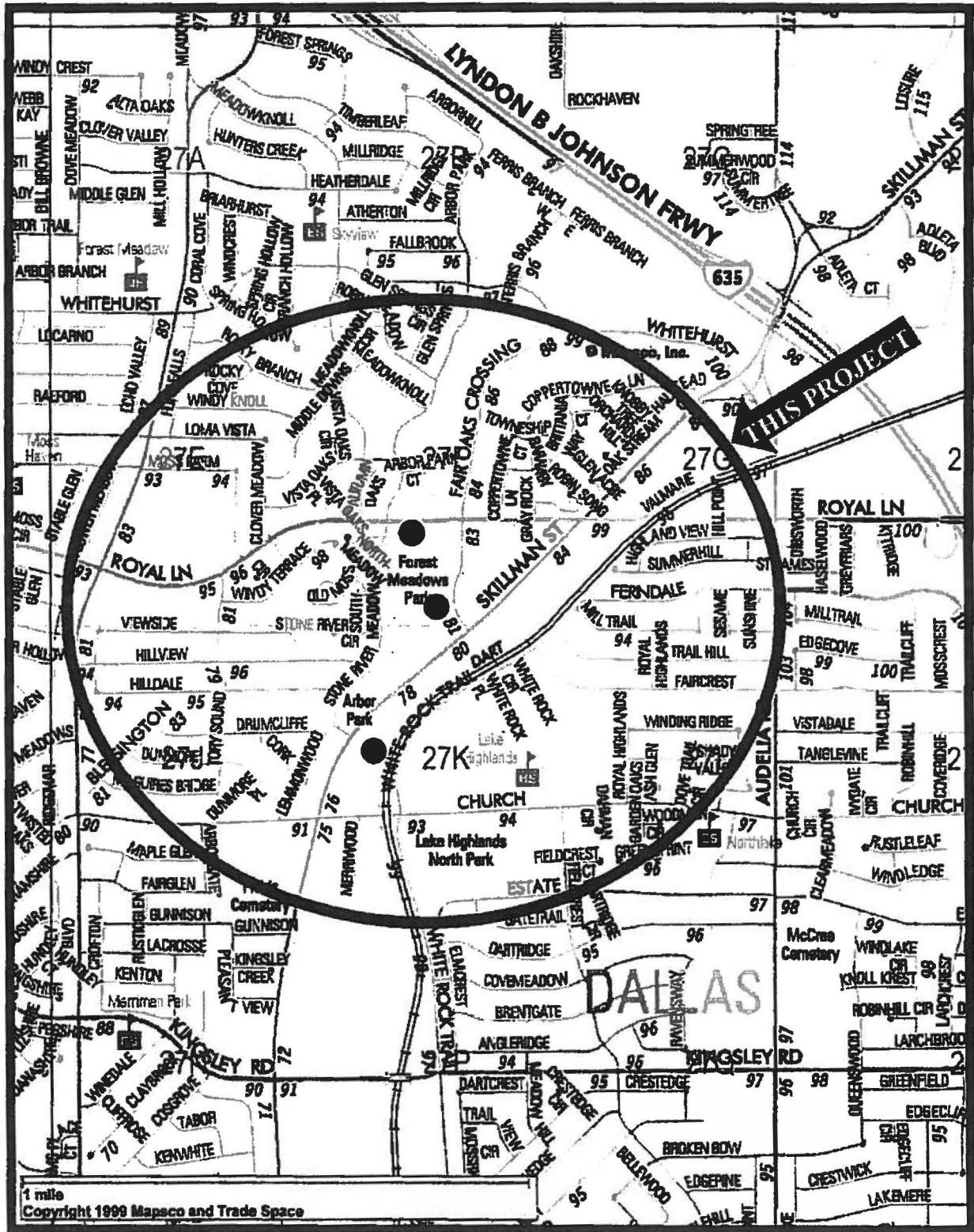
Mapco 26-Y

EC Group 5: Map 1 of 2



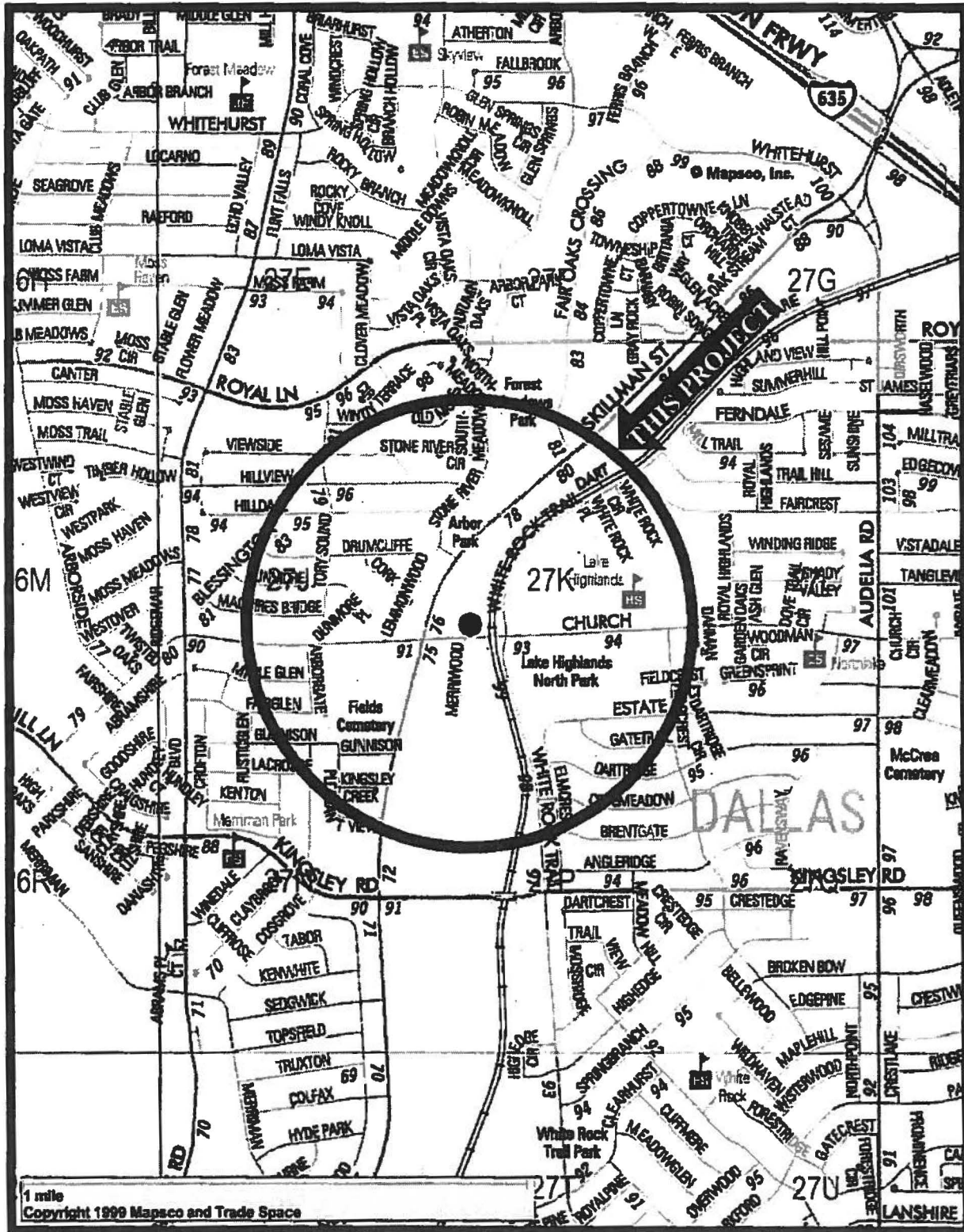
Mapsco 16-L

EC Group 5: Map 2 of 2



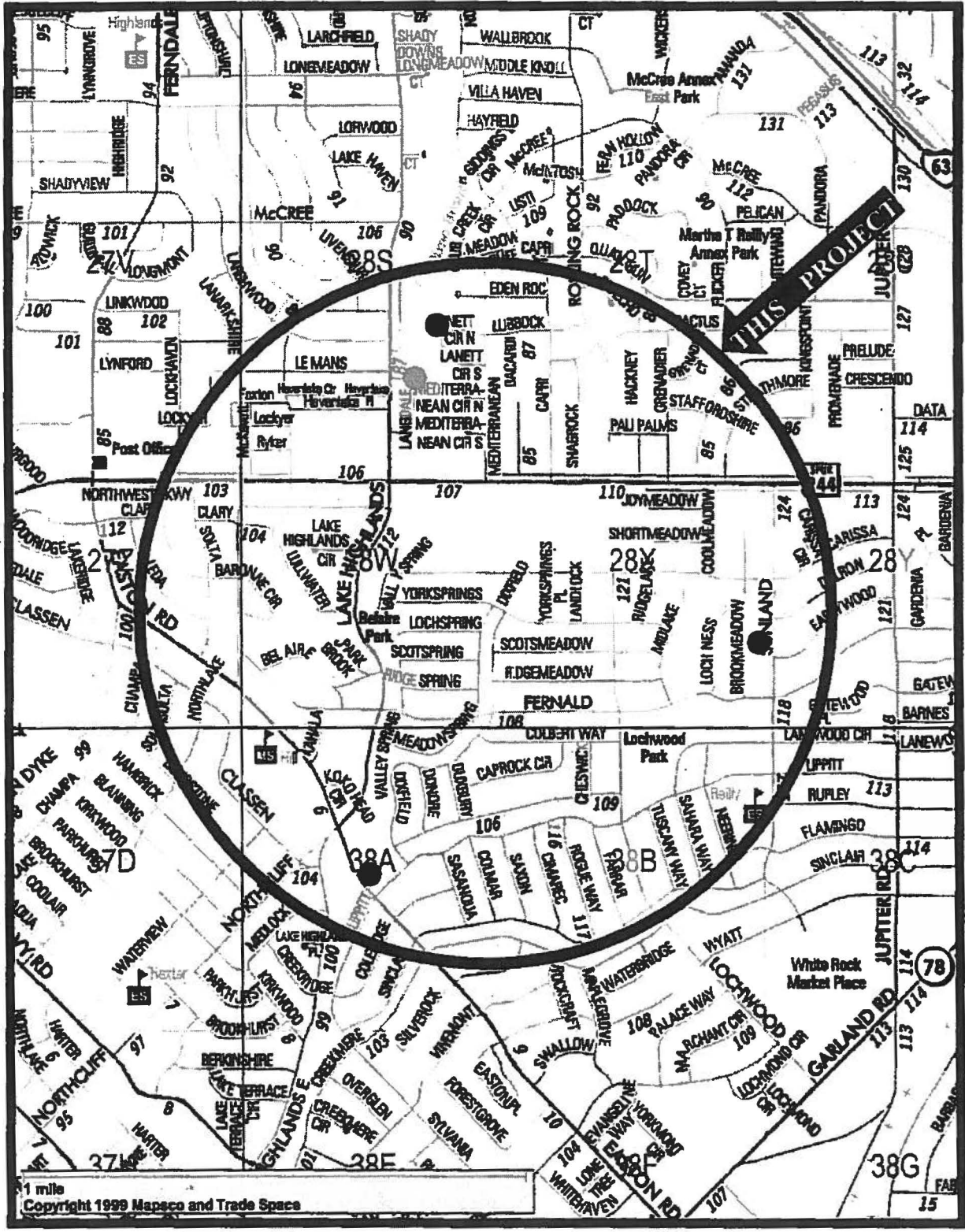
Mapsco 27-F, K

EC Group 6: Map 1 of 4



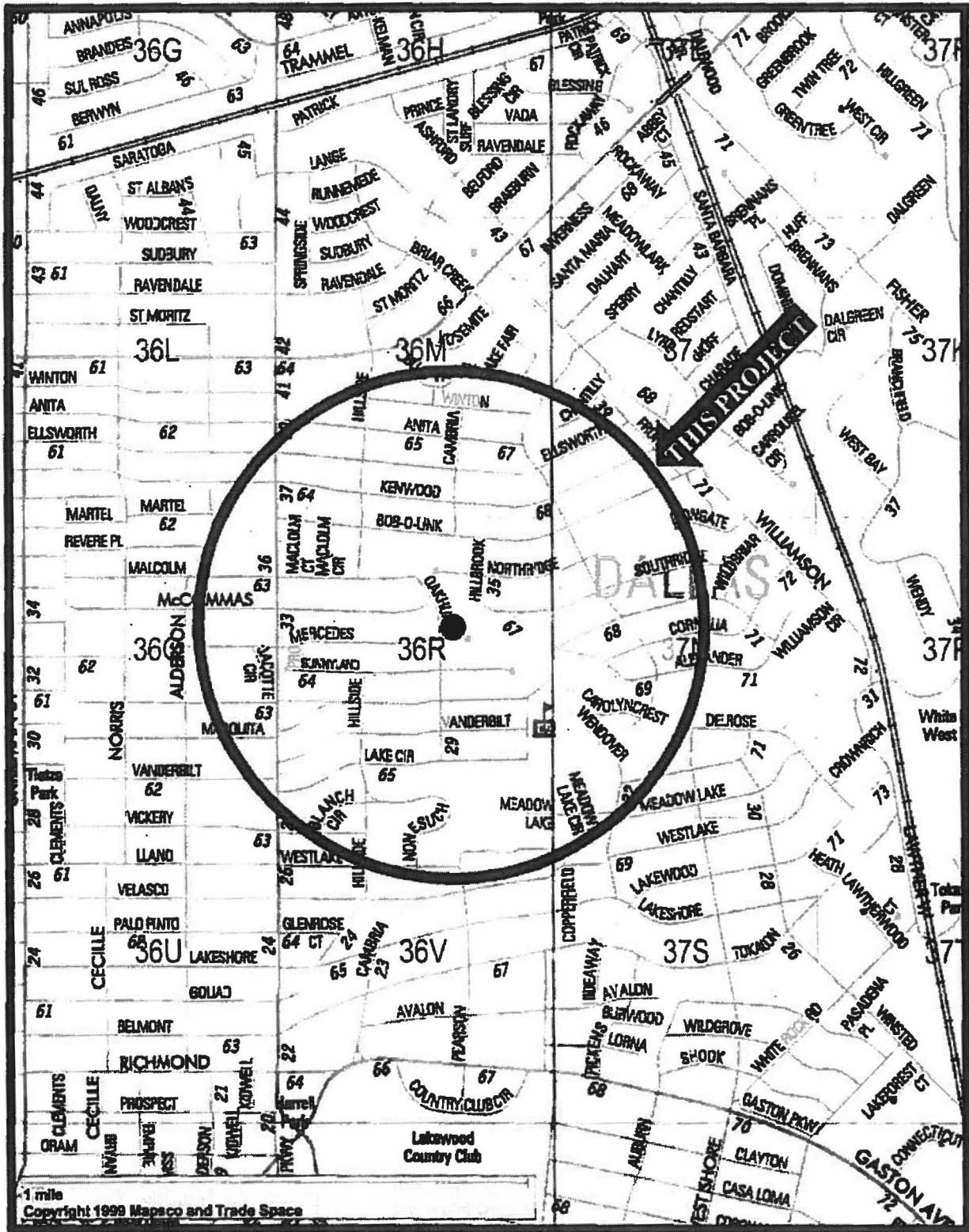
Mapsco 27-K

EC Group 6: Map 2 of 4



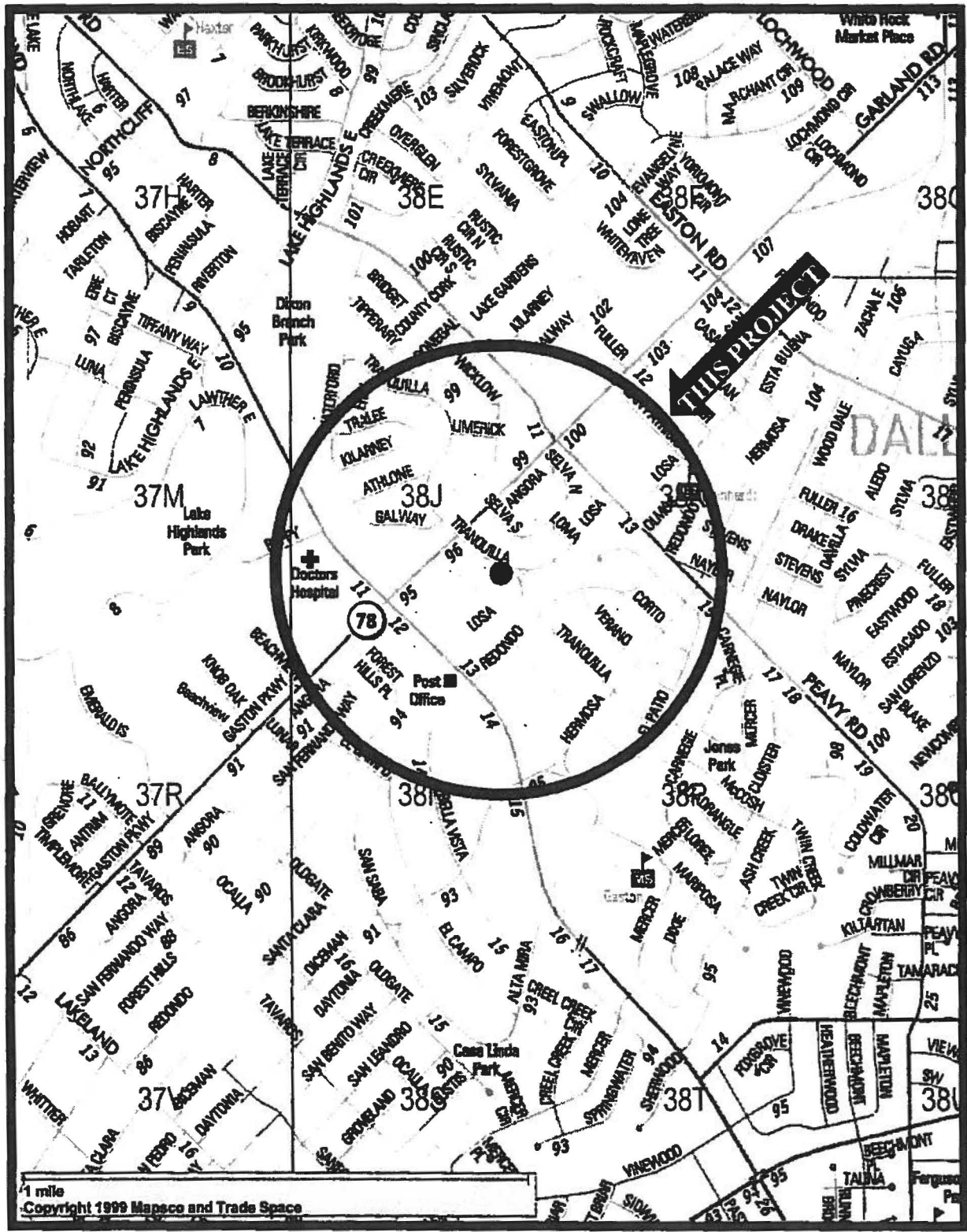
Mapsco 28-S, Y & 38-A

EC Group 6: Map 3 of 4



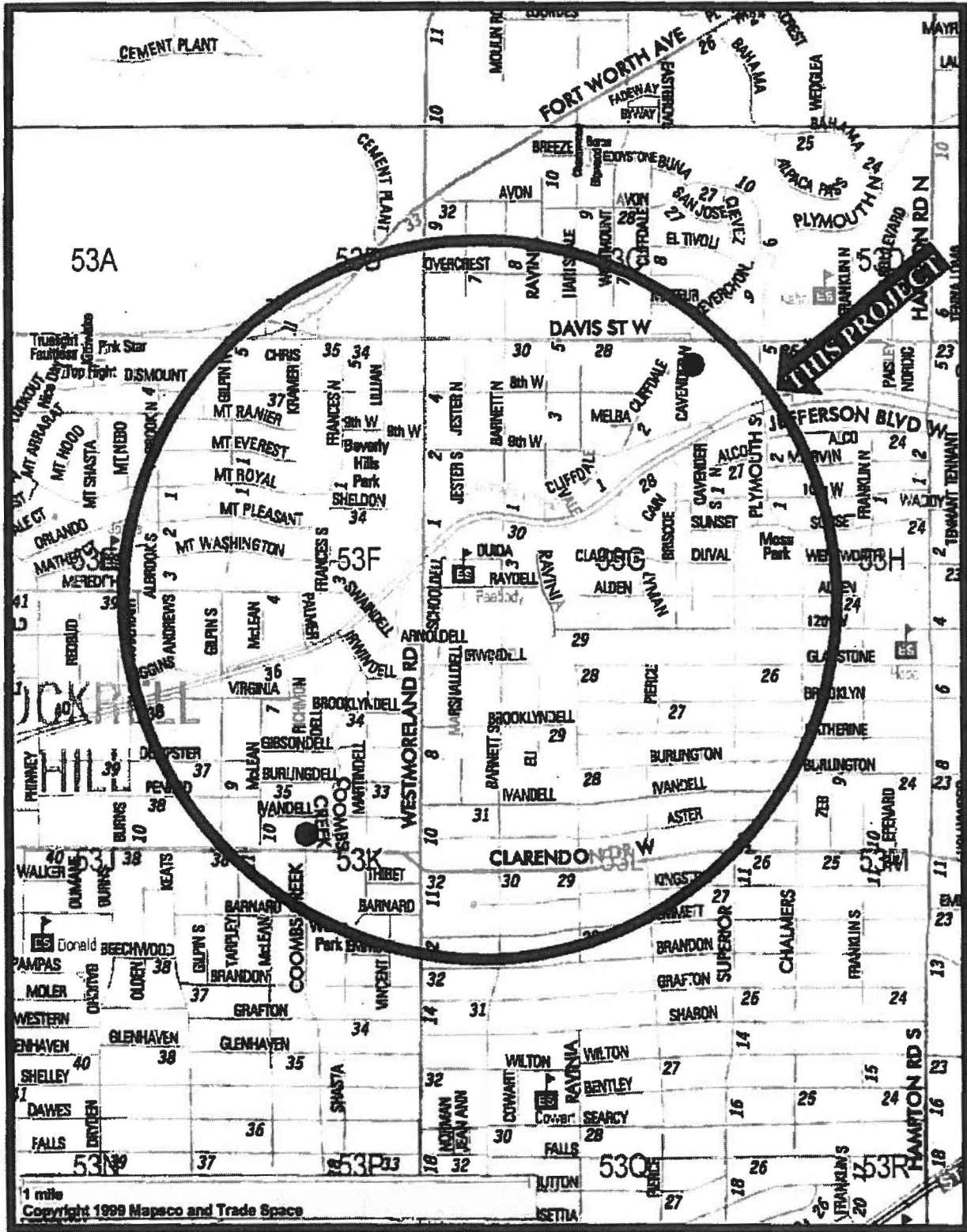
Mapsco 36-R

EC Group 6: Map 4 of 4



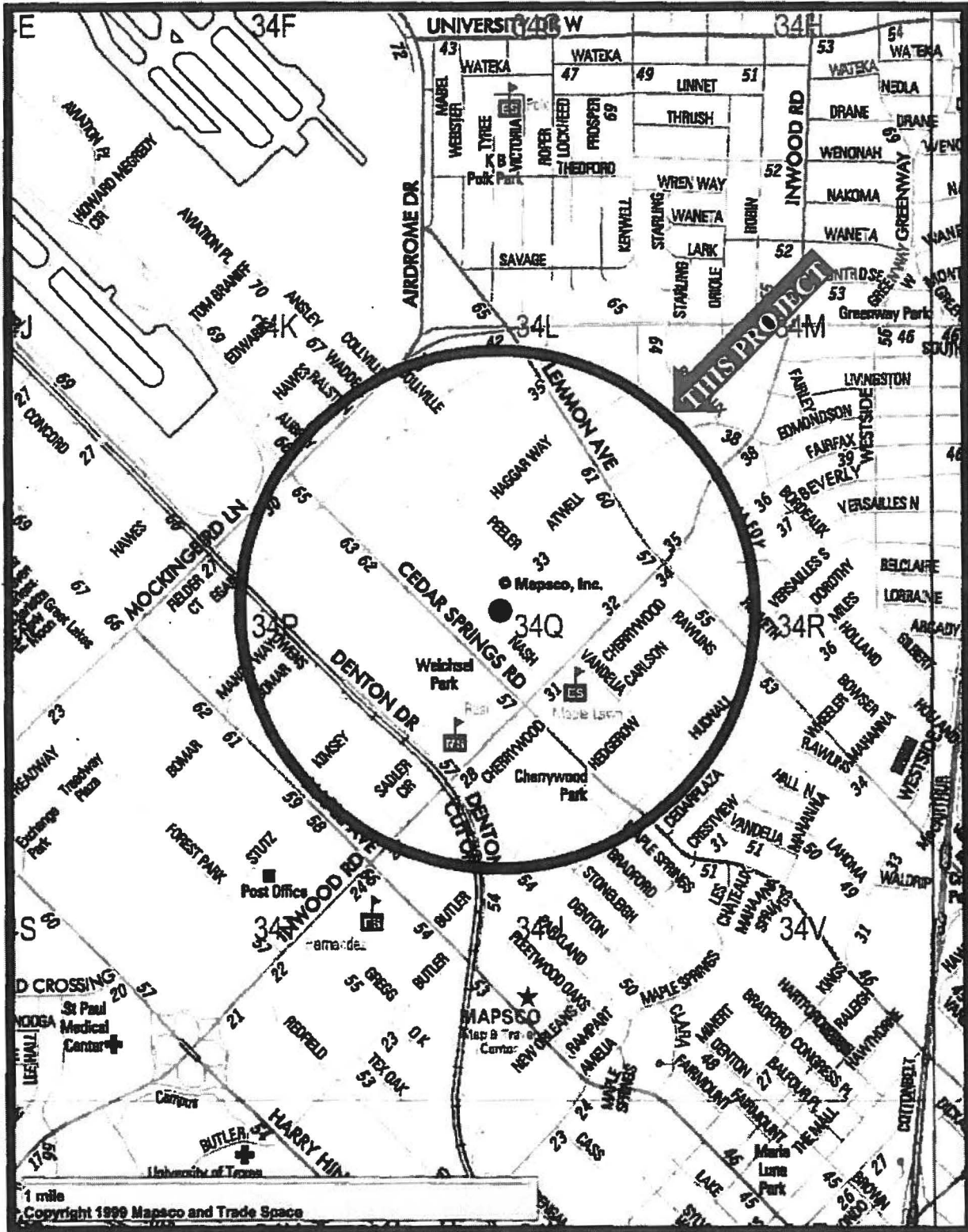
Mapsco 38-J

EC Group 8: Map 1 of 5



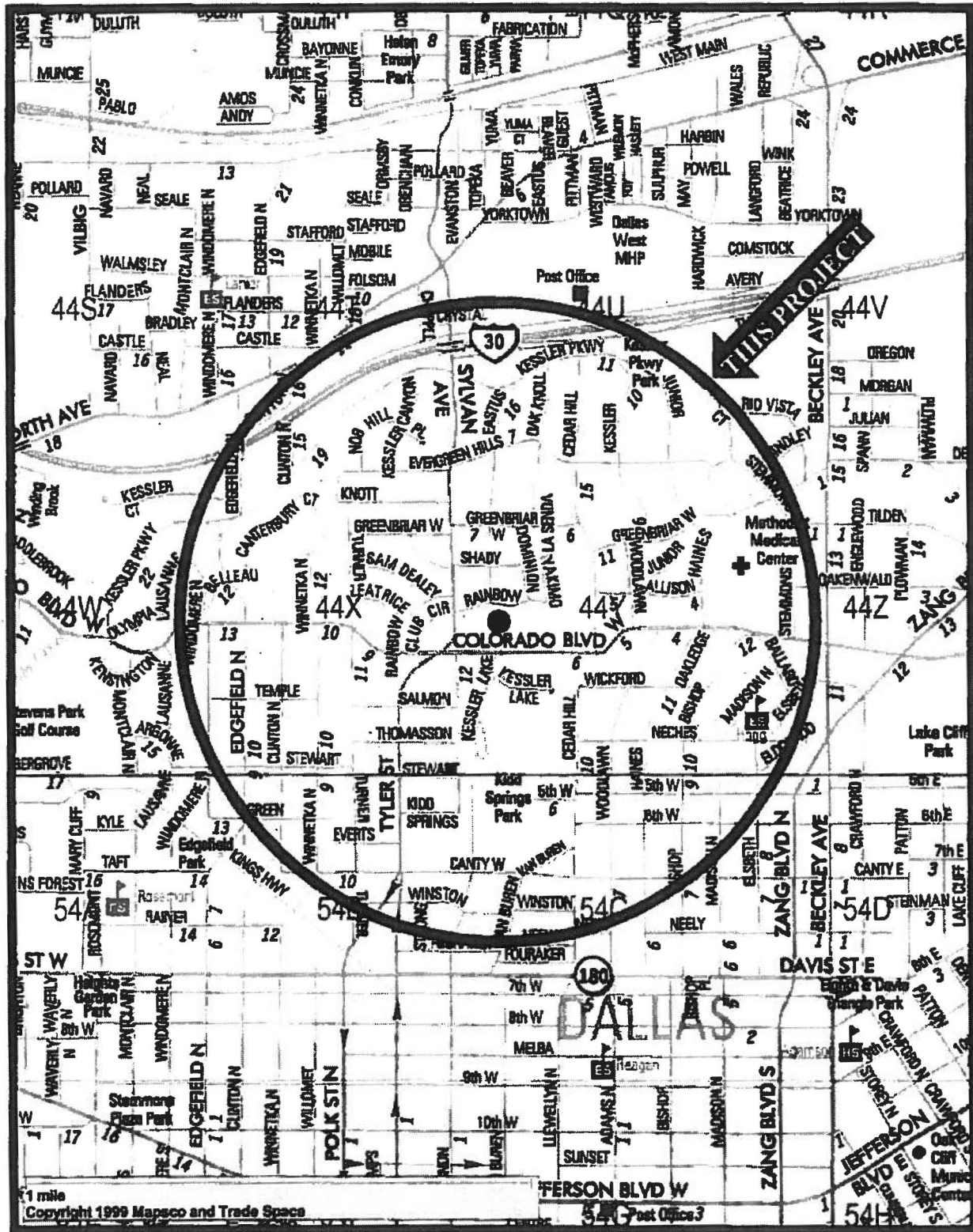
Mapsco 53-C, K

EC Group 8: Map 2 of 5



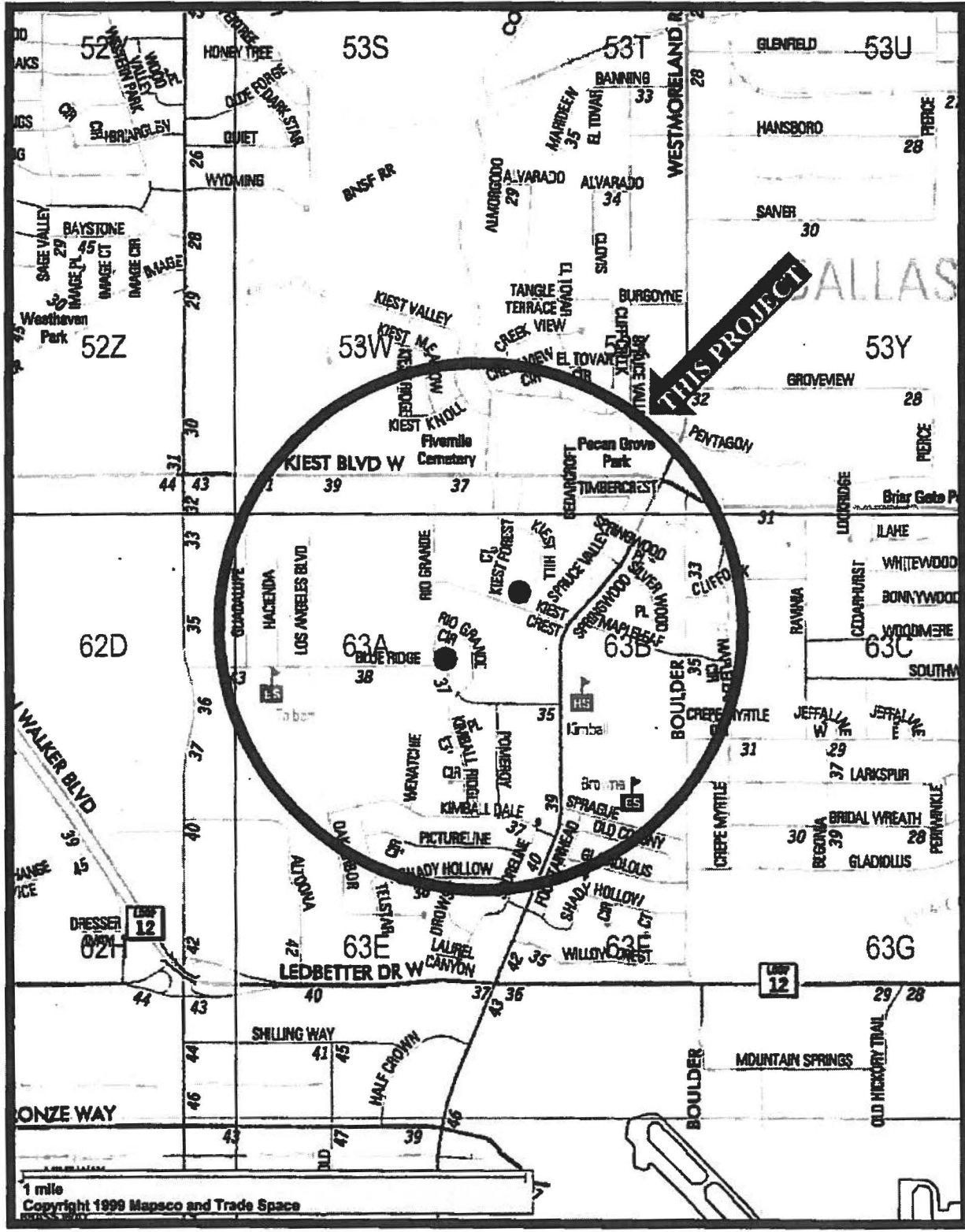
Mapasco 34-Q

EC Group 8: Map 3 of 5



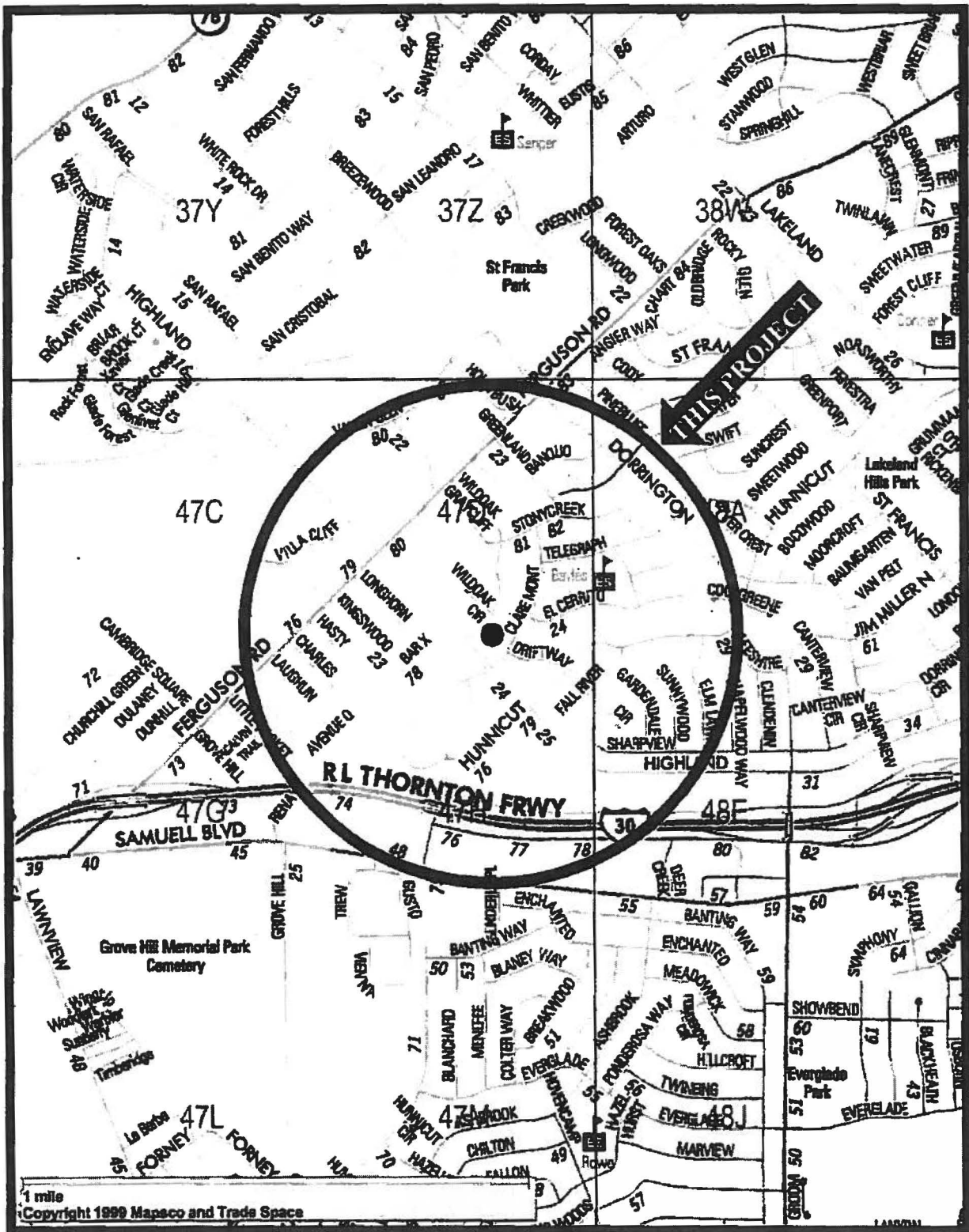
Mapsco 44-Y

EC Group 8: Map 4 of 5

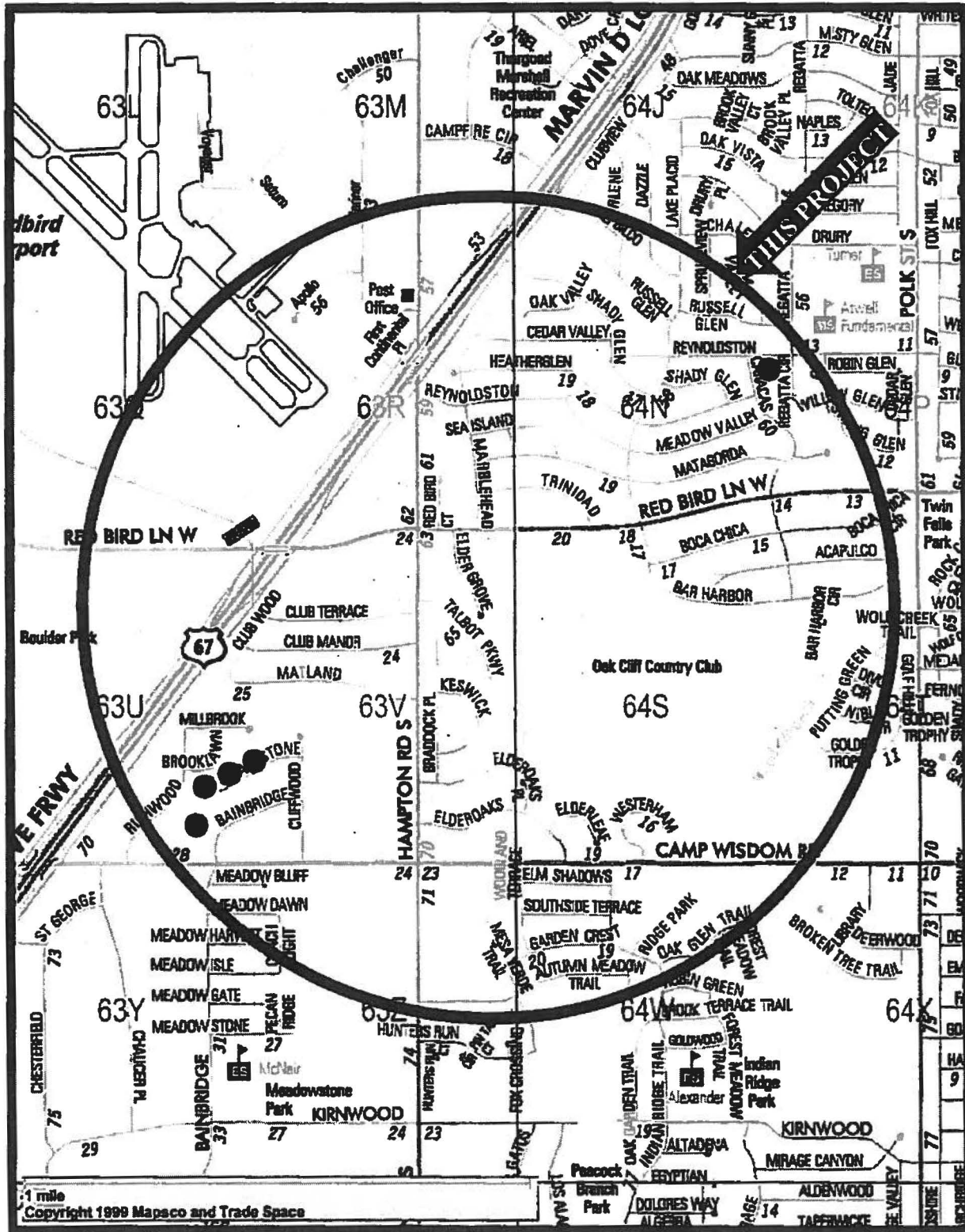


Mapsco 63-A, B

EC Group 8: Map 5 of 5



EC Group 10: Map 2 of 2



Mapsco 63-U & 64-N

February 10, 2016

WHEREAS, five engineering firms were selected to provide the engineering design of twenty-six erosion control improvement projects.

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 professional services contracts with five engineering firms for the engineering services for erosion control improvement projects in an amount not to exceed \$990,042.58, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts from:

a. Huitt Zollars, Inc. for the engineering design of Group 2 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S746, Activity ERCT
Object 4111, Program No. TW12S746, CT TWM12S746A1
Vendor No. 090025, in an amount not to exceed \$ 70,255.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S755, Activity ERCT
Object 4599, Program No. TW12S755, CT TWM12S746A1
Vendor No. 090025, in an amount not to exceed \$ 3,015.00

Flood Protection and Storm Drainage Facilities
Fund 4U23, Dept. TWM, Unit S755, Activity ERCT
Object 4599, Program No. TW12S755, CT TWM12S746A1
Vendor No. 090025, in an amount not to exceed \$ 65,130.00

Water Construction Fund
Fund 0102, Dept. DWU, Unit CW42
Object 4111, Program No. 716045, CT TWM716045EN
Vendor No. 090025, in an amount not to exceed \$ 14,878.80

Wastewater Construction Fund
Fund 0103, Dept. DWU, Unit CS42
Object 4111, Program No. 716046, CT TWM716046EN
Vendor No. 090025, in an amount not to exceed \$ 34,717.20

February 10, 2016

b. Urban Engineers Group, Inc. for the engineering design of Group 5 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S752, Activity ERCT
Object 4111, Program No. TW12S752, CT TWM12S747A1
Vendor No. 511462, in an amount not to exceed \$ 38,220.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S747, Activity ERCT
Object 4111, Program No. TW12S747, CT TWM12S747A1
Vendor No. 511462, in an amount not to exceed \$ 38,125.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S720, Activity ERCT
Object 4111, Program No. TW12S720, CT TWM12S747A1
Vendor No. 511462, in an amount not to exceed \$ 29,735.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S748, Activity ERCT
Object 4111, Program No. TW12S748, CT TWM12S747A1
Vendor No. 511462, in an amount not to exceed \$ 63,878.50

Water Construction Fund
Fund 0102, Dept. DWU, Unit CW42
Object 4111, Program No. 716051, CT TWM716051EN
Vendor No. 511462, in an amount not to exceed \$ 15,476.40

Wastewater Construction Fund
Fund 0103, Dept. DWU, Unit CS42
Object 4111, Program No. 716052, CT TWM716052EN
Vendor No. 511462, in an amount not to exceed \$ 36,111.60

c. GWC Engineering, LP for the engineering design of Group 6 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S719, Activity ERCT
Object 4111, Program No. TW12S719, CT TWM12S737A1
Vendor No. VS0000004800, in an amount not to exceed \$ 28,545.54

February 10, 2016

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S737, Activity ERCT
Object 4111, Program No. TW12S737, CT TWM12S737A1
Vendor No. VS0000004800, in an amount not to exceed \$ 25,087.87

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S756, Activity ERCT
Object 4111, Program No. TW12S756, CT TWM12S737A1
Vendor No. VS0000004800, in an amount not to exceed \$ 12,819.79

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S738, Activity ERCT
Object 4111, Program No. TW12S738, CT TWM12S737A1
Vendor No. VS0000004800, in an amount not to exceed \$ 38,996.11

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S742, Activity ERCT
Object 4111, Program No. TW12S742, CT TWM12S737A1
Vendor No. VS0000004800, in an amount not to exceed \$ 26,008.02

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S758, Activity ERCT
Object 4111, Program No. TW12S758, CT TWM12S737A1
Vendor No. VS0000004800, in an amount not to exceed \$ 14,565.04

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S713, Activity ERCT
Object 4111, Program No. TW12S713, CT TWM12S737A1
Vendor No. VS0000004800, in an amount not to exceed \$ 17,282.54

Water Construction Fund
Fund 0102, Dept. DWU, Unit CW42
Object 4111, Program No. 716053, CT TWM716053EN
Vendor No. VS0000004800, in an amount not to exceed \$ 14,590.80

Wastewater Construction Fund
Fund 0103, Dept. DWU, Unit CS42
Object 4111, Program No. 716054, CT TWM716054EN
Vendor No. VS0000004800, in an amount not to exceed \$ 34,045.20

February 10, 2016

d. Walter P. Moore and Associates, Inc. for the engineering design of Group 8 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S764, Activity ERCT
Object 4599, Program No. TW12S764, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 1,120.00

Flood Protection and Storm Drainage Facilities
Fund 4U23, Dept. TWM, Unit S764, Activity ERCT
Object 4599, Program No. TW12S764, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 22,245.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S708, Activity ERCT
Object 4111, Program No. TW12S708, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 21,275.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S711, Activity ERCT
Object 4111, Program No. TW12S711, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 13,785.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S712, Activity ERCT
Object 4111, Program No. TW12S712, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 26,790.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S714, Activity ERCT
Object 4111, Program No. TW12S714, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 20,490.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S716, Activity ERCT
Object 4111, Program No. TW12S716, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 13,565.00

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S733, Activity ERCT
Object 4111, Program No. TW12S733, CT TWM12S708A1
Vendor No. VS0000037813, in an amount not to exceed \$ 22,570.00

February 10, 2016

Water Construction Fund
Fund 0102, Dept. DWU, Unit CW42
Object 4111, Program No. 716057, CT TWM716057EN
Vendor No. VS0000037813, in an amount not to exceed \$ 13,395.60

Wastewater Construction Fund
Fund 0103, Dept. DWU, Unit CS42
Object 4111, Program No. 716058, CT TWM716058EN
Vendor No. VS0000037813, in an amount not to exceed \$ 31,256.40

e. HDR Engineering, Inc. for the engineering design of Group 10 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S707, Activity ERCT
Object 4111, Program No. TW12S707, CT TWM12S705A1
Vendor No. 181219, in an amount not to exceed \$ 17,603.08

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S703, Activity ERCT
Object 4111, Program No. TW12S703, CT TWM12S705A1
Vendor No. 181219, in an amount not to exceed \$ 10,733.68

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S710, Activity ERCT
Object 4111, Program No. TW12S710, CT TWM12S705A1
Vendor No. 181219, in an amount not to exceed \$ 32,263.61

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S729, Activity ERCT
Object 4111, Program No. TW12S729, CT TWM12S705A1
Vendor No. 181219, in an amount not to exceed \$ 43,817.20

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S705, Activity ERCT
Object 4111, Program No. TW12S705, CT TWM12S705A1
Vendor No. 181219, in an amount not to exceed \$ 15,944.52

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S706, Activity ERCT
Object 4111, Program No. TW12S706, CT TWM12S705A1
Vendor No. 181219, in an amount not to exceed \$ 18,005.08

February 10, 2016

Water Construction Fund
Fund 0102, Dept. DWU, Unit CW42
Object 4111, Program No. 716059, CT TWM716059EN
Vendor No. 181219, in an amount not to exceed \$ 13,100.00

Wastewater Construction Fund
Fund 0103, Dept. DWU, Unit CS42
Object 4111, Program No. 716060, CT TWM716060EN
Vendor No. 181219, in an amount not to exceed \$ 30,600.00

Total amount not to exceed \$ 990,042.58

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: February 10, 2016
COUNCIL DISTRICT(S): Outside City Limits
DEPARTMENT: Water Utilities
CMO: Mark McDaniel, 670-3256
MAPSCO: 50A N S T

SUBJECT

Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work necessary to complete the headworks and chemical improvements as part of the Eastside Water Treatment Plant expansion to 540 million gallons per day - Not to exceed \$513,000, from \$45,870,450 to \$46,383,450 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The headworks and chemical improvements project is part of the Eastside Water Treatment Plant 540 million gallons per day expansion and is necessary to meet supply demands projected in the City of Dallas Long Range Water Supply Plan as adopted by the Dallas City Council. The project will also improve reliability and quality of the treatment process, and make modifications to the treatment process in order to comply with Texas Commission on Environmental Quality regulations.

This action will authorize additional work identified during the construction of headworks and chemical improvements. The additional work consists of structural changes to chemical mixing chambers to improve the flow of water into the mixing chamber, resulting in improved performance and efficiency of the mixers, as well as reduced maintenance costs. Also included are chemical piping modifications in the chlorine and ammonia buildings to improve accessibility to equipment and improve worker safety. This action also includes changes to buried water and utility piping at the project site due to unforeseen underground conflicts. This additional work is needed for systems to function as intended and allow Eastside Water Treatment Plant to continue providing clean drinking water to its customers.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2002
Completed Design	May 2009
Began Construction	November 2009
Complete Construction	September 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Chiang, Patel & Yerby, Inc. to provide engineering services for the expansion of the Eastside Water Treatment Plant on September 11, 2002, by Resolution No. 02-2506.

Authorized Supplemental Agreement No. 1 with Chiang, Patel & Yerby, Inc. for additional engineering services for the design of the Eastside Water Treatment Plant 540 million gallons per day expansion and construction management services for the Bachman Water Treatment Plant expansion on October 27, 2004, by Resolution No. 04-3022.

Authorized Supplemental Agreement No. 2 with Chiang, Patel & Yerby, Inc. for additional engineering services in support of the Eastside Water Treatment Plant expansion and construction management services for the Eastside Water Treatment Plant and Bachman Water Treatment Plant on April 26, 2006, by Resolution No. 06-1196.

Authorized Supplemental Agreement No. 3 with Chiang, Patel & Yerby, Inc. for additional engineering services for the design of the Eastside Water Treatment Plant expansion and construction management services for the Eastside Water Treatment Plant and Bachman Water Treatment Plant on March 28, 2007, by Resolution No. 07-0963.

Authorized Supplemental Agreement No. 4 with CP&Y, Inc. for additional engineering services for the design of the Eastside Water Treatment Plant expansion to 540 million gallons per day on September 23, 2009, by Resolution No. 09-2336.

Authorized a contract with Oscar Renda Contracting, Inc. for the headworks and chemical improvements as part of the Eastside Water Treatment Plant expansion to 540 million gallons per day on October 14, 2009, by Resolution No. 09-2543.

Authorized an increase in the contract with Oscar Renda Contracting, Inc. for the removal of concrete basin walls and associated equipment at the Eastside Water Treatment Plant on November 7, 2011, by Resolution No. 11-3029.

Information about this item will be provided to the Transportation & Trinity River Project committee on February 8, 2016.

FISCAL INFORMATION

\$513,000.00 - Water Utilities Capital Improvement Funds

Design	\$10,082,073.00
Supplemental Agreement No. 1	\$ 6,312,050.00
Supplemental Agreement No. 2	\$ 2,158,900.00
Supplemental Agreement No. 3	\$ 401,799.00
Supplemental Agreement No. 4	\$ 2,143,272.00
Construction Contract	\$45,070,450.00
Change Order No. 1	\$ 800,000.00
Change Order No. 2 (this action)	<u>\$ 513,000.00</u>
 Total Project Cost	 \$67,481,544.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Oscar Renda Contracting, Inc.

Hispanic Female	6	Hispanic Male	287
Black Female	1	Black Male	14
Other Female	0	Other Male	0
White Female	11	White Male	107

OWNER

Oscar Renda Contracting, Inc.

Oscar Renda, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work necessary to complete the headworks and chemical improvements as part of the Eastside Water Treatment Plant expansion to 540 million gallons per day - Not to exceed \$513,000, from \$45,870,450 to \$46,383,450 - Financing: Water Utilities Capital Improvement Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$92,105.00	17.95%
Non-local contracts	\$420,895.00	82.05%
TOTAL THIS ACTION	\$513,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
MRK Industrial Flooring, Inc.	HFMB62421N0716	\$39,125.00	42.48%
Ram-Tool & Supply	WFWB61372N0416	\$49,000.00	53.20%
Total Minority - Local		\$88,125.00	95.68%

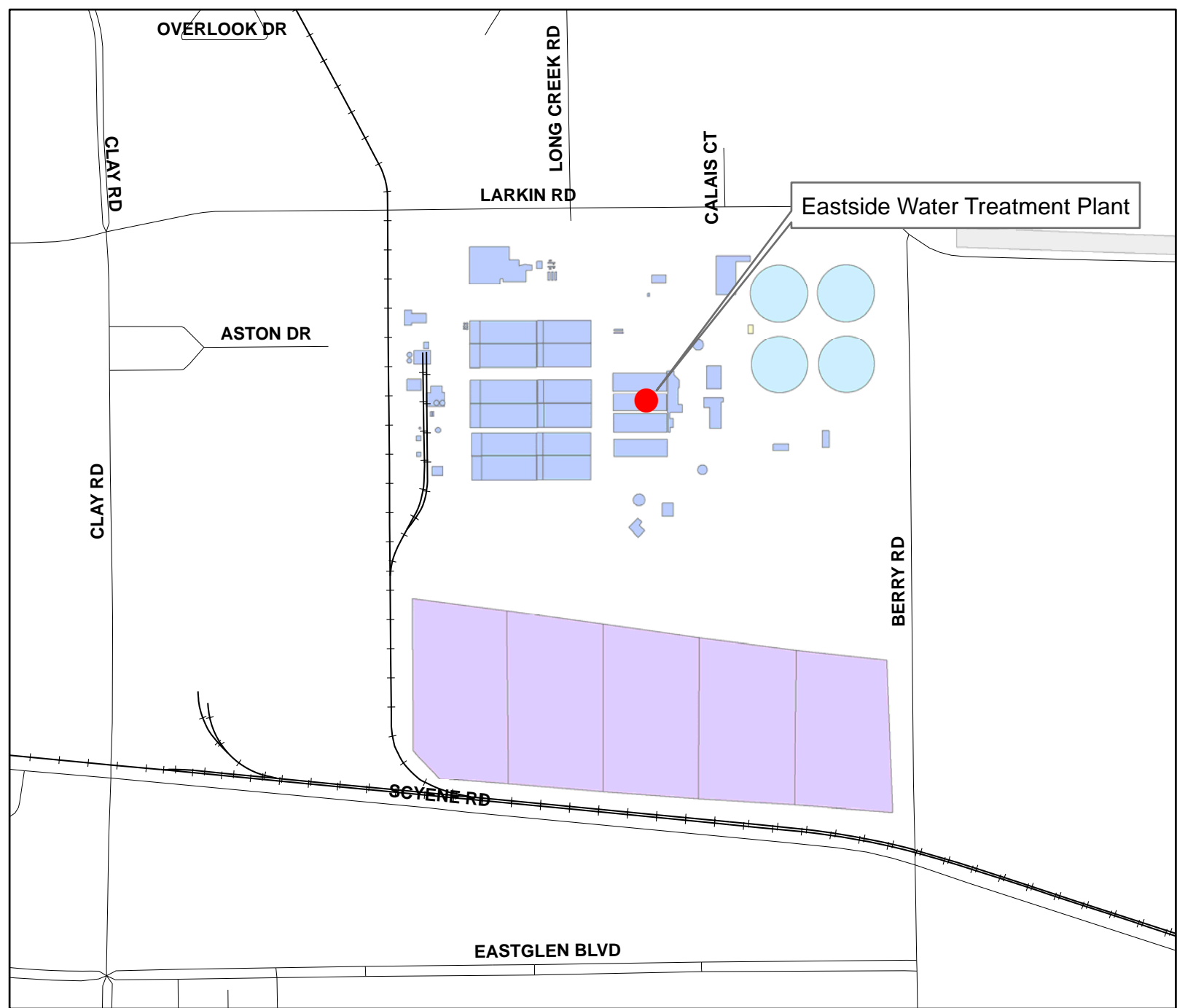
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Choctaw Pipe & Equipment Inc.	WFWB63530Y1116	\$50,000.00	11.88%
ANA Consultants	WFDB57431Y0516	\$1,000.00	0.24%
Total Minority - Non-local		\$51,000.00	12.12%

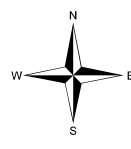
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$1,012,000.00	2.18%
Hispanic American	\$39,125.00	7.63%	\$829,180.00	1.79%
Asian American	\$0.00	0.00%	\$60,000.00	0.13%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$100,000.00	19.49%	\$6,309,000.00	13.60%
	-----	-----	-----	-----
Total	\$139,125.00	27.12%	\$8,210,180.00	17.70%



Mapsc0: 50A N S T



Council District: Outside City Limits

**Dallas Water Utilities
 Contract No. 09-195, Change Order No. 2
 Eastside Water Treatment Plant
 Expansion to 540 MGD
 Headworks and Chemical Improvements**

February 10, 2016

WHEREAS, on October 14, 2009, the City Council awarded Contract No. 09-195 in the amount of \$45,070,450.00, by Resolution No. 09-2543, to Oscar Renda Contracting, Inc., for the construction of headworks and chemical improvements as part of the Eastside Water Treatment Plant expansion to 540 million gallons per day; and,

WHEREAS, on November 7, 2011, the City Council awarded Change Order No. 1 in the amount of \$800,000.00, by Resolution No. 11-3029, to Oscar Renda Contracting, Inc., for the removal of concrete basin walls and associated equipment at the Eastside Water Treatment Plant; and,

WHEREAS, it is now necessary to authorize Change Order No. 2 for additional work associated with the construction of the headworks and chemical improvements as part of the Eastside Water Treatment Plant expansion to 540 million gallons per day; and,

WHEREAS, Oscar Renda Contracting, Inc., 608 Henrietta Creek Road, Roanoke, Texas 76262, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 09-195 be increased by \$513,000.00, from \$45,870,450.00 to \$46,383,450.00.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 2 be accepted and that Contract No. 09-195 with Oscar Renda Contracting, Inc., be revised accordingly.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$513,000.00 from the Water Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3115	DWU	PW32	4320	709195	CT-DWU709195CP	244607

Oscar Renda Contracting, Inc. - (Contract No. 09-195) - \$513,000.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 8
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 671-9837
MAPSCO: 76 D

SUBJECT

Authorize a real property tax abatement agreement with ATC Realty Investments, LLC and/or its affiliate Premier Truck Group, granting an eight-year abatement of 75 percent of the taxes on added value to the real property for the purpose of assisting in the development of a new body shop facility located on 17.2 acres at 4500 Langdon Road, Dallas, Texas within the International Inland Port of Dallas and a Texas Enterprise Zone in accordance with the City’s Public/Private Partnership Program - Revenue: First year revenue estimated at \$17,933; eight-year revenue estimated at \$143,464 (Estimated revenue forgone for the eight-year real property abatement estimated at \$430,384)

BACKGROUND

In October 2015, Premier Truck Group (“Premier”) approached city staff regarding development of a new body shop that would result in the consolidation of two existing body shop operations currently located in DFW, one in Fort Worth, Texas and the second on Irving Boulevard in Dallas, Texas. Premier, which now has a contract to purchase a 17.2 acre site at 4500 Langdon Road, Dallas, Texas, considered several competing sites in the cities of Lancaster, Euless and Grand Prairie for the project. The proposed new facility would enable Premier to double its current body shop work. Likewise, the consolidation of the body shop operations will afford the company an ability to expand its truck maintenance operations and increase the number of service technicians at the two referenced existing locations.

Premier, through its wholly owned subsidiary ATC Realty Investments, LLC will purchase the site and develop a new full service commercial vehicle body shop at least 50,000 square feet at a total cost of approximately \$14 million. In addition to body repair, services at the facility will include painting, alignment, inspections, used truck make ready and inventory parking.

BACKGROUND (Continued)

Premier Truck Group requests City Council consideration of the proposed eight-year 75 percent tax abatement. To receive the proposed tax abatement, Premier is required to substantially complete the facility on or before June 30, 2017 and verify that a minimum of \$9 million is expended on real property improvements and related soft costs. Additionally, the company will be required to maintain at least 30 jobs at the facility during the tax abatement period.

Net fiscal impact from the project after incentives, is estimated at \$903,849 over 10 years and \$2,884,147 over 20 years. The proposed project conforms with the City's Public/Private Partnership Program guidelines and criteria as it has a private investment exceeding \$1 million and has at least 25 associated jobs. Staff recommends the proposed incentives be approved.

Premier Truck Group, headquartered in southern Dallas, is a \$1 Billion leading commercial Truck Dealership dealing exclusively in Daimler Heavy Duty and Medium Duty Trucks. The brand names supported include Freightliner, Western Star, Sprinter, Thomas Built Buses and Freightliner Custom Chassis Corporation. The company has 16 locations throughout Oklahoma, Texas, Tennessee and Georgia. Premier Truck Group is a majority owned subsidiary of Penske Automotive Group (NYSE:PAG), a fortune 500 company.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction	March 2016
Complete Construction	June 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on January 19, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNER(S)

ATC Realty Investments, LLC

Chinta Hari, Chief Financial Officer

Premier Truck Group

Rich Shearing, President

MAP

Attached.

PREMIER TRUCK GROUP

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

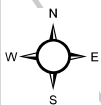
INTERSTATE 20

BONNIE VIEW RD

LANGDON RD

APPROX.
17.2 ACRES

CLEVELAND RD



0 0.0275 0.055 0.11 Miles

DALLAS
ECONOMIC
DEVELOPMENT

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Legend



PROJECT SITE - 4500 LANGDON ROAD

February 10, 2016

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

WHEREAS, many municipalities within the Dallas-Fort Worth region have economic development programs to compete with the City of Dallas for expansions and relocations of business entities; and

WHEREAS, site selection decisions made by business entities are often significantly influenced by a municipality's ability to provide competitive economic development incentives; and

WHEREAS, it is in the best interest of the City of Dallas to support and secure the expansions and relocations of business entities within the City of Dallas and the employment opportunities that these business entities bring for Dallas residents; and

WHEREAS, the City of Dallas desires to support and secure the location of Premier Truck Group's planned body shop within the City of Dallas; and

WHEREAS, Premier Truck Group chose a site in the City of Dallas for the development of its body shop by ATC Realty Investments, LLC based on a proposal of the described economic development incentives from the City of Dallas; and

WHEREAS, by Resolution No. 14-0993, approved on June 25, 2014, City Council authorized the continuation of its participation in tax abatements and established, appropriate Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered into by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act"); and

WHEREAS, pursuant to Section 312.2011, the Property Redevelopment and Tax Abatement Act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

WHEREAS, the City desires to enter into a real property tax abatement agreement with ATC Realty Investments, LLC and/or its affiliate Premier Truck Group on the added taxable value resulting from certain real property improvements located within the International Inland Port of Dallas and a Texas Enterprise Zone.

NOW, THEREFORE,

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

February 10, 2016

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a real property tax abatement agreement with ATC Realty Investments, LLC and/or its affiliate Premier Truck Group in accordance with the Act and the City's Public/Private Partnership Guidelines and Criteria.

Section 2. That at least seven (7) days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each taxing unit that includes in its boundaries the real property that is the subject of this agreement.

Section 3. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

Section 4. That the real property, which will be described in the tax abatement agreement, attached hereto as **Exhibit A (Metes and Bounds)** and depicted on the attached site map as **Exhibit B (Map - the "Property")**, is located within a Texas Enterprise Zone.

Section 5. That the tax abatement agreement shall provide, among other provisions, the following:

- (a) The property subject to tax abatement shall be located entirely within the City of Dallas, Texas.
- (b) None of the property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.
- (c) That the development of the property must conform to all requirements of the City's zoning ordinance, and that the use of the property is consistent with the general purpose of encouraging development or redevelopment in the Enterprise Zone during the period the tax abatement is in effect.
- (d) An eight-year tax abatement of 75 percent of the added value to the real property located on approximately 17.2 acres within a Dallas Texas Enterprise Zone located at 4500 Langdon Road within the International Inland Port of Dallas (IIPOD) as more particularly described in **Exhibit A (Metes and Bounds)**.

February 10, 2016

Section 5. (Continued)

- (e) That the proposed facility of at least 50,000 square feet of real property improvements, and an associated investment of \$9,000,000 for project hard and soft costs, are substantially completed by June 30, 2017. The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause.
- (f) A description of the kind, number, location and costs of all proposed improvements to the property.
- (g) That access to the subject property is provided to allow for inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specifications and terms of the tax abatement agreement.
- (h) That the property tax revenue lost as a result of the tax abatement agreement will be recaptured by the City if improvements to real property are not made as provided by the tax abatement agreement.
- (i) A requirement that Premier Truck Group locate and maintain at least 30 jobs on the property and that the owner of the property certify annually that it is in compliance with each applicable term of the agreement.
- (j) That the Dallas City Council may terminate or modify the agreement if the property owner fails to comply with the agreement.
- (k) That the tax abatement agreement shall be personal to ATC Realty Investments, LLC and/or its affiliate Premier Truck Group and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A

PROPERTY DESCRIPTION

Being a 17.20 acre tract of land situated in the William F. Newlon Survey, Abstract No. 1084, Dallas County, Texas, same being Tract I (Parcel 93), Tract II (Parcel 94), and a portion of Tract III (Parcel 95), as conveyed to Southport Properties, L.P., by deed recorded in Instrument No. 201100113978, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for corner, said corner being on the South line of Langdon Drive (public right-of-way) and the Northwest corner of said Tract II (Parcel 94), from which a 1/2 inch iron pipe found bears South 58 degrees 33 minutes 45 seconds West, a distance of 91 .94 feet, being the most Northerly Northwest line of said Tract III (Parcel 95);

THENCE North 58 degrees 33 minutes 45 seconds East, along the South line of said Langdon Drive, a distance of 1 08.22 feet to a 5/8 inch iron rod found for corner,

THENCE North 58 degrees 24 minutes 54 seconds East, along the South line of said Langdon Drive, a distance of 229.26 feet to a 1/2 inch iron rod found for corner, said corner being the Northwest corner of that tract of land conveyed to Pioneer Frozen Foods, Inc., by deed recorded in Instrument No. 201400316103, Official Public Records, Dallas County, Texas;

THENCE South 31 degrees 06 minutes 52 seconds East, along the Southwest line of said Pioneer Frozen Foods tract, a distance of 1529.95 feet to a 1/2 inch iron rod found for corner, said corner being on the North line of that tract of land conveyed to Carrol Ray Hunt and wife, Ruby Joyce Hunt, by deed recorded in Volume 78110, Page 2261, Official Public Records, Dallas County, Texas, and the Southwest corner of said Pioneer Frozen Foods tract;

THENCE South 85 degrees 48 minutes 41 seconds West, along the North line of said Hunt tract, continuing along the North lines of a tract of land conveyed to Mose Johnson and Barbara J. Johnson, Trustees, Mose A. Johnson and Barbara J. Johnson Revocable Trust, by Instrument No. 20080316260, Official Public Records, Dallas County, Texas, a tract of land conveyed to John and Jackie English, by deed recorded in Volume 98068, Page 4321, Official Public Records, Dallas County, Texas, and a tract of land conveyed to Hattie Mae Williams, by deed recorded in Volume 94020, Page 3735, Official Public Records, Dallas County, Texas, a distance of 884.02 feet to a 1/2 inch iron rod set, with a cap stamped CBG Surveying for corner, said corner being the Northeast corner of that tract of land conveyed to WWM Partnership Trust, by deed recorded in Instrument No. 20070175982, Official Public Records, Dallas County, Texas, and the Northwest corner of said Hattie Mae Williams tract, from which a 1/2 inch iron pipe found bears South 10 degrees 29 minutes 40 seconds West, a distance of 0.75 feet for witness;

THENCE North 04 degrees 20 minutes 12 seconds West, departing the North line of said WWM Partnership Trust tract, a distance of 825.37 feet to a 5/8 inch iron rod found for corner, said corner being the South corner of said Tract II (Parcel 94);

THENCE North 19 degrees 41 minutes 27 seconds West, along the Northeast line of said Tract II (Parcel 94), a distance of 398.17 feet to the POINT OF BEGINNING and containing 749,034 square feet or 17.20 acres of land.

Exhibit A

SURVEYOR'S CERTIFICATE

This survey is made relying on information provided by First American Title Company in connection with the transaction described in GF# NCS-760441-PHX1. The undersigned, being a registered land surveyor of the State of Texas certifies to ATC Realty Investments, LLC, an Oklahoma limited liability company and First American Title Company as follows:

1. This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2011 and includes Items 1, 2, 3, 4, 7(a), 7(c), 8, 9, 11(a), 13, 14, 16, 17, 20(a), and 20(b) of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Texas, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.
2. The survey was made on the ground November 9, 2015 and correctly shows the area of the subject property, the location and type of all buildings, structures and other improvements situated on the subject property and any other matters situated on the subject property.
3. Except as shown on the survey, there are no visible easements or rights of way.
4. Except as shown on the survey, there are no observable, above ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets or alleys, or (b) by the improvements on adjoining properties, streets or alleys upon the subject property.
5. The location of each easement, right of way, servitude, and other matters affecting the subject property and listed in the title insurance commitment dated October 27, 2015, GF# NCS-760441-PHX1, issued by First American Title Company with respect to the subject property has been shown on the survey, together with appropriate recording references, to the extent such matters can be located. The property shown on the survey is the property described in that title commitment. The location of all improvements on the subject property is in accord with minimum setback provisions and restrictions of record referenced in such title commitment.
6. That the subject property has access to and from a duly dedicated and accepted public street or highway.
7. The subject property does not serve any adjoining property for drainage, utilities, or ingress or egress.
8. The record description of the subject property forms a mathematically closed figure.
9. Said described property is located within an area having a Zone Designation X by the Secretary of Housing and Urban Development on Flood Insurance Rate Map No. 48113C0513L, with a date of Identification of July 7, 2014, for Community No.480171, in Dallas County, State of Texas which is the current Flood Insurance Rate Map for the community in which the subject property is located.

The parties listed above are entitled to rely on the survey. Executed this 13th day of November, 2015

PRELIMINARY REVIEW ONLY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally, RPLS NO. 5513

PREMIER TRUCK GROUP

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

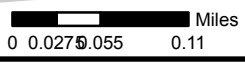
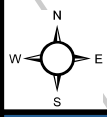
INTERSTATE 20

BONNIE VIEW RD

LANGDON RD


APPROX.
17.2 ACRES

CLEVELAND RD



DALLAS
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DEVELOPMENT
Research & Information Division
214.670.1685
dallas-ecodev.org
Created 12.29.15, Last Updated 01.13.16 - Dallas Enterprise Zone

Legend

 PROJECT SITE - 4500 LANGDON ROAD

Data Source

AGENDA ITEM # 32

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 9
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 47 F; G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an RR Regional Retail District on the northwest corner of East R. L. Thornton Freeway and Ferguson Road

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions
Z145-327(SM)

FILE NUMBER: Z145-327(SM)

DATE FILED: August 17, 2015

LOCATION: Northwest corner of East R. L. Thornton Freeway and Ferguson Road

COUNCIL DISTRICT: 9

MAPSCO: 47F and 47G

SIZE OF REQUEST: Approximately 7 acres

CENSUS TRACT: 122.08

APPLICANT: Uplift Education

REPRESENTATIVE: Brian Nelson, HKS Architects

OWNER: Horizons Hospitality, LLC

REQUEST: An application for a Specific Use Permit for an open-enrollment charter school on property zoned an RR Regional Retail District.

SUMMARY: It is the applicant's intention to build a new open-enrollment charter school up to 85,000 square feet with 28 pre-kindergarten through fifth grade classrooms.

CPC RECOMMENDATION: **Approval** for a ten-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** for a ten-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 STAFF RECOMMENDATION:

Staff recommends approval of staff's recommended conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – The proposed use and buildings and are compatible in scale with the surrounding area. The school will have a maximum height of 40 feet and will comply with residential proximity slope standards. The site's residential adjacency will dictate added development standards that serve to mitigate any potential negative impacts. These standards include an increased side and rear setback of 20 feet, residential proximity slope restrictions with a 1 to 3 slope angle of projection restricting higher portions of the building farther away from the perimeter, and added screening and visual intrusion provisions.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The services of the proposed open-enrollment charter school will provide a service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The Traffic Safety Section has recommended a revision to the traffic management plan to restrict the entrance on Ferguson Road to right-in and right-out only movements. The applicant has agreed to the attached revised traffic management plan and cooperation between the applicant and property owners to the northeast to prevent cut-through traffic, the Traffic Safety Section recommends approval of the application with these revisions.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request will comply with all applicable zoning regulations and standards. No variances or exceptions are proposed. All proposed improvements will require compliance with the building code and require final inspection compliance with the site plan.

Zoning History: There has been one recent zoning change requested in the area within the last five years.

1. Z156-126: An application for an amendment to the development plan of PDD No. 83 for warehouse, offices and caretaker's quarters is under review. This public hearing for this request has not been scheduled.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed Dimension
Ferguson Road	Principal Arterial	Minimum-6 lanes-Divided, 100' ROW
Valley Glen Drive	Local	Undivided 40 foot wide roadway
Interstate 30	Freeway	Variable

Traffic:

The Traffic Safety Engineering Section of the Department of Street Services has reviewed the request and has recommended approval of the application because of the measures taken to restrict turning movements into and out of the driveway to right-in and right-out only movements at the Ferguson Road entrance. The Traffic Safety Engineering Section has recommended a “pork chop” island to be created from raised curbs or pavement markings to require these movements. Although traffic circulation will be regulated through the traffic management plan included in the conditions and will direct the majority of normal traffic to access the site on Valley Glen Drive, the applicant has agreed to this revision to this shared point of access at the intersection of Ferguson Road.

The two traffic movements that caused concern and necessitated the right-in and right-out only movements are vehicles that are travelling northbound on Ferguson that wish to visit the proposed school and westbound vehicles that are exiting IH 30 that wish to visit the school. Current permitted traffic movements at this intersection prohibit access to this site and require that vehicles to proceed north on Ferguson Road and make a legal U-turn to make a right-turn into the existing drive approach on Ferguson Road. The site plan and traffic management plan prohibit connection to this existing drive that connects to Ferguson Road in order to require traffic to use the Valley Glen Drive to protect southbound traffic on Ferguson Road.

The Traffic Safety Engineering Section also has concerns with the driveways located to the northeast of the site which would allow cut-through traffic between Ferguson Road and Valley Glen Drive to the school. The applicant will need to work with the property owners to implement mitigation measures should cut-through traffic become an issue.

The Traffic Safety Engineering Section has also recommended street/infrastructure improvements to mitigate the impact on Valley Glen Drive and Samuell Boulevard as proposed on page 11 of the Traffic Study provided by the applicant that includes striping, additional signage, and the possibility for police assistance on Valley Glen Drive and Samuell Boulevard.

Comprehensive Plan:

The forwardDallas! Comprehensive Plan designates the area of request in the Urban Neighborhood Building Block. The Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently

developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements. The request is consistent with this Building Block.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	RR	Vacant/Undeveloped
North & East	MU-2, RR	Multifamily, Gas station
South	RR	Expressway
West	RR & R-7.5 (A)	Undeveloped and Municipal golf course

Land Use Compatibility:

The site is located just south of a multifamily development and a gas station abuts the site on the northeastern corner. The proposed development is compatible in character and size to its surroundings as it proposes a maximum height of 40 feet or two stories and is physically separated from the multifamily development by approximately 115 feet.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant’s request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval subject to a revised site plan, revised traffic management plan, and staff’s recommended conditions due to the proposed connection to Ferguson Road

Z145-327(SM)

that is discussed in the traffic section of this report.

Landscaping: The request will trigger any landscape changes. All development on the property will require landscaping per Article X of the Dallas Development Code.

Parking: Pursuant to §51A-4.204 of the Dallas Development Code, schools require one and one-half parking spaces for each kindergarten/elementary school classroom. The proposed school is projected to have 28 elementary classrooms, which would require a total of 42 parking spaces. The applicant is proposing 100 parking spaces.

Z145-327(SM)

Prior CPC Action – January 7, 2016:

Z145-327(SM)

Motion: It was moved to recommend **approval** of a Specific Use Permit for an open-enrollment charter school for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and staff's recommended conditions on property zoned an RR Regional Retail District on the northwest corner of East R. L. Thornton Freeway and Ferguson Road.

Maker: Jung
Second: Shidid
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: 400 Mailed: 14
Replies: For: 2 Against: 0

Speakers: For: Eric Goodloe, 3807 Cypress Point Cove, Round Rock, TX, 78664
Ed Snyder, 8041 Fall River Dr., Dallas, TX, 75228
Yasmin Bhatia, 4230 Beechwood Ln., Dallas, TX, 75220
For (Did not speak): Brian Nelson, 3206 Waldrop Dr., Dallas, TX, 75229
Against: None

List of Partners

HORIZON HOSPITALITY, LLC.

August 11, 2015

Department of Development Services
1500 Marilla Street, Room 5B North
Dallas, TX 75201

Re: Application for SUP for Public Charter School - 7203 Ferguson Road, Dallas

Dear Sir or Madam:

As owners of the property located at 7203 Ferguson Road, Dallas we permit Uplift Education to apply for a Specific Use Permit for an Open Enrollment Charter School. This application should in no way restrict or diminish the current uses of the property it its zoned for.

Following are parties to the application.

Uplift Education	Applicant
Horizons Hospitality LLC	Owner
Brian Nelson	Applicant's representative

Horizons Hospitality LLC is a California limited liability company whose members are:

Name:	Address:	% holding:
Pravin Pranav	P O Box 4209, Cerritos, CA 90703	50.00 %
Cosmos Mahagama	6259 W 87 th Street, Los Angeles, CA 90045	50.00 %

Both members are also the managing members of the Horizons Hospitality LLC.

Yours Sincerely,



Pravin Pranav

Z145-327

Z145-327 CPC Recommended SUP Conditions

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 _____(10 years), 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. CLASSROOMS: The maximum number of classrooms is 28.
5. TRAFFIC MANAGEMENT PLAN:
 - (a) In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.
 - (b) Ingress/egress. Ingress and egress at Ferguson Road is only permitted with right-in and right-out movements at the existing shared access point shown on the traffic management plan.
 - (c) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
 - (d) Traffic study.
 - (1) 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, 2016. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the Director by November 1st of each even-numbered year.
 - (2) 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 drop-off and pick-up 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.

(3) 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.

(e) Amendment process.



(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code.

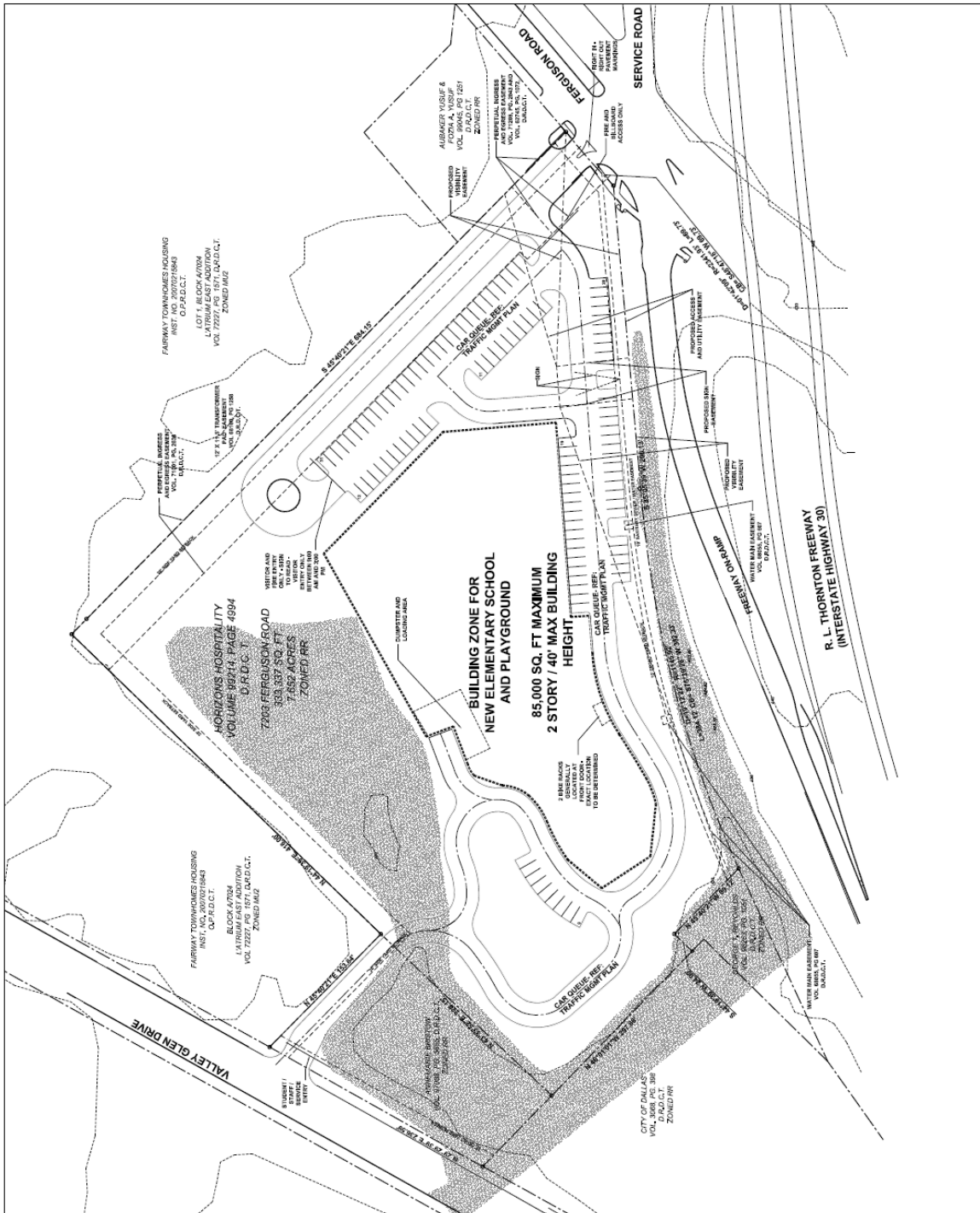
(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

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

7. 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.

Proposed Site Plan

<p>PARKING - SPACES: 1674' LONG 35'-6" WIDE TYP</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">SCHOOL TYPE</td> <td style="text-align: center;">NUMBER OF STUDENTS</td> <td style="text-align: center;">PARKING SPACES</td> <td style="text-align: center;">CLASSROOMS</td> <td style="text-align: center;">OFFICE SPACES</td> </tr> <tr> <td style="text-align: center;">ELEMENTARY SCHOOL</td> <td style="text-align: center;">424</td> <td style="text-align: center;">424</td> <td style="text-align: center;">12 CLASSROOMS</td> <td style="text-align: center;">6</td> </tr> </table> <p>200' WIDE CONCRETE FINISH COURTYARD SPACES W/ FINE</p>	SCHOOL TYPE	NUMBER OF STUDENTS	PARKING SPACES	CLASSROOMS	OFFICE SPACES	ELEMENTARY SCHOOL	424	424	12 CLASSROOMS	6	<p>LOT COVERAGE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">TOTAL AREA</td> <td style="text-align: center;">TOTAL LOT COVERAGE</td> </tr> <tr> <td style="text-align: center;">100,000 SQ. FT.</td> <td style="text-align: center;">100,000 SQ. FT.</td> </tr> <tr> <td style="text-align: center;">2,298,428 SQ. FT.</td> <td style="text-align: center;">2,298,428 SQ. FT.</td> </tr> <tr> <td style="text-align: center;">100,000 SQ. FT.</td> <td style="text-align: center;">100,000 SQ. FT.</td> </tr> <tr> <td style="text-align: center;">100,000 SQ. FT.</td> <td style="text-align: center;">100,000 SQ. FT.</td> </tr> <tr> <td style="text-align: center;">100,000 SQ. FT.</td> <td style="text-align: center;">100,000 SQ. FT.</td> </tr> <tr> <td style="text-align: center;">100,000 SQ. FT.</td> <td style="text-align: center;">100,000 SQ. FT.</td> </tr> </table>	TOTAL AREA	TOTAL LOT COVERAGE	100,000 SQ. FT.	100,000 SQ. FT.	2,298,428 SQ. FT.	2,298,428 SQ. FT.	100,000 SQ. FT.	100,000 SQ. FT.	100,000 SQ. FT.	100,000 SQ. FT.	100,000 SQ. FT.	100,000 SQ. FT.	100,000 SQ. FT.	100,000 SQ. FT.	<div style="text-align: center;">  <p>VICINITY MAP (NOT TO SCALE)</p> <p>SITE WILL COMPLY WITH ARTICLE X LANDSCAPE REQUIREMENTS 7'-0" FENCING TO SURROUNDING SITE</p> </div>	<p style="text-align: center;">LUNA PREPARATORY PRIMARY SCHOOL (CHARTER) FOR UPLIFT EDUCATION</p> <p style="text-align: center;">7200 FERGUSON RD, DALLAS, TX 75228</p> <p style="text-align: center;">DECEMBER 29, 2013</p> <p style="text-align: center;">SCALE: 1" = 40'-0"</p> <p style="text-align: center;">SITE PLAN</p> <div style="text-align: center;">  </div> <p style="text-align: center;">UPLIFT EDUCATION 1000 W. RIVER ST. SUITE 100 DALLAS, TX 75201 PH: 214.766.7000 WWW.UPLIFTEDMOJO.COM</p>
SCHOOL TYPE	NUMBER OF STUDENTS	PARKING SPACES	CLASSROOMS	OFFICE SPACES																							
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Proposed Traffic Management Plan

Traffic Management Plan
Z145-327

Uplift Luna Primary School
Dallas, Texas



Walter P. Moore and Associates, Inc.
TBPE Firm Registration No. 1856

Prepared for
Uplift Education

Prepared by
WALTER P MOORE

Walter P. Moore and Associates, Inc.
1845 Woodall Rodgers Freeway, Suite 1650
Dallas, Texas 75201
214-740-6200

December 2015

CONTENTS

INTRODUCTION 1
QUEUING ANALYSIS 1
TRAFFIC MANAGEMENT PLAN 2
 Family Identification Numbers 2
 Ingress & Egress 2
 Drop-off/Pick-up Location 2
 Circulation 2
 Release Time 3
 Administrative Officials 3
 Summary 3

EXHIBIT

Exhibit 1: Traffic Management Plan

TABLE

Table 1: Calculated Queuing Space for Uplift Luna Primary – Full Build Enrollment

INTRODUCTION

Uplift Education is proposing to initiate the operations for a primary charter school at the northwest corner of IH 30 and Ferguson Road in Dallas, Texas. The proposed school site is bounded by Ferguson Road on the east, IH 30 on the south, apartment homes that front Dulaney Drive on the north and Valley Glen Drive on the west. During the Full Build enrollment of the school, the school proposes to accommodate 648 students in the Primary School (Kindergarten through Grade 5).

QUEUING ANALYSIS

The queuing data collected at existing Uplift Education school campuses was evaluated. From the data available, an overall average of approximately 1 vehicle for every 6.8 Primary students was calculated to predict peak queuing conditions.

Utilizing this peak queuing ratio as a planning guideline for the Full Build enrollment of the school, the calculated linear feet of queuing space for the school was developed as provided in Table 1. The provided queuing space is also shown in Table 1.

Table 1: Calculated Queuing Space for Uplift Luna Primary School – Full Build

School Level	Grades	Number of Students-Full Build-out	Ratio: Number of Students per Peak Queued Vehicle*	Number of Peak Queued Vehicles-	Calculated Queuing Space-Linear Feet**	Provided Queuing Space – Linear Feet
Primary School	K - 5	648	6.8:1	95	2,375	2,500

*Average peak queuing rate obtained from existing Uplift Education queuing data

**Assuming 25 feet per vehicle

The on-site queuing space for the Uplift Luna Primary campus illustrated in Exhibit 1 measures 2,500 linear feet. The site plan is anticipated to sufficiently serve the Full Build enrollment plan of the school campus with implementation of the Traffic Management Plan as further described. During the initiation of the school operations, it is recommended to monitor the drop off and pick up operations and make adjustments to the procedures as necessary. There are opportunities for additional queuing space if necessary.

TRAFFIC MANAGEMENT PLAN

The Traffic Management Plan was designed to create a vehicular circulation route for parents to drop-off and pick-up their children during the critical morning and afternoon times associated with the beginning and dismissal of school. It is designed to maintain all queued vehicles within the school property during both the AM and PM peak periods and not impede the flow of traffic on adjacent streets. Elements of the proposed traffic management plan are provided.

Family Identification Numbers

It is recommended to provide a carpool identification card for each family. The parents should be instructed to have the identification card visible for the administrator collecting this information to relay the specific parent's arrival information to the staff to alert the students.

Ingress & Egress

Two driveways will provide access to the site as illustrated in Exhibit 1. The driveway along Valley Glen Drive on the northwest side of the school will provide entry and exit access to the Primary School carline during the AM and PM peak hours. Entry to the school campus will be from a right turn from Valley Glen Drive and exit from the school will be with a left turn on to Valley Glen Drive. The staff/administration members will also have the opportunity to utilize this driveway along Valley Glen Drive and park in the parking lot on the southeast side of the campus.

The driveway along Ferguson Road may be used as a right turn in and right turn out only access for visitors. It is recommended to stripe white pavement markings for the channelized right turn in and right turn out access as illustrated in Exhibit 1.

Drop-off/Pick-up Location

As depicted in Exhibit 1, there is one proposed student Drop-off/Pick-up location provided on the school campus. The pickup/drop-off area is located on the west side of the school campus, just north of the Primary School building.

Circulation

This Traffic Management Plan is designed specifically to create sufficient queuing space on-site for the afternoon pick-up operations. All vehicles for the Primary School pickup operations will enter the driveway from Valley Glen Drive with a right turn into the school campus. After entering the school

site, the motorists will follow the path as illustrated in Exhibit 1 to the pick-up area. After picking up the student(s), motorists will depart the campus with a left turn onto Valley Glen Drive.

Release Time

It is anticipated that the Primary School will operate on one arrival time and one dismissal time for the entire campus. The assumed school hours are 8:00 AM to 3:30 PM for the primary school campus. If the queuing conditions warrant, the opportunity exists for there to be staggering of the dismissal times of different grade levels.

Administrative Officials

School staff and/or volunteers will be necessary to assist with both morning drop-off and afternoon pick-up operations at the Primary School.

Each school campus has unique carpool operation conditions with its number of staff, students and parents. Monitoring of the proposed Traffic Management Plan should be performed at the onset of the school's opening to ensure that it is operating efficiently. As this campus will be a new location, the school should be prepared to provide additional staff at the onset of the school's opening and adjust based on the demand both in the morning and in the afternoon. With full enrollment, it is proposed that several staff or volunteers assist during the afternoon pick-up operations. There are four potential staff or volunteers indicated for the Primary School loading area on Exhibit 1. One additional staff member or volunteer is illustrated on Exhibit 1 upstream of the pick-up area in the parking lot. This staff member would relay the vehicle's identification (the student(s) to be picked up) to the staff at the pick-up area so that the students are queued up and ready to load into the vehicles. Police assistance should be anticipated at the onset of the school's opening to potentially assist at the school driveway at Valley Glen Drive and/or the intersection of Valley Glen Drive and Samuell Blvd.

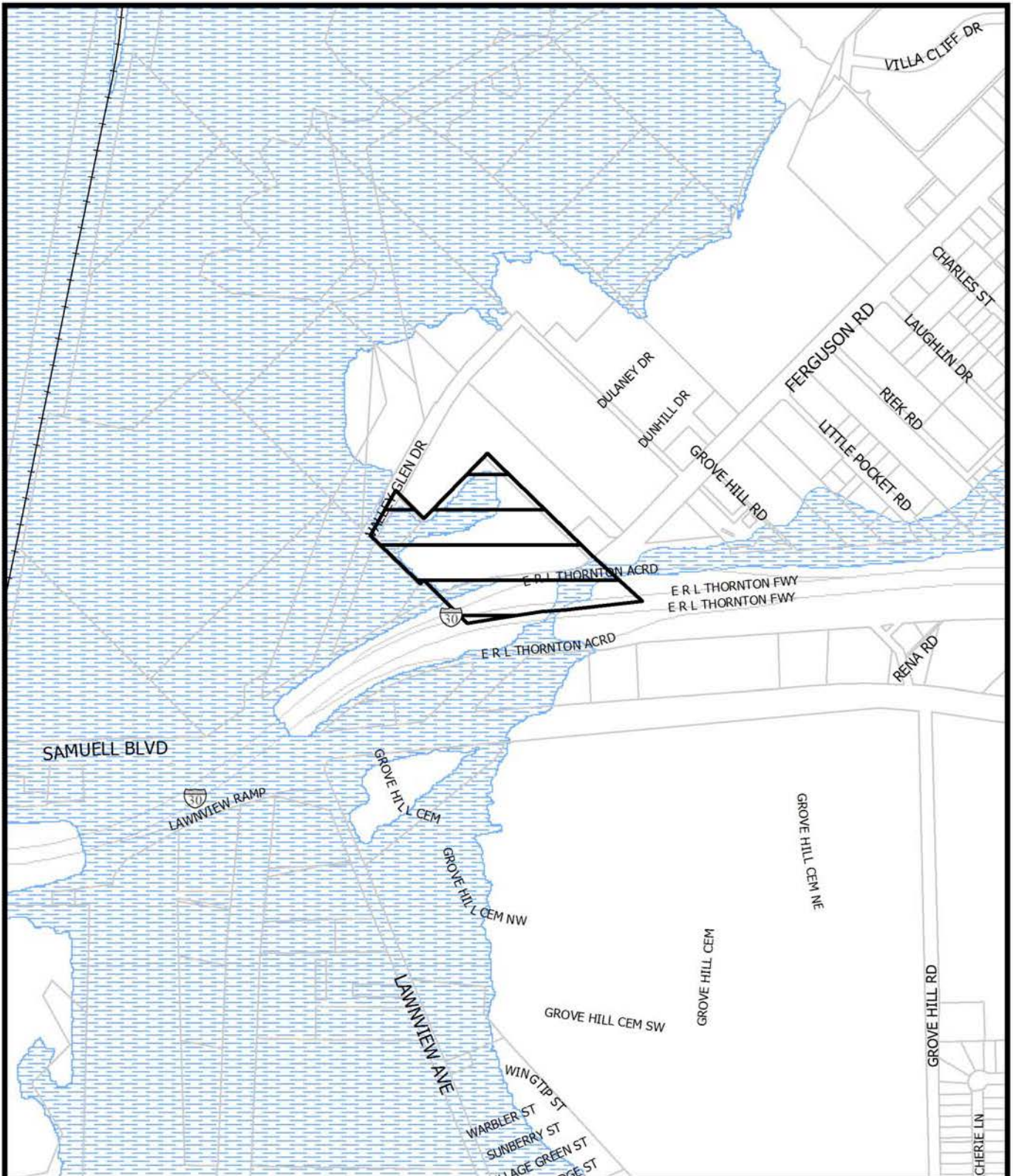
Summary

Exhibit 1 illustrates the Traffic Management Plan for Uplift Luna Primary School. A new driveway is requested along Valley Glen Drive to allow access to and from the proposed school campus.

During the initiation of the school operations, it is recommended to monitor the drop off and pick up operations and make adjustments to the procedures as necessary. It is the responsibility of the Uplift Luna Primary administrators to implement the plan. Based on best planning practices, the provided circulation and queuing plan should be sufficient to accommodate the peak vehicular queue on site.

No queuing will be allowed on the street right-of-way and administrators are responsible for implementing any correction deemed necessary by City staff to correct any spill of queuing in the City of Dallas Right of Way. Strategies to minimize peak queuing conditions on school campuses include:

- Provide several opportunities for the parents, students and staff to learn the carpool circulation plan; meetings, e-mails, posting on the school website, etc.,
- Instruct parents not to arrive at the school too early,
- Encourage carpooling among families,
- Have parents visibly display their family name or carpool number for easy identification,
- Encourage the parents to queue up closely to the vehicle in front of them,
- Provide additional staff members to assist with unloading/loading the Primary School students, and/or
- Stagger release times for different grade levels.



1:7,200

VICINITY MAP

Case no: **Z145-327**

Date: **9/28/2015**

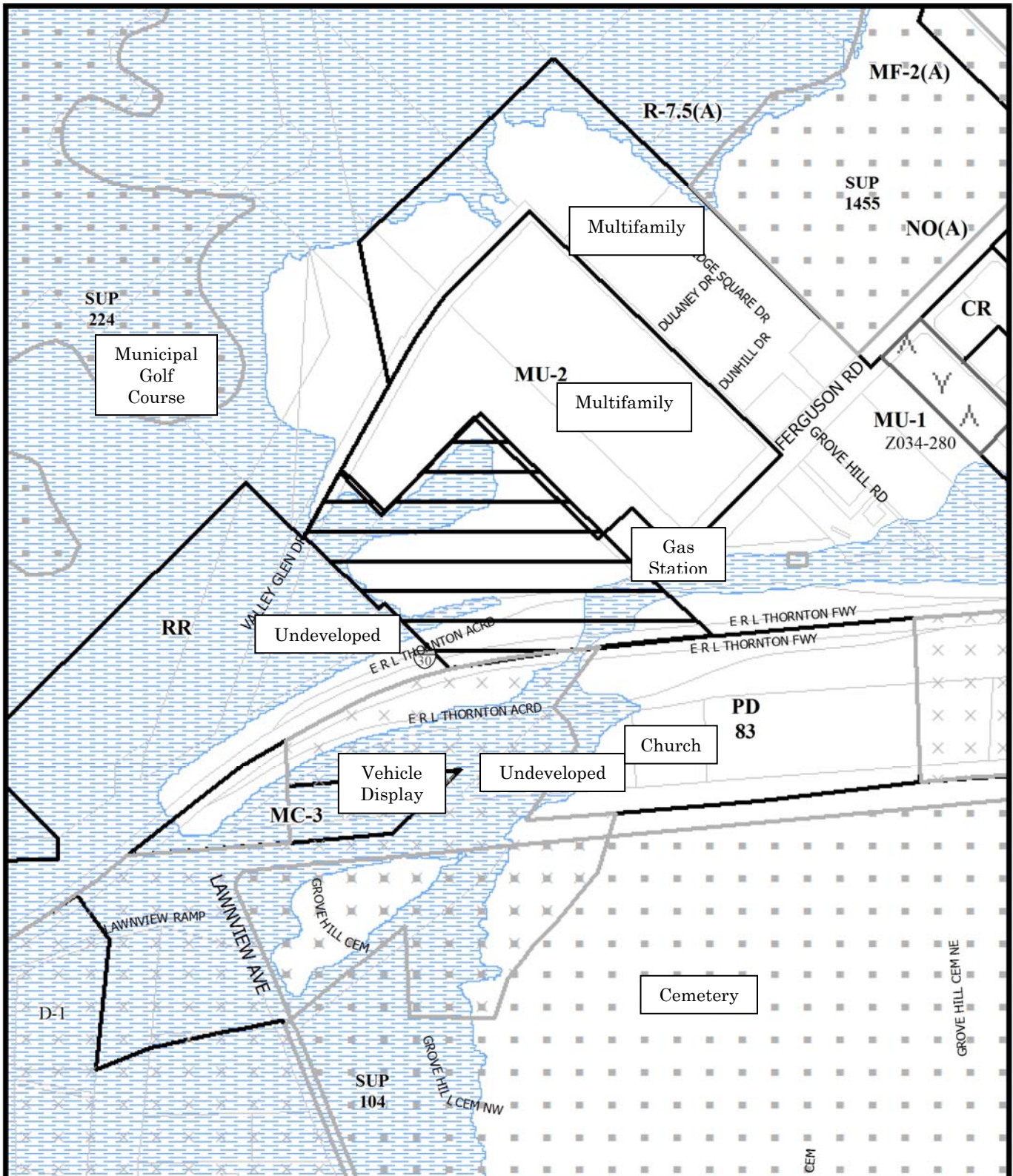


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AERIAL MAP

Case no: Z145-327

Date: 9/28/2015

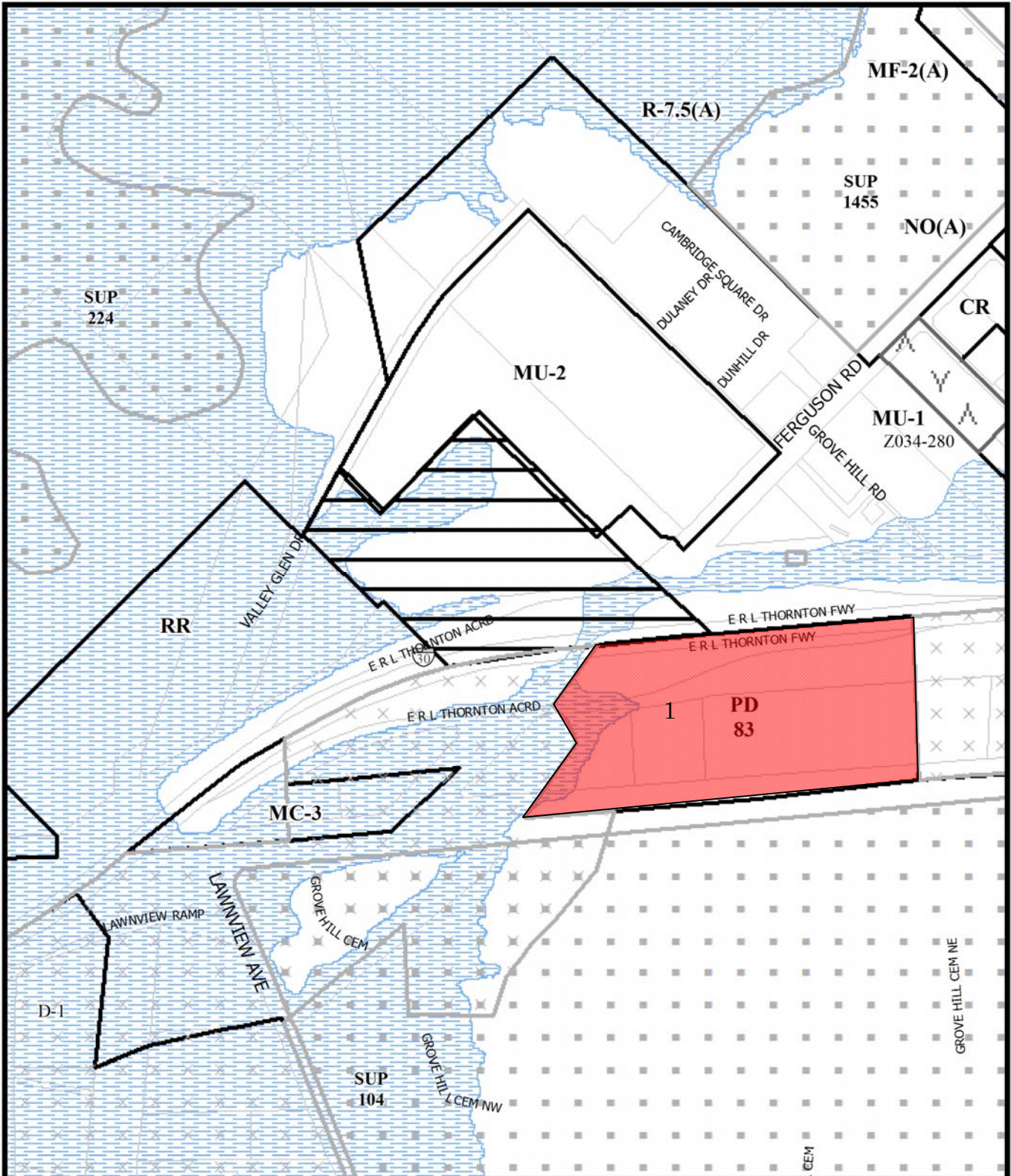


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ZONING AND LAND USE

Case no: Z145-327

Date: 9/28/2015



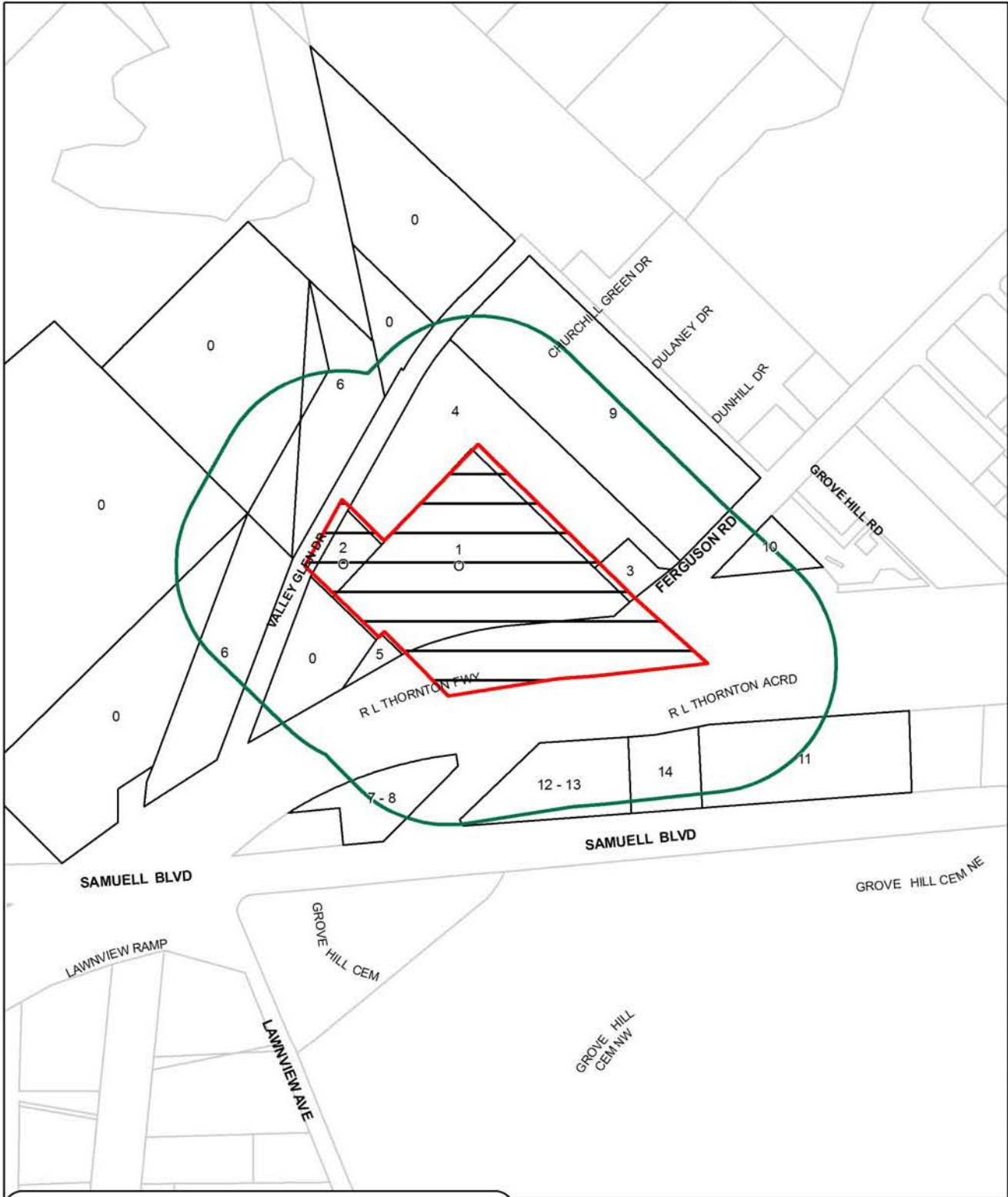
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ZONING HISTORY

Case no: Z145-327

Date: 9/28/2015

CPC Responses



<u>14</u>	Property Owners Notified (19 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>400'</u>	Area of Notification
<u>1/7/2016</u>	Date

Z145-327
CPC



1:4,800

01/06/2016

Reply List of Property Owners

Z145-327

14 Property Owners Notified

2 Property Owners in Favor

0 Property Owners Opposed

Reply	Label #	Address	Owner
O	1	7203 FERGUSON RD	HORIZONS HOSPITALITY LLC
O	2	6900 VALLEY GLEN DR	BRISTOW ANNEMARIE
	3	7205 FERGUSON RD	YUSUF ABUBAKER &
	4	7207 VALLEY GLEN DR	FAIRWAY TOWNHOMES HOUSING
	5	7001 R L THORNTON FWY	REYNOLDS GEORGE T III
	6	3500 SAMUELL BLVD	TEXAS UTILITIES ELEC CO
	7	3939 SAMUELL BLVD	AMERCO REAL ESTATE CO
	8	3915 SAMUELL BLVD	NCNB REAL ESTATE TRUST DE
	9	7229 FERGUSON RD	FAIRWAY TOWNHOMES HOUSING
	10	7232 FERGUSON RD	KHALIL NAGY N
	11	4311 SAMUELL BLVD	WC TEXAS STORAGE PORTFOLIO I LP
	12	4015 SAMUELL BLVD	MOORE WELDON LEON
	13	4015 SAMUELL BLVD	SMITH MIKE
	14	4209 SAMUELL BLVD	HART EDWIN DON LIF ESTATE

AGENDA ITEM # 33

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 35 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new Planned Development Subdistrict for GR General Retail Subdistrict and commercial print shop uses on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Oak Lawn Avenue and Bowser Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z156-116(LHS)

FILE NUMBER: Z156-116(LHS)

DATE FILED: October 27, 2015

LOCATION: East corner of Oak Lawn Avenue and Bowser Avenue

COUNCIL DISTRICT: 14

MAPSCO: 35-X

SIZE OF REQUEST: Approx. 0.468 acres

CENSUS TRACT: 6.06

APPLICANT: Kent Long, Thomas Repographics

OWNER: Paul D. Lewis No. 7, LP

REPRESENTATIVE: William Dahlstrom, Jackson Walker LLP

REQUEST: An application for a new Planned Development Subdistrict for GR General Retail Subdistrict and commercial print shop uses on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The Subdistrict is being created to add a new use for “commercial print shop” and to permit all other uses in the GR Subdistrict. Of the printing uses defined in PD 193, the Building Official has determined the use that closest defines the applicant’s operation is “Job printing, lithographer, printing, or blueprinting plant”. This use is not permitted in the GR Subdistrict. As part of the rezoning, the applicant requests to define a new use for “commercial print shop” since blueprinting and lithography are not methods used in their operations. All other regulations of the GR Subdistrict remain the same. The site is developed with a 6,500-square-foot building divided into three separate tenant spaces. The commercial print shop will be located in the easternmost suite [formerly occupied by the Domaine] that is approximately 3,207 square feet. The conditions limit the floor area of the use to 3,250 square feet.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDTION:

Staff recommends approval of the request based upon:

1. *Performance impacts upon surrounding property* – Since all other GR Subdistrict uses are not changing, the use to consider is the new one being created for a “commercial print shop”. Given the printing methods utilized for the operation in an existing building along Oak Lawn Avenue, no negative impacts are anticipated upon surrounding property. Furthermore, the use is being limited to a floor area of 3,250 square feet.
2. *Traffic impact* –The Engineering Section of the Department of Sustainable Development and Construction has determined that the new use will not have a detrimental impact upon the surrounding street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is in compliance with the forwardDallas! Comprehensive Plan. The proposed development is located within the Urban Mixed-Use Building Block.
4. *Justification for PDS Planned Development Subdistrict Zoning as opposed to a straight zoning district* – The applicant is requesting to use the GR General Retail Subdistrict as a base for the Subdistrict with the introduction of a new use – a commercial print shop.

Zoning History: There have been no zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Dimension
Oak Lawn Avenue	Principal Arterial	Varies
Bowser Avenue	Minor Arterial	Local

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the addition of the new use to the zoning district will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the

applicant’s request. The Plan identifies the request site as being in a Urban Mixed-Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or midrise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

Land Use:

	Zoning	Land Use
Site	PD 193, GR	Restaurant; Personal service
North	PD 193, MF-2	Multifamily
Northeast	PD 193, GR	Personal service
Southeast	PD 193, GR, MF-3	Multifamily
Northwest	PD 193, GR, P	Medical office, Parking
Southwest	PD 193, GR	Restaurant

Land Use Compatibility: Built over fifty years ago, the building itself has had minimal change. It is located along Oak Lawn Avenue which encompasses a variety of land uses.

The uses below are other printing uses defined in PD 193:

Job printing, lithographer, printing, or blueprinting plant (Not permitted in the GR Subdistrict) – A facility for the commercial reproduction of written material on drawings on a bulk basis using lithography, offset printing, blueprinting, and similar methods.

Duplication shop (Permitted by right in the GR Subdistrict) – A facility for the reproduction on standard or legal sized paper of material by office-type photocopiers.

Z156-116(LHS)

Custom print shop (Permitted by SUP in the GR Subdistrict) – A facility which performs custom printing.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Primary Uses
	Front	Side/Rear				
PD 193, GR	25	0	2.5 to1	120	40%	Limited Retail/Commercial

Landscaping:

Landscaping will not be triggered on this site because there will be no additional impervious area as a result of this zoning change.

Parking:

Pursuant to §51A-4.200 of the Dallas Development Code, a printing, lithographer, printing, or blueprinting plant requires one off-street parking space for each 500 square feet of floor area. The same parking ratio has been established in the PD for a commercial print shop. The size of the proposed 3,000-square-foot commercial print shop would require 6 parking spaces.

Z156-116(LHS)

CPC Action – January 7, 2016

Z156-116(AF)

Motion: It was moved to recommend **approval** of a new Planned Development Subdistrict for GR General Retail Subdistrict and commercial print shop uses, subject to a development plan and revised conditions (as briefed) on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Oak Lawn Avenue and Bowser Avenue.

Maker: Ridley
Second: Davis
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: 506
Replies: For: 1 Against: 0

Speakers: For: Jonathan Vinson, 2323 Ross Ave., Dallas, TX, 75201
Against: Ben Pamenari, 3711 Holland Ave., Dallas, TX, 75219

List of Partners



October 26, 2015

City of Dallas
1500 Marilla St
Room 5B N
Dallas, TX 75201

List of Officers for Thomas Reographics dba Thomas Printworks

Bill E. Thomas
Chairman of the Board

Bryan C. Thomas
CEO and President

Brianna T. Long
Vice President

Beverly Thomas
Secretary/Treasurer

Frank McGee
CFO

600 North Central Expressway
Richardson, TX 75080

P. 972-231-7227
F. 972-231-0623

THOMASPRINTWORKS.COM

Z156-116

CPC Approved Conditions

Division S-_____ . Subdistrict _____

SEC.S__101. LEGISLATIVE HISTORY.

PD Subdistrict _____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2016.

SEC.S__102. PROPERTY LOCATION AND SIZE.

PD Subdistrict _____ is established on property generally located on the east corner of Oak Lawn Avenue and Bowser Avenue. The size of PD Subdistrict _____ is approximately 0.48 acres.

SEC.S__103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is of a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division,

(1) COMMERCIAL PRINT SHOP means a facility for the reproduction or printing of various items of any size, including, but not limited to, site plans, roll-up plans, maps, wall graphics, signage, and similar items, by office-type photocopiers and printers, but not including blueprinting or lithography.

(2) SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a nonresidential zoning district.

SEC.S-__104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-___A: development plan.

SEC.S__105. DEVELOPMENT PLAN.

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

SEC.S-__ 106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the GR General Retail Subdistrict, subject to the same conditions applicable in the GR General Retail Subdistrict, as set out in Part I of this article. For example, a use permitted in the GR General Retail Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the GR General Retail Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following additional main use is permitted in this subdistrict:

- Commercial print shop.

SEC.S-__ 107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC.S-__ 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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

- (a) The yard, lot, and space regulations for the GR General Retail Subdistrict apply.
- (b) The maximum floor area for a Commercial print shop use is 3,250 square feet.

SEC.S-__ 109. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult Part 1 of this article for the specific off-street parking and loading requirements for each use.

(b) The Commercial print shop use shall provide off-street parking at a ratio of one off-street parking space per 500 square feet of floor area.

SEC. S-__ 110 ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-__ 111. LANDSCAPING.

(a) Landscaping and screening must be provided in accordance with Part I of this article.

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

SEC. S-__112. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII.

SEC. S__113. 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.

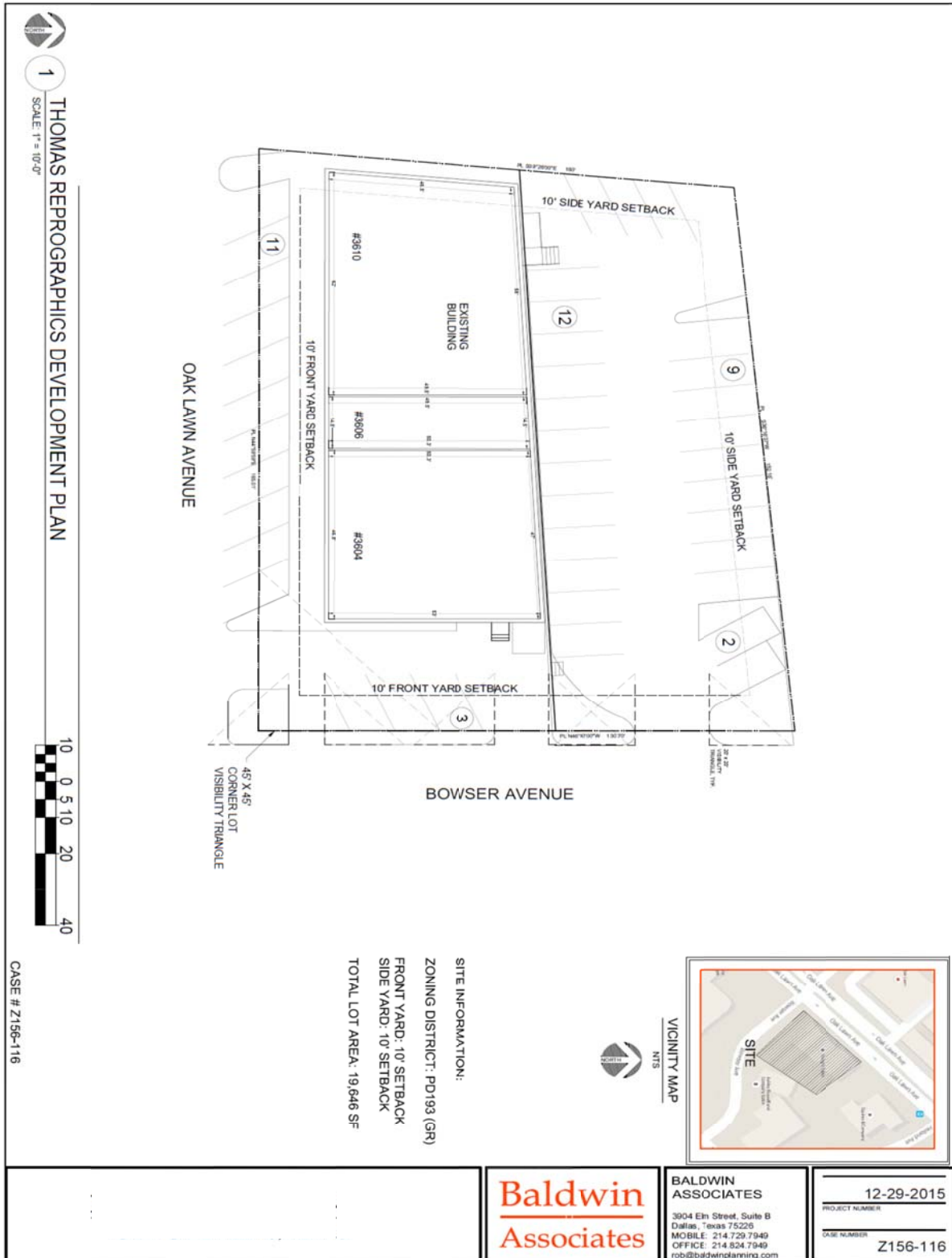
(c) Except as provided in this division or shown on the development plan, development and use of the Property must comply with Part I of this article.

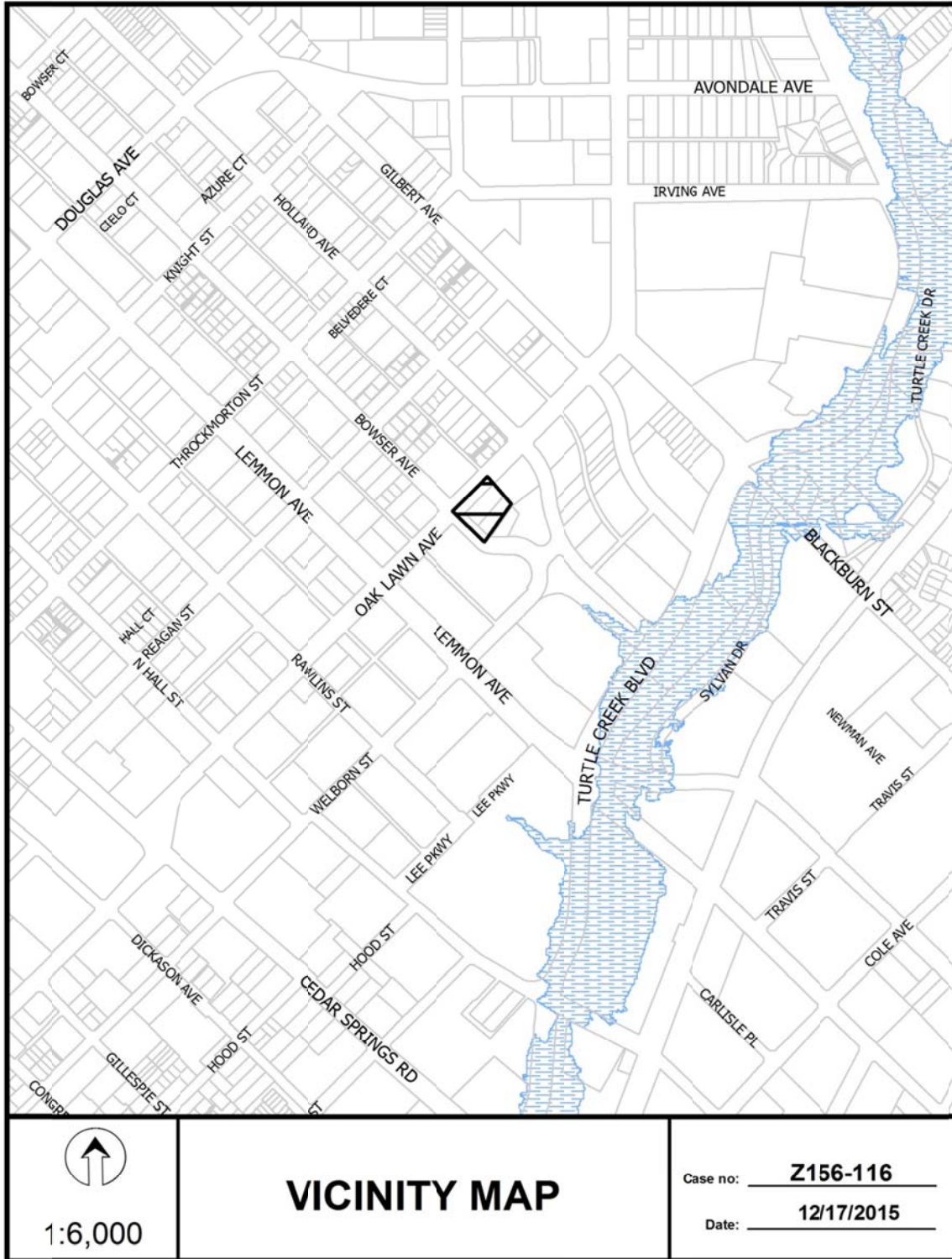
SEC. S__114. COMPLIANCE WITH CONDITIONS.

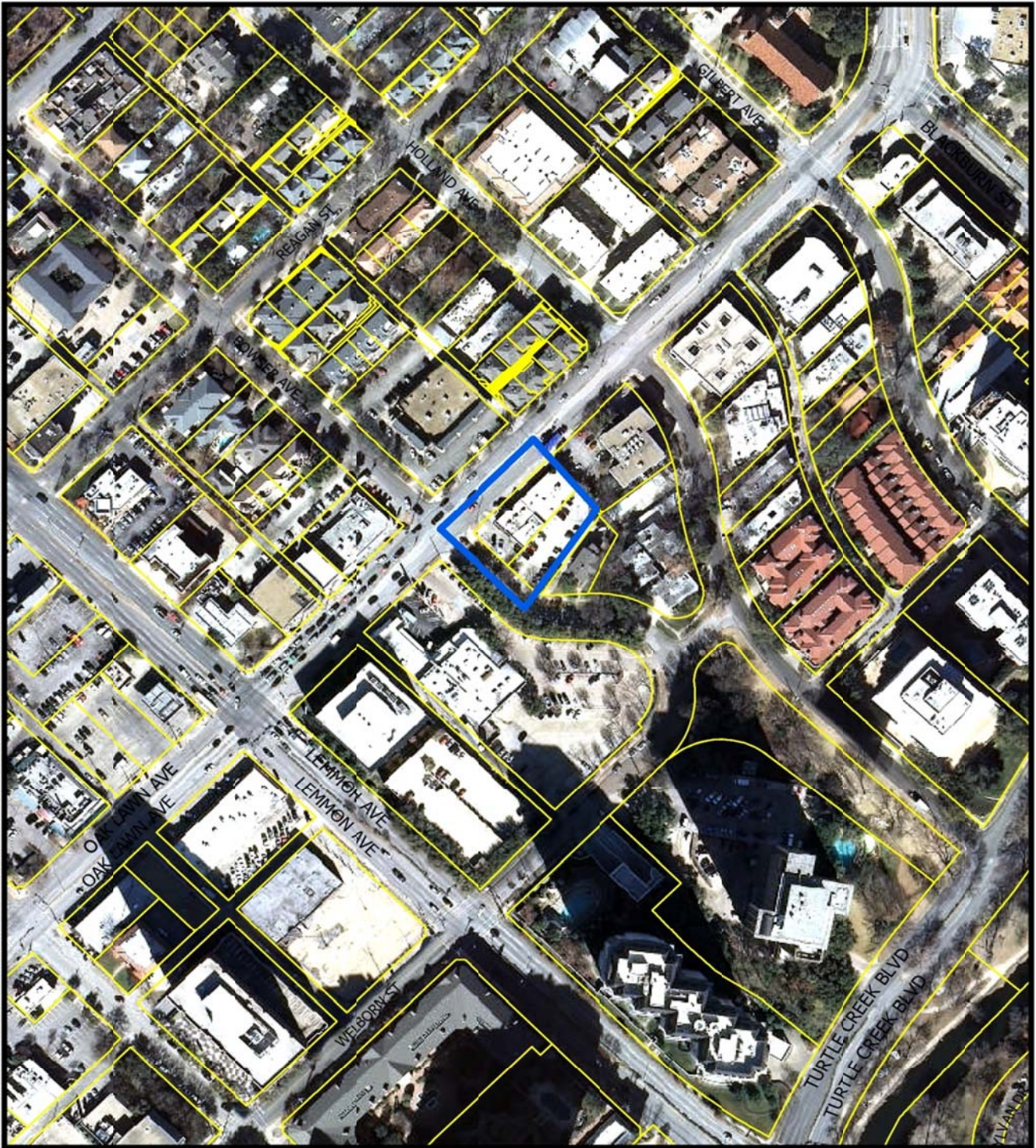
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

Proposed Development Plan





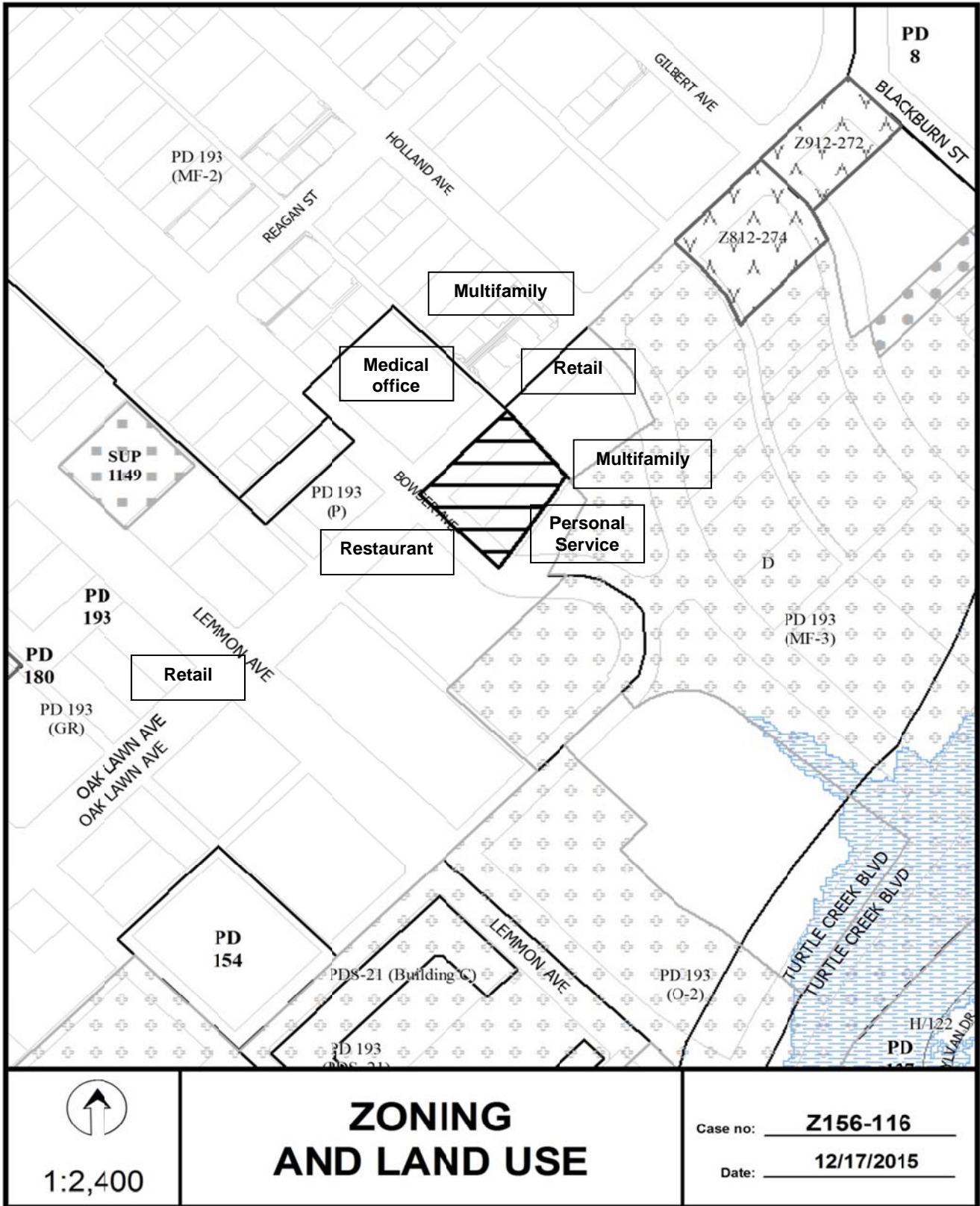


1:2,400

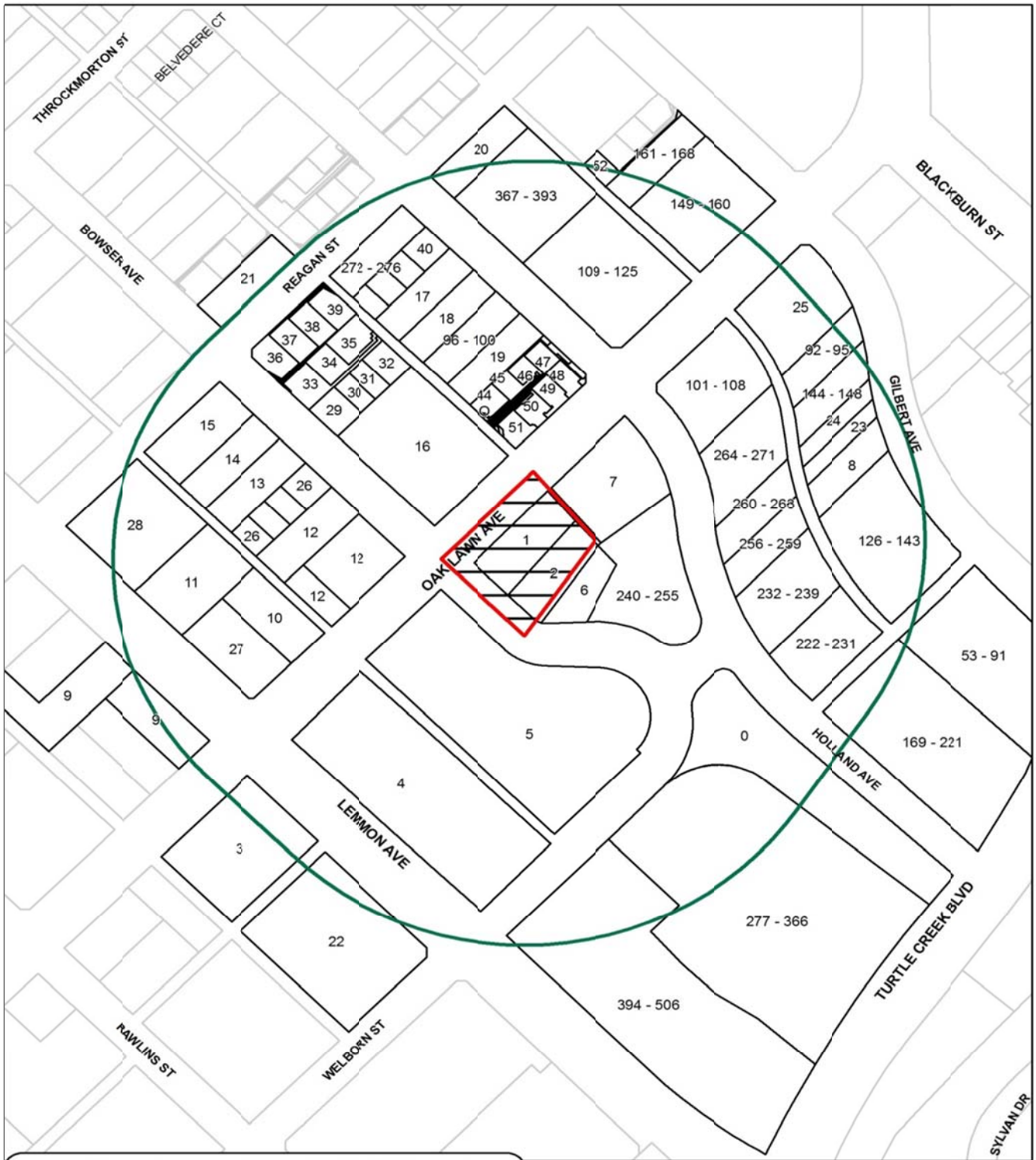
AERIAL MAP

Case no: Z156-116

Date: 12/17/2015



CPC Responses



<u>506</u>	Property Owners Notified (79 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>506'</u>	Area of Notification
<u>1/7/2016</u>	Date

Z156-116
CPC



1:2,400

01/06/2016

Reply List of Property Owners***Z156-116******506 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3604 OAK LAWN AVE	LEWIS PAUL D NO 7
	2	3722 BOWSER AVE	LEWIS PAUL D LIMITED
	3	3416 OAK LAWN AVE	SOUTHWEST BK TRUSTEE
	4	3500 OAK LAWN AVE	WESTDALE 3500 OAK LAWN LP
	5	3703 BOWSER AVE	PAPPAS RESTAURANTS INC
	6	3716 BOWSER AVE	LEWIS PAUL D LIMITED PS # 7
	7	3624 OAK LAWN AVE	WAYFAIR CAPITAL PARTNERS
	8	3719 GILBERT AVE	SCHUSTER ELLEN JANE
	9	3817 LEMMON AVE	RP LEMMON PPTIES LP
	10	3509 OAK LAWN AVE	OAK LAWN RETAIL ASSO LTD
	11	3812 LEMMON AVE	GSSW LEMMON OAKLAWN LLC
	12	3519 OAK LAWN AVE	3519 OAKLAWN PARTNERS LTD
	13	3821 BOWSER AVE	USOV SERGEY
	14	3825 BOWSER AVE	BURLACU VALENTIN &
	15	3827 BOWSER AVE	PHOL INVESTMENT INC
	16	3607 OAK LAWN AVE	ASSET MANAGEMENT ASSOC
	17	3823 HOLLAND AVE	WREN JUSTIN
	18	3819 HOLLAND AVE	IRANI GIL
	19	3811 HOLLAND AVE	NASH KEVIN
	20	3830 HOLLAND AVE	DOOLEY FRANCO
	21	3900 BOWSER AVE	NEWCOMB ERIC B &
	22	3707 LEMMON AVE	DALLAS SHOWROOM REAL ESTATE LLC
	23	3723 GILBERT AVE	PUELZ ROBERT L & AMY V
	24	3725 GILBERT AVE	GUION GARY DONELSON
	25	3738 OAK LAWN AVE	LA GRANGE ACQUISITION
	26	3817 BOWSER AVE	STERLING BOWSER DEV I LP

01/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	3804 LEMMON AVE	GSSW LEMMON OAKLAWN LLC
	28	3826 LEMMON AVE	KLINE TRUST INV LTD
	29	3816 BOWSER AVE	SHIVER JAMES & MARGARET
	30	3816 BOWSER AVE	HURLEY PIERS A
	31	3816 BOWSER AVE	GOTO COLLIN S
	32	3816 BOWSER AVE	SIFERT TODD K
	33	3820 BOWSER AVE	CLARK JAMES DANA
	34	3822 BOWSER AVE	PATEL AMIT & AMISHA
	35	3824 BOWSER AVE	SANCHEZ FELIX & LOURDES
	36	3834 BOWSER AVE	GRIFFO BOB C
	37	3608 REAGAN ST	HAMILTON BILL T & DEBBIE
	38	3610 REAGAN ST	COTE DUANE LIVING TRUST
	39	3612 REAGAN ST	FOSTER PETERSON &
	40	3827 HOLLAND AVE	MACIAS RUBEN JR &
	41	3827 HOLLAND AVE	MADRIGAL ALICIA
	42	3827 HOLLAND AVE	MILLER SCOTT K
	43	3827 HOLLAND AVE	KAMPRATH KRISTIN
O	44	3807 HOLLAND AVE	BELINKIE LUCAS &
	45	3805 HOLLAND AVE	MANTANI NIKHILESH R &
	46	3803 HOLLAND AVE	JOBIN THOMAS A & VIVIENNE L
	47	3801 HOLLAND AVE	JONES LAURIE E
	48	3637 OAK LAWN AVE	JONES LYNDE A
	49	3633 OAK LAWN AVE	DAY KENNETH A
	50	3629 OAK LAWN AVE	WOODLIEF MARI
	51	3625 OAK LAWN AVE	JAMESON MICHAEL
	52	3819 GILBERT AVE	PALLA MARK J
	53	3621 TURTLE CREEK BLVD	IZQUIERDO MONTSERRAT
	54	3621 TURTLE CREEK BLVD	RAUSCH MARY JO
	55	3621 TURTLE CREEK BLVD	DICKSON ROBERT MILLER &
	56	3621 TURTLE CREEK BLVD	MANNING JANE
	57	3621 TURTLE CREEK BLVD	MRSBENLEZAR LLC

01/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	3621 TURTLE CREEK BLVD	FEDERAL NATL MTG ASSOC AKA FANNIE MAE
	59	3621 TURTLE CREEK BLVD	BOWEN RICHARD
	60	3621 TURTLE CREEK BLVD	MRSBENLEZAR LLC
	61	3621 TURTLE CREEK BLVD	FOSTER CHARLES F &
	62	3621 TURTLE CREEK BLVD	EKELMAN HILA M
	63	3621 TURTLE CREEK BLVD	MCNABB JERRY G
	64	3621 TURTLE CREEK BLVD	UNDERHILL JON P REVOCABLE TR
	65	3621 TURTLE CREEK BLVD	LUTES CANDIDA &
	66	3621 TURTLE CREEK BLVD	CHOSSED FERN
	67	3621 TURTLE CREEK BLVD	NADALINI BETTY & CESARE
	68	3621 TURTLE CREEK BLVD	CRISLER WILLIAM P
	69	3621 TURTLE CREEK BLVD	THOMPSON WILLIAM R II
	70	3621 TURTLE CREEK BLVD	SALL LARRY D & JUDY M
	71	3621 TURTLE CREEK BLVD	PRIESTHECK ROBERT W &
	72	3621 TURTLE CREEK BLVD	SWEENEY JULIA EST OF
	73	3621 TURTLE CREEK BLVD	BROWN WILLIAM JAMES
	74	3621 TURTLE CREEK BLVD	AUSTIN ROBERT CARTER
	75	3621 TURTLE CREEK BLVD	MCCLURE MEREDITH M
	76	3621 TURTLE CREEK BLVD	ESTES WILLIAM C
	77	3621 TURTLE CREEK BLVD	MRSBENLEZAR LLC
	78	3621 TURTLE CREEK BLVD	JAMES WILLIAM C
	79	3621 TURTLE CREEK BLVD	KINGSLEY JOYCE FARRAR
	80	3621 TURTLE CREEK BLVD	DOHONEY ROBERT G & BETTY R
	81	3621 TURTLE CREEK BLVD	TRUST UW OF MICHAEL PETRU
	82	3621 TURTLE CREEK BLVD	CONWAY DAVID B & KATHRYN W
	83	3621 TURTLE CREEK BLVD	WELDONWILSON DEE ANN &
	84	3621 TURTLE CREEK BLVD	MAUZY AGLAIA D
	85	3621 TURTLE CREEK BLVD	WORTHY MILTON D &
	86	3621 TURTLE CREEK BLVD	TRIBBLE W ARTHUR & SUSAN
	87	3621 TURTLE CREEK BLVD	MATERKA BARBARA F
	88	3621 TURTLE CREEK BLVD	BOHN HEIDI H

01/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	3621 TURTLE CREEK BLVD	ADDIS PLEAS THOMAS
	90	3621 TURTLE CREEK BLVD	PARAGAS PABLO D JR &
	91	3621 TURTLE CREEK BLVD	KRFS REINSURANCE COMPANY LTD
	92	3731 GILBERT AVE	WATSON SCOTT
	93	3731 GILBERT AVE	LONGORIA RAMON JR
	94	3731 GILBERT AVE	KAUFMAN MICHAEL
	95	3731 GILBERT AVE	NELSON DEBRA D
	96	3815 HOLLAND AVE	HOLLAND 3815#1 LAND TRUST
	97	3815 HOLLAND AVE	WEBSTER ADRIAN
	98	3815 HOLLAND AVE	SMITH BRYAN D
	99	3815 HOLLAND AVE	PENDLETON JAMEIL
	100	3815 HOLLAND AVE	SCHEXNAYDER SHELLEY L
	101	3740 HOLLAND AVE	KAFKA TERRY B & JANET P
	102	3740 HOLLAND AVE	MCKEEBY PAULO &
	103	3740 HOLLAND AVE	PENNOCK ALBERT S LIV TR
	104	3740 HOLLAND AVE	MCPHERSON EDWARD R & SALLY T
	105	3740 HOLLAND AVE	MORRISON LIONEL B & SUSAN
	106	3740 HOLLAND AVE	RINEARSON LEIGH LIFE ESTATE
	107	3740 HOLLAND AVE	MCKOOL MOLLIE
	108	3740 HOLLAND AVE	LEE WILLIAM M &
	109	3800 HOLLAND AVE	SHUJA KHWAWAJA &
	110	3800 HOLLAND AVE	BATES SCOTT
	111	3800 HOLLAND AVE	BROWN LOUIS N
	112	3800 HOLLAND AVE	HAUSMAN AARON B
	113	3800 HOLLAND AVE	DELAHUNTY IAN
	114	3800 HOLLAND AVE	SPEEGLE CHRISTOPHER F
	115	3800 HOLLAND AVE	JAJI SEBNEM &
	116	3800 HOLLAND AVE	HUYNH LONG
	117	3800 HOLLAND AVE	FREIBERGER PETER P III
	118	3800 HOLLAND AVE	PHAM HANH MS
	119	3800 HOLLAND AVE	MAUTER RODNEY

01/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	3800 HOLLAND AVE	WAEREA MITCHELL J
	121	3800 HOLLAND AVE	STOREY MEREDITH L
	122	3800 HOLLAND AVE	NELSON CAITLIN GRACE
	123	3800 HOLLAND AVE	FOSTY KEVIN N
	124	3800 HOLLAND AVE	HERMAN CHRISTOPHER K
	125	3800 HOLLAND AVE	LIPNICK DAVID H
	126	3707 GILBERT AVE	MAHER KEVIN & MARY KATHRYN
	127	3707 GILBERT AVE	KINNEY ALICE MARIE
	128	3707 GILBERT AVE	GORANSON THOMAS P
	129	3707 GILBERT AVE	RODRIGUEZNAVA HILDA
	130	3707 GILBERT AVE	CVENGROS JOSEPH
	131	3707 GILBERT AVE	ROSS JERRELL K
	132	3707 GILBERT AVE	RUBIN ROCHELLE
	133	3707 GILBERT AVE	DUNHAM WILLIAM H &
	134	3707 GILBERT AVE	PAGLIARO CHRISTINE RUTH
	135	3707 GILBERT AVE	WIG GAGANDEEP S
	136	3707 GILBERT AVE	RUST WILLIAM MARTIN & MARY BETH HYINK
	137	3707 GILBERT AVE	HATHAWAY RICHARD L
	138	3707 GILBERT AVE	WATERCREST PARTNERS II
	139	3707 GILBERT AVE	ROSSI JAMES S
	140	3707 GILBERT AVE	MOORE CARLOTTA M
	141	3707 GILBERT AVE	ELLIOTT BRYCE R & KATIE M
	142	3707 GILBERT AVE	PYLE SARAH P TRUST
	143	3707 GILBERT AVE	HOARD STEVEN L & TERESA L
	144	3727 GILBERT AVE	SHEPHERD FRANCIS R
	145	3727 GILBERT AVE	LEMON KATHERINE A &
	146	3727 GILBERT AVE	JAEGER JOHN T
	147	3727 GILBERT AVE	KING CYNTHIA MCCLURE
	148	3727 GILBERT AVE	MACDONALD CANDICE JEANNE
	149	3801 GILBERT AVE	COCANOUGH CATHERINE
	150	3801 GILBERT AVE	PFEIFFER JULIE

01/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	3801 GILBERT AVE	MCDANIEL CRAIG C
	152	3801 GILBERT AVE	SURI TANVIR SINGH
	153	3801 GILBERT AVE	DIXON PHILLIP T
	154	3801 GILBERT AVE	LEMMON J RICHARD
	155	3801 GILBERT AVE	ECHOLS BRUCE ALAN
	156	3801 GILBERT AVE	DUNCKLEY RUSSELL A &
	157	3801 GILBERT AVE	HANSEN DAVID
	158	3801 GILBERT AVE	HODGES ROBERT R
	159	3801 GILBERT AVE	SMITH MELVIN A
	160	3801 GILBERT AVE	HARLIN WILLIAM TED
	161	3817 GILBERT AVE	GALUBENSKI JENNIFER D
	162	3817 GILBERT AVE	DESORMEAUX CELESTE
	163	3817 GILBERT AVE	WAGNER WALKER
	164	3817 GILBERT AVE	BARNETT KYRA
	165	3817 GILBERT AVE	MCGILL SONJA
	166	3817 GILBERT AVE	SCHULZ RONALD MARK
	167	3817 GILBERT AVE	WANG THOMAS T
	168	3817 GILBERT AVE	CIRNU ALEXANDRU
	169	3601 TURTLE CREEK BLVD	POWELL STELLA MARIE
	170	3601 TURTLE CREEK BLVD	WILKINSON FRED C & LUANN
	171	3601 TURTLE CREEK BLVD	REYNOLDS LINDA DAY
	172	3601 TURTLE CREEK BLVD	JONES RON K
	173	3601 TURTLE CREEK BLVD	ROSSI HENRY J
	174	3601 TURTLE CREEK BLVD	GUTMAN RICHARD E & ROSANN S
	175	3601 TURTLE CREEK BLVD	MARTIN IRENE
	176	3601 TURTLE CREEK BLVD	SACHS ARLENE
	177	3601 TURTLE CREEK BLVD	FOSTER MARTHA TR EST OF
	178	3601 TURTLE CREEK BLVD	JONES RON K
	179	3601 TURTLE CREEK BLVD	BEARD DAVID C &
	180	3601 TURTLE CREEK BLVD	MAY ALAN M
	181	3601 TURTLE CREEK BLVD	FOLZ ANN J

01/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	182	3601	TURTLE CREEK BLVD	STERN FRED A GAIL
	183	3601	TURTLE CREEK BLVD	LYLES LAWRENCE F
	184	3601	TURTLE CREEK BLVD	GUZZLE JEFF
	185	3601	TURTLE CREEK BLVD	STONE NK FAM 1998 TRUST
	186	3601	TURTLE CREEK BLVD	WEATHERFORD KATHLEEN M
	187	3601	TURTLE CREEK BLVD	MAYR WESLEY R
	188	3601	TURTLE CREEK BLVD	502 GOLDCREST PROPERTY LLC
	189	3601	TURTLE CREEK BLVD	WASSERMAN IRWIN & JUDITH
	190	3601	TURTLE CREEK BLVD	SELAH RICHARD W &
	191	3601	TURTLE CREEK BLVD	RUTHERFORD JOHN D & CYNTHIA J
	192	3601	TURTLE CREEK BLVD	DAY MARY ANN
	193	3601	TURTLE CREEK BLVD	FAGADAU JEANNE M & SANFORD P
	194	3601	TURTLE CREEK BLVD	GREENMAN JACK N & SUZANNE F
	195	3601	TURTLE CREEK BLVD	BROWNLEE ROBERT DEAN
	196	3601	TURTLE CREEK BLVD	FINE LISA ANN
	197	3601	TURTLE CREEK BLVD	CATTARULLA ELLIOT R & KARIN H CATTARULLA
	198	3601	TURTLE CREEK BLVD	LIDJI NICOLE C
	199	3601	TURTLE CREEK BLVD	JORDAN WILLIAM B
	200	3601	TURTLE CREEK BLVD	BALDWIN FAMILY TRUST THE
	201	3601	TURTLE CREEK BLVD	HOLLAND ANNE L REVOCABLE LIVING TRUST
	202	3601	TURTLE CREEK BLVD	VERDESCA JOSEPH T
	203	3601	TURTLE CREEK BLVD	WHITE KANDACE H
	204	3601	TURTLE CREEK BLVD	GARCIA HECTOR
	205	3601	TURTLE CREEK BLVD	LANGMADE WILLIAM G & SHANNON C LANGMADE
	206	3601	TURTLE CREEK BLVD	BECKERMAN HOWARD & ROBIN
	207	3601	TURTLE CREEK BLVD	LIFSON JUDITH A
	208	3601	TURTLE CREEK BLVD	VENTRIGLIA MICHAEL
	209	3601	TURTLE CREEK BLVD	GREENE MARY D
	210	3601	TURTLE CREEK BLVD	GODO PATRICIA
	211	3601	TURTLE CREEK BLVD	BOWDEN JAMES C
	212	3601	TURTLE CREEK BLVD	SHIRLEY BOB LLC

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	3601 TURTLE CREEK BLVD	BRUTON CAROLE L
	214	3601 TURTLE CREEK BLVD	SHAPIRO JILL
	215	3601 TURTLE CREEK BLVD	CONRAD & ELLEN TR
	216	3601 TURTLE CREEK BLVD	MASTERSON CONRAD J JR &
	217	3601 TURTLE CREEK BLVD	POLLMAN LEAH L EST OF
	218	3601 TURTLE CREEK BLVD	POLLMAN LEAH L
	219	3601 TURTLE CREEK BLVD	FRIEDMAN GENE S & KAREN C
	220	3601 TURTLE CREEK BLVD	BLAKE ELIZABETH B
	221	3601 TURTLE CREEK BLVD	HILL JOE DENNIS JR &
	222	3702 HOLLAND AVE	RYAN DEBORAH C
	223	3702 HOLLAND AVE	PIERSON TYLER & BRENDA K
	224	3702 HOLLAND AVE	NISENOFF JENNIFER
	225	3702 HOLLAND AVE	HERBERT JEFFREY WELLS & PATRICIA G
	226	3702 HOLLAND AVE	MEBUS ROBERT G
	227	3702 HOLLAND AVE	MAYNARD JOAN M
	228	3702 HOLLAND AVE	WILSON SHARON L
	229	3702 HOLLAND AVE	ROY IAN & BEVERLY DIANE
	230	3702 HOLLAND AVE	KRAMER ROBERT I
	231	3702 HOLLAND AVE	HOLLAND SHEARY
	232	3710 HOLLAND AVE	3710 HOLLAND LLC
	233	3710 HOLLAND AVE	GREEN JACK D
	234	3710 HOLLAND AVE	DIAMOND NANCY RICE
	235	3710 HOLLAND AVE	NICHOLS JENNIFER A
	236	3710 HOLLAND AVE	CORN JERRY H &
	237	3710 HOLLAND AVE	ASKEW KIM J
	238	3710 HOLLAND AVE	SWEET LEWIS T JR & CAROLE
	239	3710 HOLLAND AVE	FISCUS TODD W
	240	3711 HOLLAND AVE	LEMUS LUIS RAUL & ANA B DE LA PARRA DE
	241	3711 HOLLAND AVE	SIMS H DESHA
	242	3711 HOLLAND AVE	BRINKMANN MATTHEW F
	243	3711 HOLLAND AVE	DOUGLAS CHRISTIE

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244	3711 HOLLAND AVE	PEREZ SUSAN
	245	3711 HOLLAND AVE	HINOJOSA CRISTIAN
	246	3711 HOLLAND AVE	LEMUS LUIS R SR & ANA B BELAPARRA LEMUS
	247	3711 HOLLAND AVE	CHHABRA RADHIKA W
	248	3711 HOLLAND AVE	NACE BENJAMIN Y
	249	3711 HOLLAND AVE	HEDGE NARAYAN ETAL
	250	3711 HOLLAND AVE	HILZENDAGER VICKI & JOHN
	251	3711 HOLLAND AVE	SALEHI BEHNOOD P
	252	3711 HOLLAND AVE	KOBRA REALTY LLC
	253	3711 HOLLAND AVE	KINDLEY GARY G
	254	3711 HOLLAND AVE	LAMANTIA KATHERINE J
	255	3711 HOLLAND AVE	KRISHNAN ROHINI
	256	3718 HOLLAND AVE	MCNEELY JANE E
	257	3718 HOLLAND AVE	PARKMAN RICHARD J JR
	258	3718 HOLLAND AVE	HARGROVE MAC & PHEBE PHILLIPS
	259	3718 HOLLAND AVE	ALLEN ANNE
	260	3722 HOLLAND AVE	GOODMAN C LEROY
	261	3722 HOLLAND AVE	HEROLD JANE
	262	3722 HOLLAND AVE	JUARDO RAYMOND ARTHUR
	263	3722 HOLLAND AVE	MAYER KARL E
	264	3730 HOLLAND AVE	WRIGHT FRANK S & JOYCE
	265	3730 HOLLAND AVE	QUIST CONRAD W EST OF
	266	3730 HOLLAND AVE	WOODRUFF SUSAN
	267	3730 HOLLAND AVE	PUCKETT MARY KEITH
	268	3730 HOLLAND AVE	KEILHOLZ NATHAN M & ANDREA S
	269	3730 HOLLAND AVE	BULLOCK STEPHEN
	270	3730 HOLLAND AVE	ROBERTS MARY
	271	3730 HOLLAND AVE	PEYTON IRIS NICOLE &
	272	3624 REAGAN ST	SPAID ALEXANDER DELYIA
	273	3622 REAGAN ST	BACHMANN RAYMOND JOHN & APRIL LYNN
	274	3620 REAGAN ST	CROWE MARY K

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	275	3618 REAGAN ST	SHERROD VERITY ELIZABETH &
	276	3616 REAGAN ST	STROM BEN
	277	3525 TURTLE CREEK BLVD	EDWARDS JULIA Z
	278	3525 TURTLE CREEK BLVD	ATKINS JAMES M & CAROLYN L
	279	3525 TURTLE CREEK BLVD	CLIFFORD CHARLOTTE B
	280	3525 TURTLE CREEK BLVD	BROWN ALLINE F TRUST
	281	3525 TURTLE CREEK BLVD	HUBBARD ROBERTINE G LIF EST
	282	3525 TURTLE CREEK BLVD	COLLINS LARRY D & ANNE B CO-TRUSTEES
	283	3525 TURTLE CREEK BLVD	GODDARD DOROTHY GORDON TRUST
	284	3525 TURTLE CREEK BLVD	HEAD DENNIS & ELAINE
	285	3525 TURTLE CREEK BLVD	PARKER P MARK &
	286	3525 TURTLE CREEK BLVD	MOSS WILLIAM REV LIV TR
	287	3525 TURTLE CREEK BLVD	HILL MARY JOHN LIFE EST
	288	3525 TURTLE CREEK BLVD	SURVIVORS TRUST
	289	3525 TURTLE CREEK BLVD	MEYERSON BERNICE
	290	3525 TURTLE CREEK BLVD	WARREN MARY G
	291	3525 TURTLE CREEK BLVD	MCCONVILLE ROBERT T ET AL
	292	3525 TURTLE CREEK BLVD	WILLINGHAM CLARK S & JANE H
	293	3525 TURTLE CREEK BLVD	WEBB JANE F
	294	3525 TURTLE CREEK BLVD	EDSEL NORMA
	295	3525 TURTLE CREEK BLVD	HOFF DAVID F
	296	3525 TURTLE CREEK BLVD	CHANDLER NANCY ANN S TR &
	297	3525 TURTLE CREEK BLVD	HAYES JOANN B
	298	3525 TURTLE CREEK BLVD	POWER ROBERT & ELIZABETH
	299	3525 TURTLE CREEK BLVD	MEBUS ROBERT G & SANDRA B
	300	3525 TURTLE CREEK BLVD	INGERSOLL TED M & JEAN M
	301	3525 TURTLE CREEK BLVD	TOMASO JOHN L & SHERRI
	302	3525 TURTLE CREEK BLVD	MURPHY RON &
	303	3525 TURTLE CREEK BLVD	GRAHAM ROY E
	304	3525 TURTLE CREEK BLVD	DALTON DENNIS
	305	3525 TURTLE CREEK BLVD	LECONEY ELIZABETH

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	306	3525 TURTLE CREEK BLVD	LEE LIZA
	307	3525 TURTLE CREEK BLVD	GRAHAM BARBARA
	308	3525 TURTLE CREEK BLVD	MCLAUGHLIN GEORGE & OLIVE
	309	3525 TURTLE CREEK BLVD	BECK NORMA
	310	3525 TURTLE CREEK BLVD	PAPAZIAN GERARD &
	311	3525 TURTLE CREEK BLVD	JACOBS REUBEN S
	312	3525 TURTLE CREEK BLVD	ROTEN RANDOLPH M &
	313	3525 TURTLE CREEK BLVD	KOSKI CHRISTINE LOUISE
	314	3525 TURTLE CREEK BLVD	POUNDERS STEVEN N
	315	3525 TURTLE CREEK BLVD	GREMM JUDYE D
	316	3525 TURTLE CREEK BLVD	PATTERSON PATRICIA M
	317	3525 TURTLE CREEK BLVD	SVEHLAK LINDA &
	318	3525 TURTLE CREEK BLVD	DILWORTH SANDRA TRUST
	319	3525 TURTLE CREEK BLVD	BACH PROPERTIES LLC
	320	3525 TURTLE CREEK BLVD	NAPPER LUE CHARLES & BACKY M
	321	3525 TURTLE CREEK BLVD	BURCHETT JOHN
	322	3525 TURTLE CREEK BLVD	TURTLE LAND TRUST
	323	3525 TURTLE CREEK BLVD	KENNER JAMES M
	324	3525 TURTLE CREEK BLVD	TANNER PARTNERS LLC
	325	3525 TURTLE CREEK BLVD	DENNARD MARY ANNA
	326	3525 TURTLE CREEK BLVD	RIDOLFI CHRISTOPHER
	327	3525 TURTLE CREEK BLVD	GEORGE SMITH TRUST
	328	3525 TURTLE CREEK BLVD	LEE LIZA
	329	3525 TURTLE CREEK BLVD	EDGAR CAROL A
	330	3525 TURTLE CREEK BLVD	FARRELL ELIZABETH ANN
	331	3525 TURTLE CREEK BLVD	SWINDELL LIVING TRUST
	332	3525 TURTLE CREEK BLVD	GRIGSBY FRANCES
	333	3525 TURTLE CREEK BLVD	MARTINEZ JUAN CARLOS & SANDRA C
	334	3525 TURTLE CREEK BLVD	GALER SHARON A
	335	3525 TURTLE CREEK BLVD	MEYERSON MARLENE N
	336	3525 TURTLE CREEK BLVD	FURRH JAMES M & GAIL R

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	337	3525 TURTLE CREEK BLVD	ZWICK NICHOLAS
	338	3525 TURTLE CREEK BLVD	COLEMAN JACK RUE & PATRICIA NELSON
	339	3525 TURTLE CREEK BLVD	MARTIN ROBERT E TRUST
	340	3525 TURTLE CREEK BLVD	WILLIAMS BARBARA ANN EMMETT
	341	3525 TURTLE CREEK BLVD	AUGUR JAMES M
	342	3525 TURTLE CREEK BLVD	TBF CHILDRENS TRUST THE
	343	3525 TURTLE CREEK BLVD	SCHNEIDLER S N
	344	3525 TURTLE CREEK BLVD	PHILLIPS ROBERT J LIVING TRUST
	345	3525 TURTLE CREEK BLVD	BASHARKHAH CATHERINE
	346	3525 TURTLE CREEK BLVD	BRACE JEAN E & DAVID J
	347	3525 TURTLE CREEK BLVD	WHITE LIVING TRUST
	348	3525 TURTLE CREEK BLVD	VONWUPPERFELD PAUL &
	349	3525 TURTLE CREEK BLVD	BYWATERS THOMAS
	350	3525 TURTLE CREEK BLVD	FRAZIER ELIZABETH WEIR &
	351	3525 TURTLE CREEK BLVD	CAFFEE TIMOTHY &
	352	3525 TURTLE CREEK BLVD	HATHOOT ANN J
	353	3525 TURTLE CREEK BLVD	ATHEY BERNARD B JR &
	354	3525 TURTLE CREEK BLVD	MORGAN STEVEN H
	355	3525 TURTLE CREEK BLVD	GLENN RUSSELL M
	356	3525 TURTLE CREEK BLVD	PURDY BRIAN & LESLIE
	357	3525 TURTLE CREEK BLVD	PEASE JAMES &
	358	3525 TURTLE CREEK BLVD	WEST C P
	359	3525 TURTLE CREEK BLVD	SURVIVORSTRUST
	360	3525 TURTLE CREEK BLVD	VANAMBURGH JOHN H JR &
	361	3525 TURTLE CREEK BLVD	CAMPBELL JACK G & ET AL
	362	3525 TURTLE CREEK BLVD	DEAL ERNEST L & M KEITH C
	363	3525 TURTLE CREEK BLVD	WILKIRSON LEE
	364	3525 TURTLE CREEK BLVD	MCLAUGHLIN FRANKLIN III &
	365	3525 TURTLE CREEK BLVD	OSBORNE WILLIAM
	366	3525 TURTLE CREEK BLVD	BIRENBAUM BETH WEINBERGER
	367	3818 HOLLAND AVE	LANG LINDSEY A

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	368	3818 HOLLAND AVE	ALKIDAS LAURETTE
	369	3818 HOLLAND AVE	HADDAD MARK G
	370	3818 HOLLAND AVE	MCLAUGHLIN JEFFREY WADE &
	371	3818 HOLLAND AVE	SOURI BEHROUZ
	372	3818 HOLLAND AVE	WALTERS KATHRYN L
	373	3818 HOLLAND AVE	CARTER KERRI D
	374	3818 HOLLAND AVE	COCANOUGHHER BONNIE GLENN & REGINA
	375	3818 HOLLAND AVE	BAILEY MADELINE LYLE
	376	3818 HOLLAND AVE	MAIER EMIL & NATALIA &
	377	3818 HOLLAND AVE	COGGINS ROBERT
	378	3818 HOLLAND AVE	BROWN AUTUMN KEENA
	379	3818 HOLLAND AVE	HUTTO CHARLES
	380	3818 HOLLAND AVE	LAWHON DAVID C
	381	3818 HOLLAND AVE	PALFREY CAMPBELL III
	382	3818 HOLLAND AVE	GORE BOBBIE A
	383	3818 HOLLAND AVE	LOKEY RAQUEL C
	384	3818 HOLLAND AVE	THOMAS RALPH & KIM
	385	3818 HOLLAND AVE	ALLEN JUSTIN
	386	3818 HOLLAND AVE	BLUM DENA R
	387	3818 HOLLAND AVE	JAKSA KACIE E
	388	3818 HOLLAND AVE	BONNEY ERIC
	389	3818 HOLLAND AVE	CAIN CHRISTOPHER &
	390	3818 HOLLAND AVE	KOTIYA RUPESH J
	391	3818 HOLLAND AVE	FURLONG ELIZABETH SHEA
	392	3818 HOLLAND AVE	WITT CAPITAL LLC
	393	3818 HOLLAND AVE	COSTELLO JOSEPH G & MARGARET A
	394	3505 TURTLE CREEK BLVD	MCCLAIN DENNIS & CLAUDIA T
	395	3505 TURTLE CREEK BLVD	PHILLIPS CATHERINE JEAN
	396	3505 TURTLE CREEK BLVD	STEWART KARL A & MARY KATHERINE
	397	3505 TURTLE CREEK BLVD	SMITH SCOTT R
	398	3505 TURTLE CREEK BLVD	WOLFSON MICHAEL S & LINDA

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	399	3505	TURTLE CREEK BLVD	BENNISON THOMAS G
	400	3505	TURTLE CREEK BLVD	EVERITT PAULA K
	401	3505	TURTLE CREEK BLVD	BCA VENDOME LLC
	402	3505	TURTLE CREEK BLVD	COHEN KENNETH P ETAL
	403	3505	TURTLE CREEK BLVD	MEADOR ROBERT J JR &
	404	3505	TURTLE CREEK BLVD	GOLDMANN STEPHEN
	405	3505	TURTLE CREEK BLVD	COSTELLO WILLIAM E & ROSEMARY B
	406	3505	TURTLE CREEK BLVD	MOLINA HUMBERTO
	407	3505	TURTLE CREEK BLVD	DAUGHERTY MICHAEL D
	408	3505	TURTLE CREEK BLVD	AMES KATHRYN S
	409	3505	TURTLE CREEK BLVD	ORION SKY DEVELOPMENT CO LLC
	410	3505	TURTLE CREEK BLVD	LEVY ROBERT M
	411	3505	TURTLE CREEK BLVD	PANG KATHERINE L & DAVID W
	412	3505	TURTLE CREEK BLVD	GOLMAN ALAN & CYNTHIA
	413	3505	TURTLE CREEK BLVD	KUBIAK FRANK I &
	414	3505	TURTLE CREEK BLVD	PHILLIPS RANDOLPH KARR
	415	3505	TURTLE CREEK BLVD	MELOY BRENDA
	416	3505	TURTLE CREEK BLVD	WHITAKER DELBERT A TR
	417	3505	TURTLE CREEK BLVD	FOGARTY WILLIAM T
	418	3505	TURTLE CREEK BLVD	ARAMOONIE ANTHONY EMIL SAID
	419	3505	TURTLE CREEK BLVD	SKOGLUND STEPHEN C & JUDY G
	420	3505	TURTLE CREEK BLVD	BARBER VIRGIL R
	421	3505	TURTLE CREEK BLVD	HOUGH RETHA MAE LIFE ESTATE
	422	3505	TURTLE CREEK BLVD	SOONER RANCH PPTIES LP
	423	3505	TURTLE CREEK BLVD	HABERECHT ROLF R & UTE S
	424	3505	TURTLE CREEK BLVD	CHAMPLIN FAMILY LIMITED PARTNERSHIP
	425	3505	TURTLE CREEK BLVD	SILVERMAN NORMAN & CAROLE
	426	3505	TURTLE CREEK BLVD	TRAVERS SHERRY L
	427	3505	TURTLE CREEK BLVD	JENKINS MARK G
	428	3505	TURTLE CREEK BLVD	BEARDEN HUGH G II
	429	3505	TURTLE CREEK BLVD	SALMANS TODD L & DEBORAH K

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	430	3505 TURTLE CREEK BLVD	CHAMPLIN HIRAM H
	431	3505 TURTLE CREEK BLVD	MILLER FAMILY TRUST
	432	3505 TURTLE CREEK BLVD	OBRIANT ALLISON BROWNING
	433	3505 TURTLE CREEK BLVD	NEHER CAROLYN W TR
	434	3505 TURTLE CREEK BLVD	GHANDOUR ELIAS
	435	3505 TURTLE CREEK BLVD	STRAWN ANN
	436	3505 TURTLE CREEK BLVD	NEWKIRK LINDA
	437	3505 TURTLE CREEK BLVD	VASTOLA SAMUEL J JR &
	438	3505 TURTLE CREEK BLVD	PITTMAN WILLIAM THOMAS & JUDY GOFF
	439	3505 TURTLE CREEK BLVD	NEWSOM DAVID & JANE
	440	3505 TURTLE CREEK BLVD	KAC/RAC LLC
	441	3505 TURTLE CREEK BLVD	PHILLIPS ROBERT S &
	442	3505 TURTLE CREEK BLVD	RUBERTO JAMES
	443	3505 TURTLE CREEK BLVD	FLEMING DELENE
	444	3505 TURTLE CREEK BLVD	PROCTOR DAVID R & JUDITH T
	445	3505 TURTLE CREEK BLVD	TOMLINSON GREGORY & ALICE
	446	3505 TURTLE CREEK BLVD	NASH HAROLD RONALD JR & SUSAN C
	447	3505 TURTLE CREEK BLVD	PRICHARD ELLA GAYLE WALL TR
	448	3505 TURTLE CREEK BLVD	CRESAP FAMILY PROPERTIES LP
	449	3505 TURTLE CREEK BLVD	WHITAKER ELIZABETH
	450	3505 TURTLE CREEK BLVD	TALKINGTON ELLEN MYRL
	451	3505 TURTLE CREEK BLVD	HASTINGS KEVIN K
	452	3505 TURTLE CREEK BLVD	KALIFF MENDEL S & GEMEY G
	453	3505 TURTLE CREEK BLVD	HUFFMAN GREGORY & MARY
	454	3505 TURTLE CREEK BLVD	FERGUSON RICHARD
	455	3505 TURTLE CREEK BLVD	ARAMOONIE ANTHONY E & PAULINE N
	456	3505 TURTLE CREEK BLVD	SPIGEL STANLEY & BARBARA
	457	3505 TURTLE CREEK BLVD	BERTUCH MICHAEL J & MAUREEN F
	458	3505 TURTLE CREEK BLVD	COATS RICHARD H & SIGRID M
	459	3505 TURTLE CREEK BLVD	JONSSON PHILLIP R TR
	460	3505 TURTLE CREEK BLVD	BUTLER CAROLYN &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	461	3505 TURTLE CREEK BLVD	SCHMITZ ERIC & RAQUEL
	462	3505 TURTLE CREEK BLVD	CARAFIOL DONALD E & MICHELLE
	463	3505 TURTLE CREEK BLVD	HOLCOMB BRENDA KAY REVOCABLE TRUST
	464	3505 TURTLE CREEK BLVD	CONNOR ROBERT C & SANDRA
	465	3505 TURTLE CREEK BLVD	LEMASTER VICTORIA
	466	3505 TURTLE CREEK BLVD	ROSENTHAL J EDWARD & PATRICIA F
	467	3505 TURTLE CREEK BLVD	ATHA ROBERT I JR TR
	468	3505 TURTLE CREEK BLVD	KEENAN TIMOTHY J &
	469	3505 TURTLE CREEK BLVD	COOK RONALD W & LYNNE M
	470	3505 TURTLE CREEK BLVD	DAYANI NASRIN & NARIMAN SHAMBAYATI
	471	3505 TURTLE CREEK BLVD	HEIL TERRY W & BEVERLY C
	472	3505 TURTLE CREEK BLVD	ZALE EUGENE & ETHEL
	473	3505 TURTLE CREEK BLVD	SPROW FRANK B & ANN B
	474	3505 TURTLE CREEK BLVD	KOZAK AARON TRUST
	475	3505 TURTLE CREEK BLVD	BURKE JAMES
	476	3505 TURTLE CREEK BLVD	BLEWITT MICHAEL D
	477	3505 TURTLE CREEK BLVD	TROOP CYNTHIA CROWELL
	478	3505 TURTLE CREEK BLVD	WALTHALL DAVID N
	479	3505 TURTLE CREEK BLVD	HILL LYDA
	480	3505 TURTLE CREEK BLVD	FLEISCHER HENRY & GLORIA
	481	3505 TURTLE CREEK BLVD	RAY MAURY & NATALIE
	482	3505 TURTLE CREEK BLVD	MILLIGAN JEANNE TOMSON
	483	3505 TURTLE CREEK BLVD	WEBER SHELIA DIANNE
	484	3505 TURTLE CREEK BLVD	HOLDEN COLIN L & MARTA
	485	3505 TURTLE CREEK BLVD	LESSELYONG REVOCABLE TRUST
	486	3505 TURTLE CREEK BLVD	ELVIS AND JOAN MASON FAMILY TRUST UTD 1-6-04
	487	3505 TURTLE CREEK BLVD	WILSON ANNE D
	488	3505 TURTLE CREEK BLVD	CARLTON WILLIAM P & PATRICIA R
	489	3505 TURTLE CREEK BLVD	SOMMER FRANCIS STEPHEN & DIANNA MARIE
	490	3505 TURTLE CREEK BLVD	MEYER WILLIAM A & LUCERO
	491	3505 TURTLE CREEK BLVD	NORTH WATERFRONT CORP

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	492	3505 TURTLE CREEK BLVD	MCADAMS HALL
	493	3505 TURTLE CREEK BLVD	GODAT GLORIA MCCALL
	494	3505 TURTLE CREEK BLVD	GREENBLUM JEFFREY L
	495	3505 TURTLE CREEK BLVD	PITTMAN JUDY G & WILLIAM
	496	3505 TURTLE CREEK BLVD	VILLAREAL LAURA
	497	3505 TURTLE CREEK BLVD	COUCH JAMES M JR
	498	3505 TURTLE CREEK BLVD	PITTMAN JUDY GOFF & WILLIAM THOMAS
	499	3505 TURTLE CREEK BLVD	LAS COLINAS BROOKVIEW LLC
	500	3505 TURTLE CREEK BLVD	LRA MANAGEMENT LLC
	501	3505 TURTLE CREEK BLVD	STEPHENS AUTRY &
	502	3505 TURTLE CREEK BLVD	GLICK CRAIG S & CATHY S
	503	3505 TURTLE CREEK BLVD	AMENDOLA PATSY J TR & AMENDOLA ROBERTA
	504	3505 TURTLE CREEK BLVD	WARRINGTON MGT LP
	505	3505 TURTLE CREEK BLVD	HOAK JAMES M & NANCY
	506	3505 TURTLE CREEK BLVD	ADELANTE HOLDING LP

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 46 S

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict (Tract 1) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street

Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions

Z156-122(LHS)

FILE NUMBER: Z156-122(LHS) **DATE FILED:** November 4, 2015
LOCATION: North corner of South Harwood Street and Coombs Street
COUNCIL DISTRICT: 7 **MAPSCO:** 46-S
SIZE OF REQUEST: Approx. 16,040 sq. ft. **CENSUS TRACT:** 34.00

APPLICANT / OWNER: Soriano Bonifacio

REPRESENTATIVE: Jose Garcia

REQUEST: An application for the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict (Tract 1) within Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to continue the operation of resurfacing raw metals with a material that is weather-resistant through a metal coating and finishing process in an 8,427-square-foot warehouse. The procedure requires submerging various types of materials into a chemically treated liquid to perform the metal coating and finishing process. The applicant receives the various materials from a local business. The overall metal finishing alters the surface of metal products to enhance: corrosion resistance, wear resistance, electrical conductivity, electrical resistance, reflectivity and appearance (e.g., brightness or color), torque tolerance, solderability, tarnish resistance, chemical resistance, ability to bond to rubber (e.g., vulcanizing), and hardness. The property is located within the Downtown Demolition Delay Overlay.

CPC RECOMMENDATION: Approval for a two-year period, subject to conditions.

STAFF RECOMMENDATION: Approval for a two-year period, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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* – According to the applicant, there are no visible fumes or noticeable odors that originate from the site. There are less intense industrial uses around the site that are less of a compatibility concern due to the operation occurring within an enclosed structure. There are, however, multifamily uses within 60 feet. Short time periods requiring public hearings should be employed to closely monitor impacts.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed request will not contribute to, enhance or promote the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed two-year period will allow an opportunity to monitor the facility’s performance in the area. The applicant has to comply with all city, state, federal and OSHA regulations.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The use complies with all applicable zoning regulations and standards. No variances or exceptions are requested.

Zoning History: There have not been any zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Harwood Street	Collector	60 ft.	60 ft.
Coombs Street	Collector	80 ft.	107 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being in an Urban Mixed-Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

This metal processing use may not be a desirable use over the long term given the Building Block designation. Therefore, another two-year period is recommended with no automatic renewals to necessitate another review and public hearing process in two years should the applicant decide to request another renewal.

Land Use Compatibility:

The surrounding land uses consist of industrial uses; however, the request site is adjacent to PDD No. 513 where the uses are a mix of industrial and multifamily. PDD No. 513 is currently developed with multifamily uses and is located between 30 and 60 feet from the request site. However, the remaining portion of PDD No. 513 is undeveloped and could be developed as industrial uses. A portion of PDD No. 513 is adjacent to the request site. The property across Coombs Street is a warehouse for produce.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all

applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RS-I Regional Service Industrial	15'	15' adjacent to residential OTHER: No Min.	1.0 combined 1.0 office 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Commercial and business service, office, Industrial

Landscaping: Landscaping will not be triggered because neither the floor area or parking will be expanded.

Parking: The parking requirement for an industrial (inside) potentially incompatible industrial use is one space per 600 square feet of floor area. The site has 16 parking spaces located inside the structure.

SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an industrial (inside) potentially incompatible industrial use for metal or metal product treatment or processing.
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 _____ ~~February 26, 2016~~ (two years from the passage of this ordinance).
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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.

Z156-122(LHS)

CPC Action – January 7, 2016

Z156-122(AF)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing for a two-year period, subject to conditions on property zoned RS-I Regional Service Industrial Subdistrict (Tract 1) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street.

Maker: Anantasomboon
Second: Davis
Result: Carried: 13 to 0

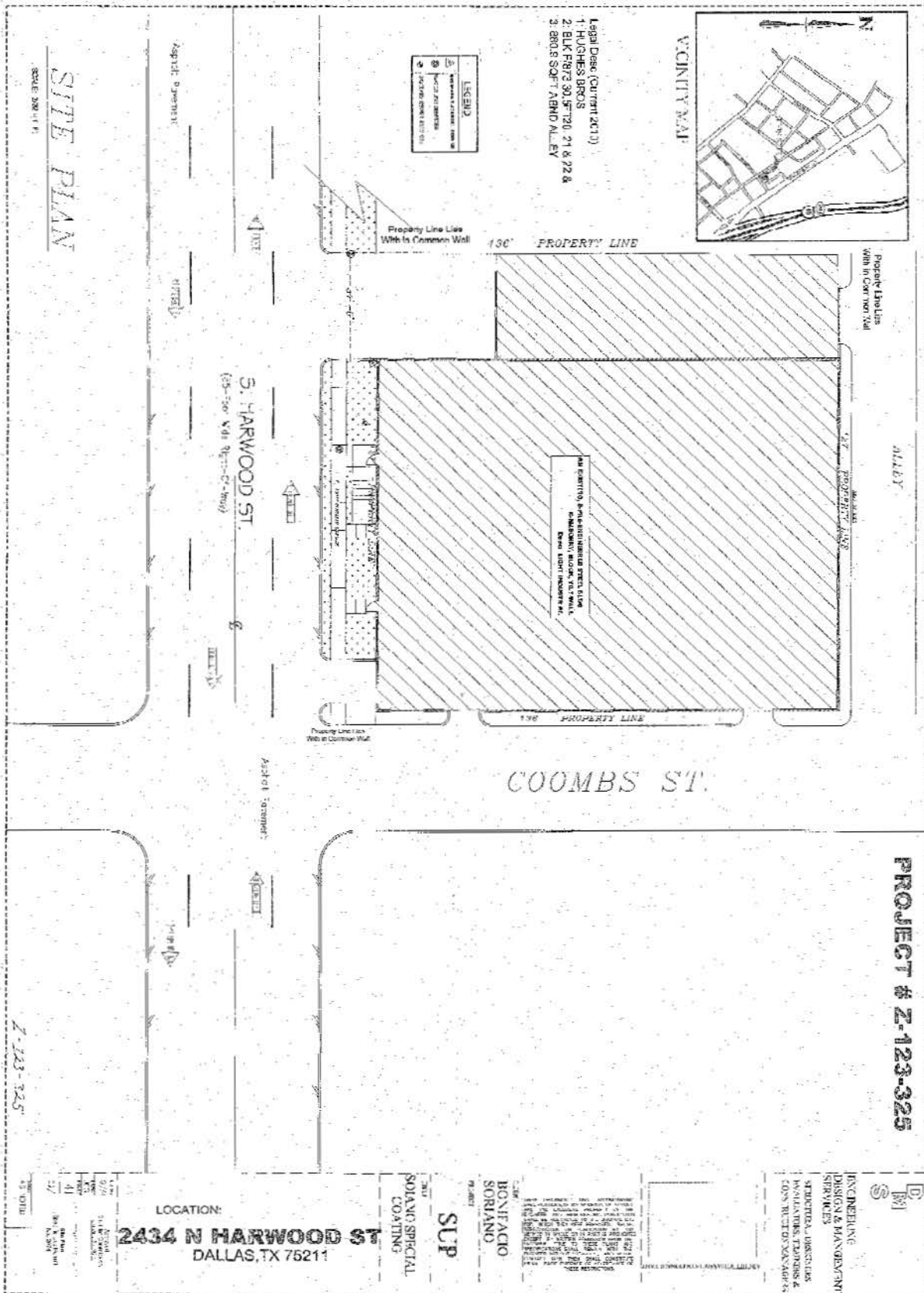
For: 13 - Anglin, Emmons*, Houston, Davis, Shidid,
Anantasomboon, Abtahi, Haney, Jung, Schultz,
Peadon, Murphy, Ridley

Against: 0
Absent: 2 - Housewright, Tarpley
Vacancy: 0

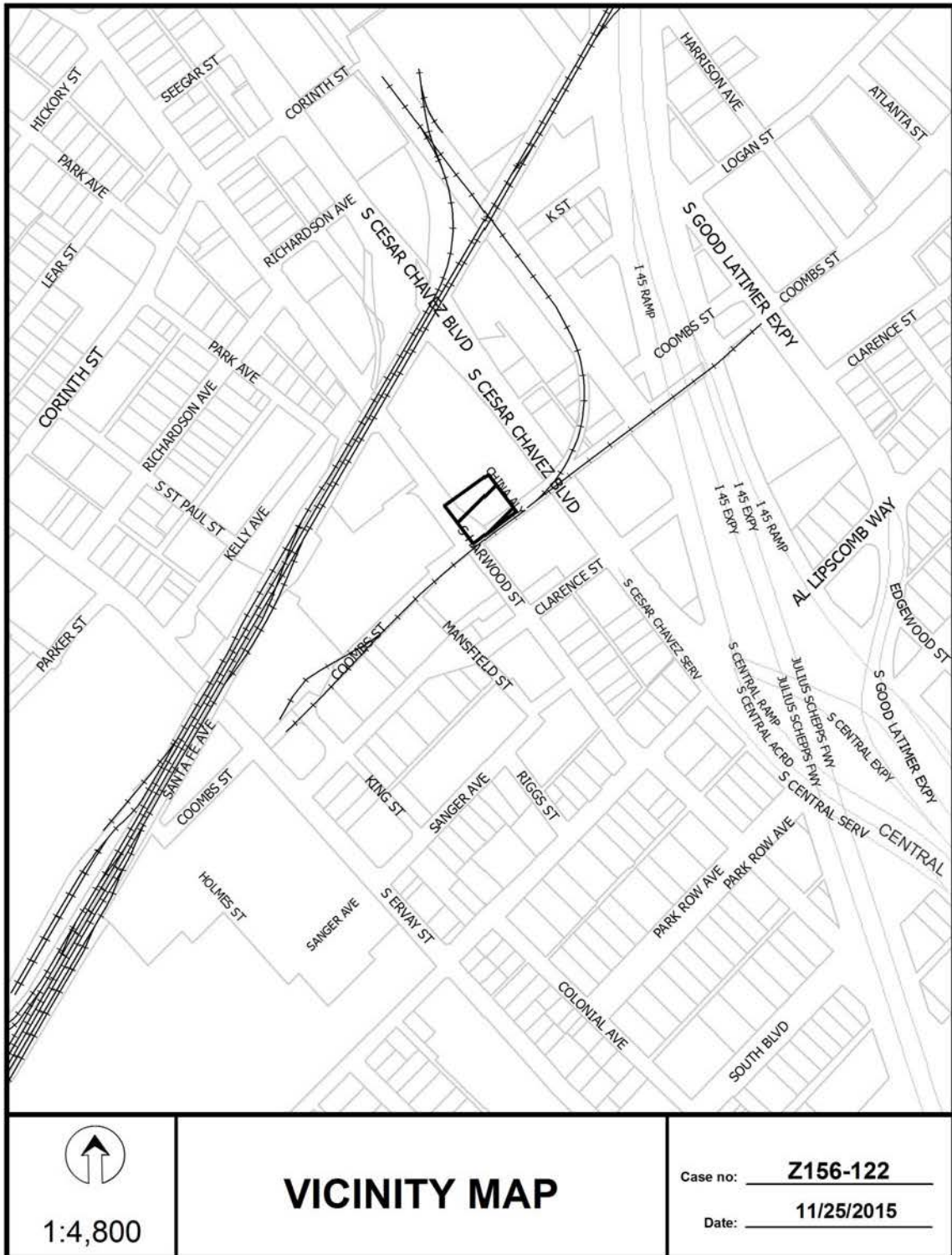
*out of the room, shown voting in favor

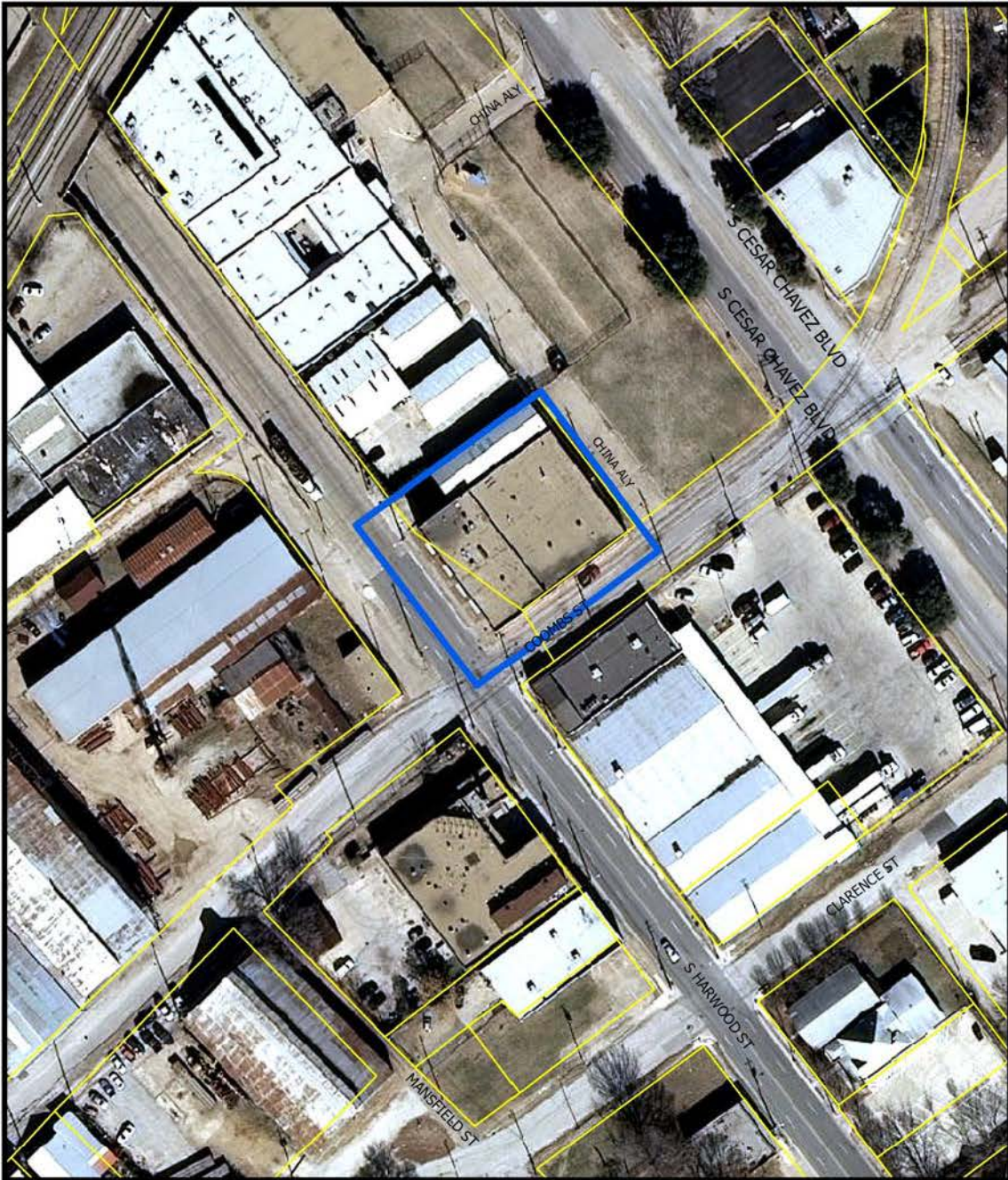
Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 1
Speakers: None

EXISTING SITE PLAN

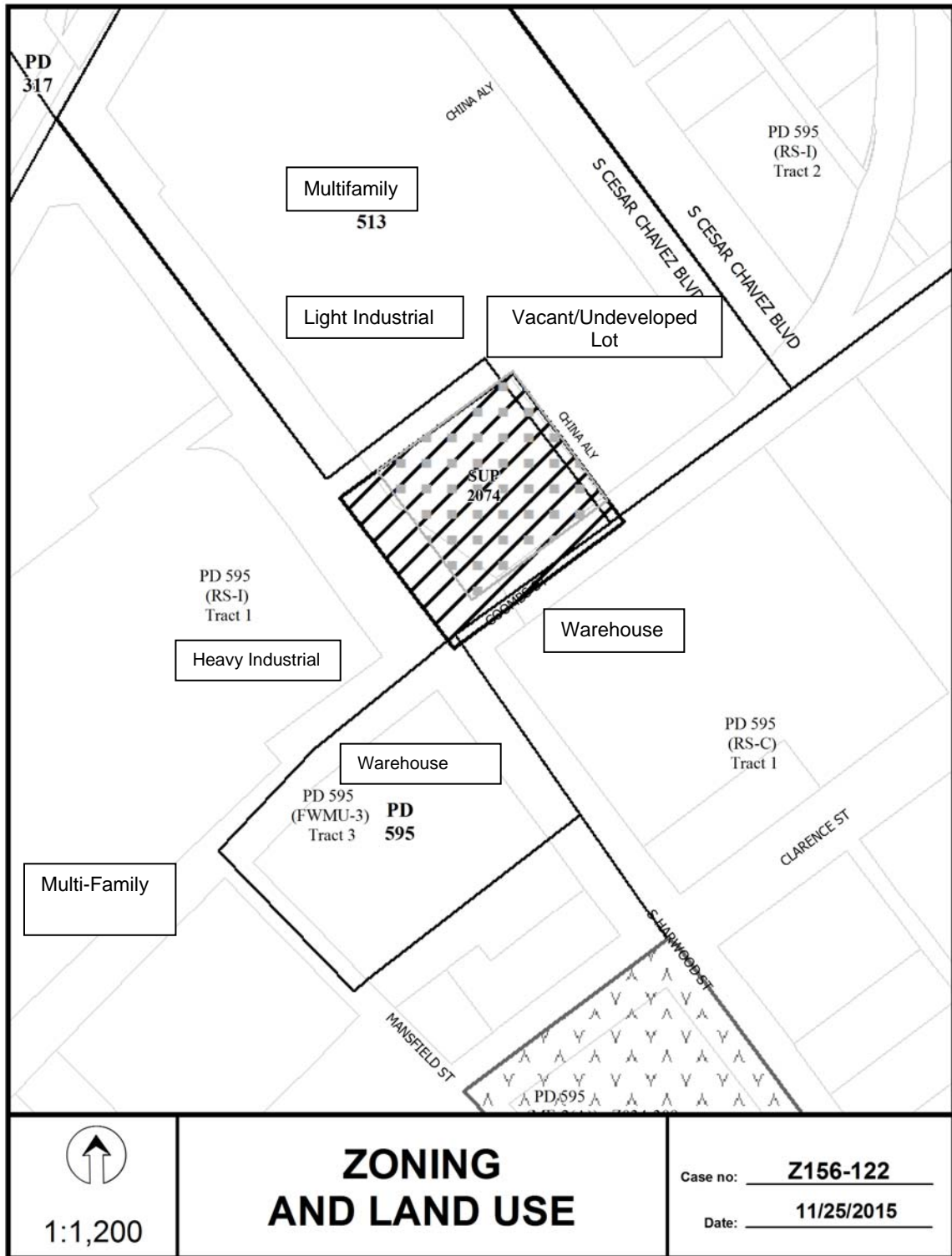


Z156-122





 1:1,200	<h2>AERIAL MAP</h2>	Case no: <u> Z156-122 </u> Date: <u> 11/25/2015 </u>
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CPC Responses



<u>9</u>	Property Owners Notified (8 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>200'</u>	Area of Notification
<u>1/7/2016</u>	Date

Z156-122
CPC



1:1,200

01/06/2016

Reply List of Property Owners

Z156-122

9 Property Owners Notified

0 Property Owners in Favor

1 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	1	2425 S CESAR CHAVEZ BLVD	CITY POCKET LTD
	2	2434 S HARWOOD ST	ANDRES R J & JANIS
	3	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
	4	9999 NO NAME ST	UNION PACIFIC RR CO
	5	2500 S HARWOOD ST	TIERRA NUEVA REAL ESTATE LLC
	6	2405 S HARWOOD ST	TOWNSEND MURRELL
	7	2501 S HARWOOD ST	HARWOOD LOFTS LLC
	8	2515 S HARWOOD ST	SMITH DARRELL & ALMA
	9	1815 COOMBS ST	WAUGH JERRY W

AGENDA ITEM # 35

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 6
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 44 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1619 for an industrial (inside) use not potentially incompatible limited to a facility for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components on property zoned Subdistrict 1B in Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District on the southeast corner of West Commerce Street and Sylvan Avenue
Recommendation of Staff and CPC: Approval for a ten-year period, subject to conditions
Z156-125(OTH)

FILE NUMBER: Z156-125(OTH)

DATE FILED: November 6, 2015

LOCATION: Southeast corner of West Commerce Street and Sylvan Avenue

COUNCIL DISTRICT: 6

MAPSCO: 44-P

SIZE OF REQUEST: Approx. 0.8419 acres

CENSUS TRACT: 43.00

APPLICANT/REPRESENTATIVE: Steve Fletcher

OWNER: Howard W. Wade

REQUEST: An application for the renewal of Specific Use Permit No. 1619 for an industrial (inside) use not potentially incompatible limited to a facility for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components on property zoned Subdistrict 1B in Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District.

SUMMARY: The applicant proposes to continue to utilize the property for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components. The SUP was originally approved on April 26, 2006 for a ten-year period.

CPC RECOMMENDATION: Approval for a ten-year period, subject to conditions.

STAFF RECOMMENDATION: Approval for a ten-year period, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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 existing use of the property is compatible with the surrounding land uses. With the exception of deliveries, the use occurs wholly within an enclosed structure. The industrial processing does not pose a nuisance to surrounding properties. It does not produce noxious odors or noise.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing use neither contributes to nor deters the welfare of adjacent properties. The property is clean and well maintained.
3. *Not a detriment to the public health, safety, or general welfare* – The existing use does not seem to be a detriment to the public health, safety or general welfare of the public.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed use complies with all applicable zoning regulations and standards of the City of Dallas. No variances or special exceptions are requested.

Zoning History: There have not been any zoning cases in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
West Commerce Street	Collector	60 feet
Sylvan Avenue	Principal Arterial	100 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the requested renewal and determined that it has not negatively impacted the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Urban Mixed Use.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or midrise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

The proposed use complies with the intent of the Urban Mixed-Use Building Block. The use of the property might not be a desirable use on a long-term basis as it is surrounded by lesser intense land uses. The SUP requirement affords the city and surrounding neighbors an opportunity to periodically evaluate whether or not the use is continuing to be compatible with the surrounding area.

Surrounding Land Uses:

	Zoning	Land Use
Site	Subdistrict B in PD No. 714	Industrial (inside) not potentially incompatible
North	Subdistrict B in PD No. 714	Undeveloped
South	Subdistrict B in PD No. 714	Office, vehicle services, undeveloped
West	CS	Office, retail
East	Subdistrict B in PD No. 714	Fire Station and office/showroom/warehouse

Land Use Compatibility:

The 0.84 acre of land is currently developed with an approximately 10,500-square-foot building utilized for the existing use. The applicant proposes to continue to utilize the property for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. The request does not include any additions to the existing building; therefore, no additional parking is required. Parking must be provided as shown on the site plan.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements as no new construction is proposed on the site.

Z156-125(OTH)

CPC ACTION – January 7, 2016

Z156-125(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1619 for an industrial (inside) use not potentially incompatible limited to a facility for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components for a ten-year period, subject to conditions on property zoned Subdistrict 1B in Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District on the southeast corner of West Commerce Street and Sylvan Avenue.

Maker: Anantasomboon
Second: Davis
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons*, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 2 - Housewright, Tarpley
Vacancy: 0

*out of the room, shown voting in favor

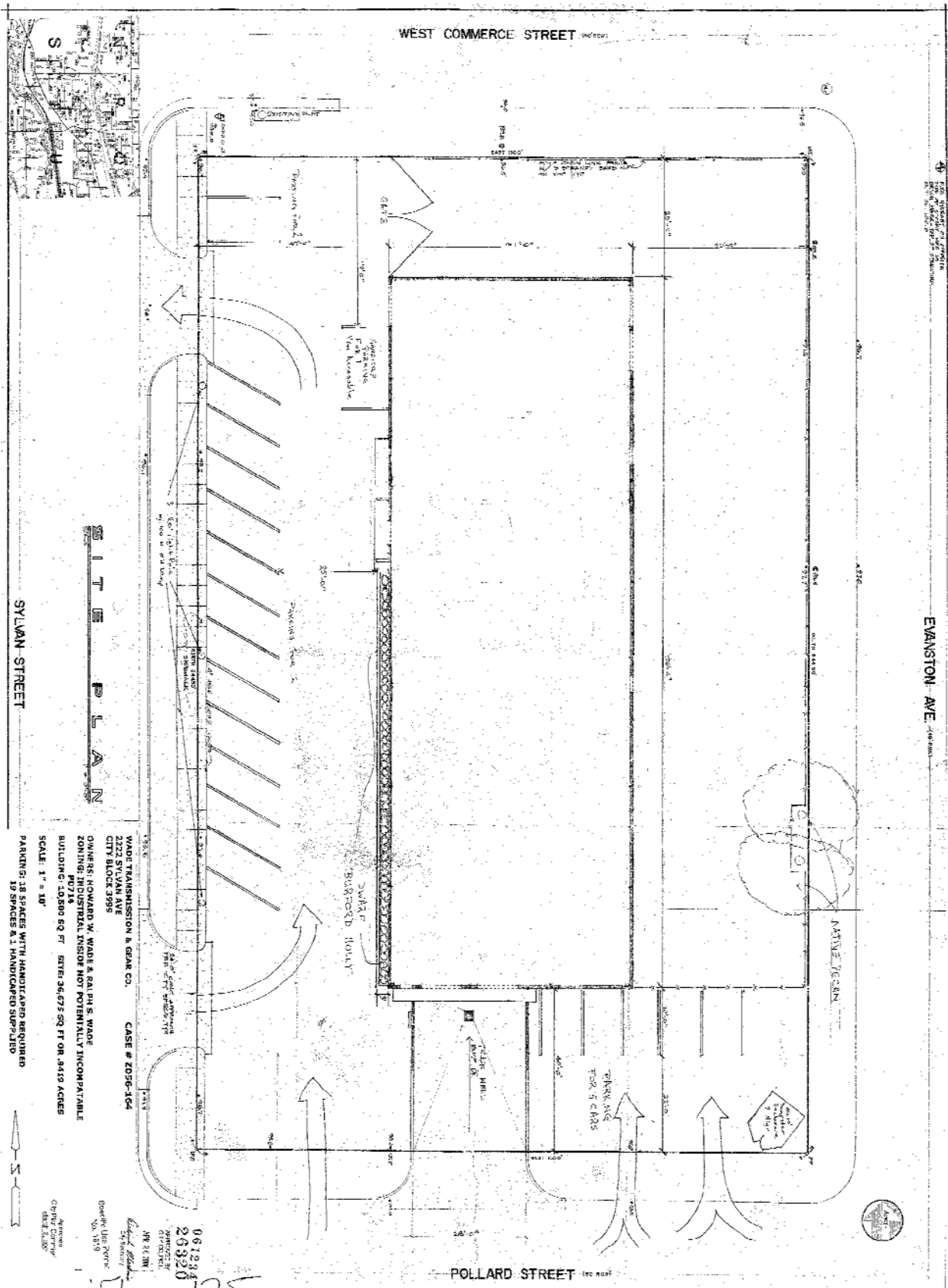
Notices: Area: 200 Mailed: 21
Replies: For: 2 Against: 0

Speakers: None

**SUP Proposed Conditions
Z156-125(OTH)**

1. USE: The only uses authorized by this specific use permit is an industrial (inside) use not potentially incompatible limited to a facility for the processing, fabrication, assembly, or disassembly of parts associated with transmission and gear components.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit shall automatically terminate on ten years from the date of approval ~~April 26, 2016~~.
4. FLOOR AREA: The maximum floor area for an industrial (inside) use not potentially incompatible use is 10,500 square feet.
5. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance always.
6. 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.

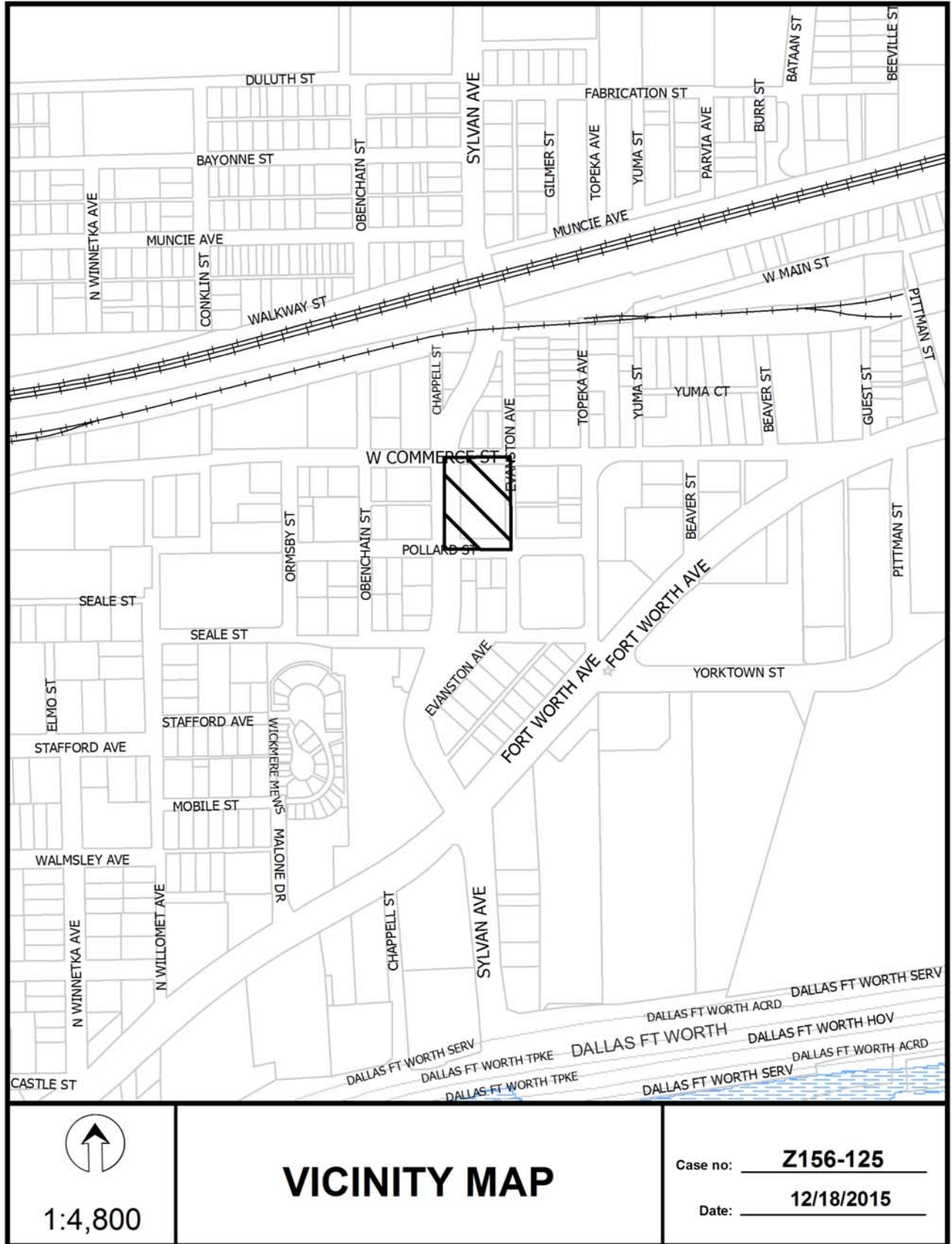
EXISTING SITE PLAN



S I T E P L A N
 SYLVAN STREET
 EVANSTON AVE
 POLLARD STREET
 WEST COMMERCE STREET

MADE TRANSMISSION & GEAR CO. CASE # 2056-164
 2222 SYLVAN AVE
 CITY BLOCK 3995
 OWNER: HOWARD W. WADE & SAUL S. WADE
 ZONING: INDUSTRIAL INSIDE NOT POTENTIALLY INCOMPATIBLE
 BUILDING: 10,800 SQ FT EXTER: 36,675 SQ FT OR .8419 ACRES
 SCALE: 1" = 10'
 PARKING: 18 SPACES WITH HANDICAPPED REQUIRED
 15 SPACES & 1 HANDICAPPED SUPPLIED

APPROVED
 CIVIL ENGINEER
 DATE 3.18.07
 BOARD OF ZONING ADJUSTMENTS
 NO. 1519
 061234
 26820
 156-125

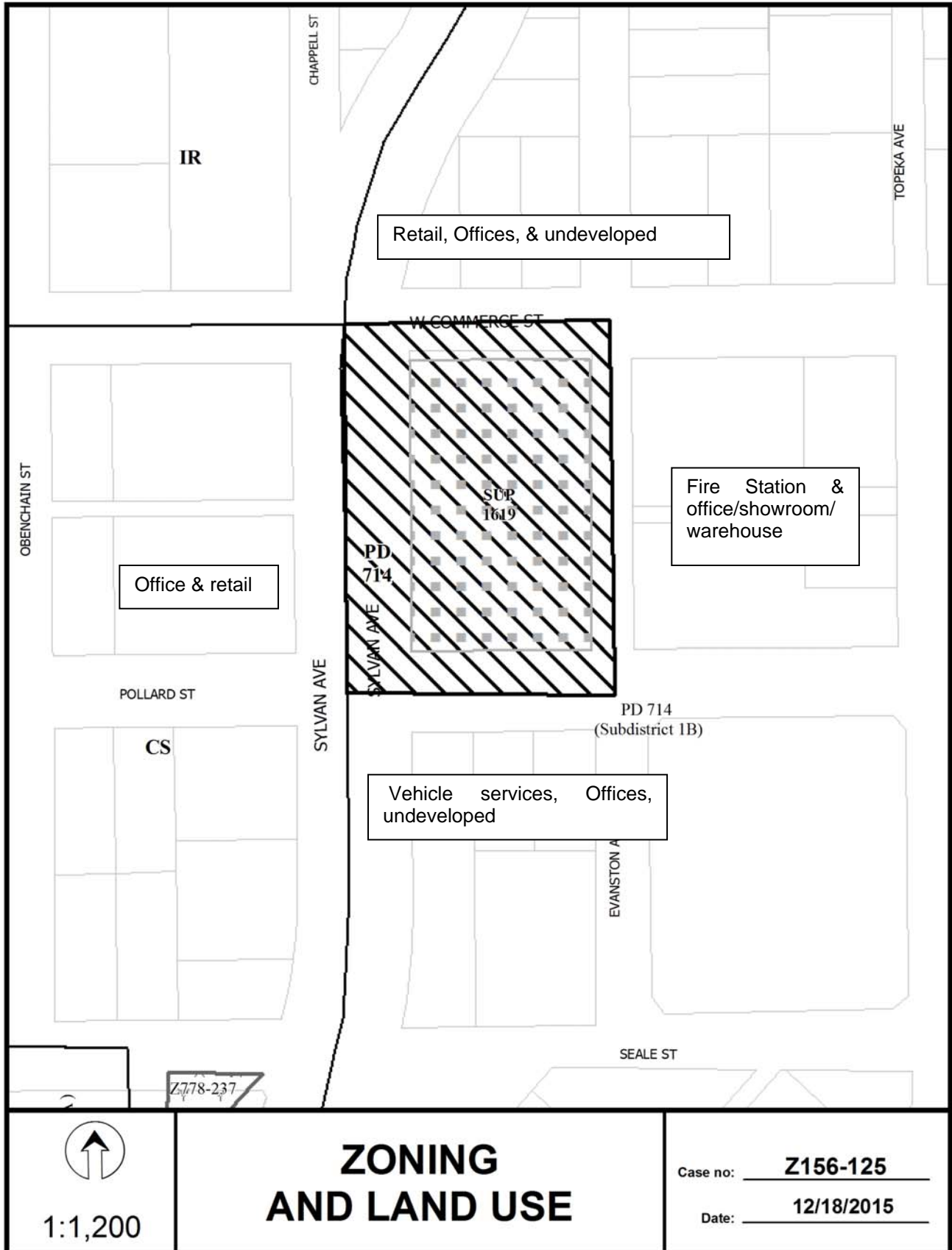


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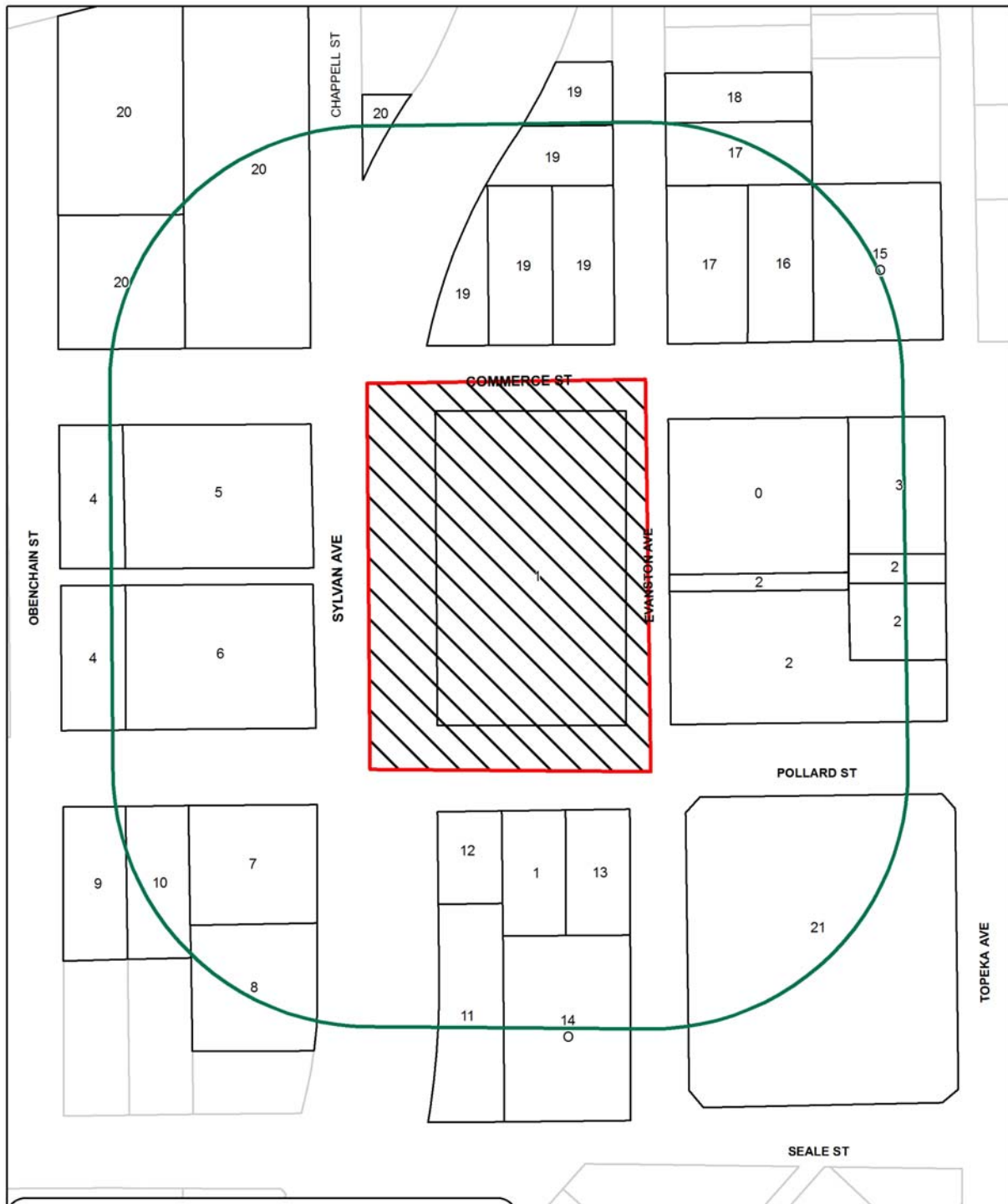
VICINITY MAP

Case no: Z156-125
Date: 12/18/2015





CPC RESPONSES



<u>21</u>	Property Owners Notified (35 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>1/7/2016</u>	Date

Z156-125
CPC



1:1,200

01/06/2016

Reply List of Property Owners***Z156-125******21 Property Owners Notified******2 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2222 SYLVAN AVE	WADE TRANSMISSION & GEAR
	2	2200 EVANSTON AVE	D C & D GROUP LLC
	3	702 W COMMERCE ST	CHANDLER FAMILY MANAGMENT LLC
	4	914 W COMMERCE ST	SAUCEDO ABEL JR
	5	902 W COMMERCE ST	GUERRERO ROXANE M
	6	907 POLLARD ST	WADE WAYNE
	7	2121 SYLVAN AVE	UMPHRESS MICHAEL L TR
	8	2107 SYLVAN AVE	UMPRESS MICHAEL L TR ETAL
	9	914 POLLARD ST	DAUBITZ CHARLES R
	10	910 POLLARD ST	RAMIREZ SANTA Z &
	11	2106 SYLVAN AVE	GONZALEZ JOSE H
	12	2120 SYLVAN AVE	SYLPO LLC
	13	802 POLLARD ST	ACORD GARY
O	14	801 SEALE ST	TAYLOR SMITH DEV CORP
O	15	707 W COMMERCE ST	WEST DALLAS PROPANE LLC
	16	707 W COMMERCE ST	WEST DALLAS PROPANE LLC
	17	717 W COMMERCE ST	STANGLIN KENNETH DALE
	18	2316 EVANSTON AVE	STANGLIN KENNETH
	19	801 W COMMERCE ST	HMK LTD
	20	2314 CHAPPEL ST	DABOUB REALTY LTD
	21	702 POLLARD ST	SONNY SIDE UP INVESTMENTS LLC

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 10, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 47 H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1439 for a child-care facility on property zoned an MF-2(A) Multifamily District on the south corner of Highland Road and Hunnicut Road
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z156-132(OTH)

FILE NUMBER: Z156-132(OTH)

DATE FILED: November 13, 2015

LOCATION: South corner of Highland Road and Hunnicut Road

COUNCIL DISTRICT: 7

MAPSCO: 47-H

SIZE OF REQUEST: Approx. 1.05 acres

CENSUS TRACT: 122.04

APPLICANTS / OWNER: James D. and Suzanne S. Gaberino, LTD

REPRESENTATIVE: Nicholas Sieg

REQUEST: An application for the renewal of Specific Use Permit No. 1439 for a child-care facility on property zoned an MF-2(A) Multifamily District.

SUMMARY: The applicant proposes to continue the use of the property for a child-care facility. The use is permitted by SUP in the MF-2(A) District. All other MF-2(A) uses are also allowed on the property. The original SUP was approved on January 25, 2011 for a five-year period with eligibility for automatic renewals for additional five-year periods. The applicant missed the time period to be eligible for an automatic renewal. The applicant indicates it was due to the ownership change.

CPC RECOMMENDATION: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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 existing use is compatible with the surrounding land uses. The property is surrounded by single family dwellings, multifamily uses, and undeveloped land.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing use contributes to the area by providing a service for the surrounding residential uses.
3. *Not a detriment to the public health, safety, or general welfare* – The existing use is not a detriment to the public health, safety or general welfare of the public.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed use complies with all applicable zoning regulations and standards of the City of Dallas. No variances or special exceptions are requested.

Zoning History: There have been no zoning applications in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Highland Road	Local	60 feet
Hunnicut Road	Local	60 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being in the Urban Neighborhood Building Block.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The existing use is consistent with the Urban Neighborhood Building Block.

Surrounding Land Uses:

	Zoning	Land Use
Site	MF-2(A) SUP No. 1439	Child-care facility
North	R-7.5(A) & MF-1(A)	Single family residential
South	MF-2(A)	Undeveloped & multifamily
West	MF-1(A) & MF-2(A)	Undeveloped & multifamily
East	R-7.5(A) & MF-2(A)	Single family & multifamily

Land Use Compatibility:

The 1.05 acres of land are currently developed with a 37,400-square-foot, one-story structure. The original SUP was approved on January 25, 2011 for a five-year period with eligibility for automatic renewals for additional five-year periods. The applicant missed the time period to be eligible for an automatic renewal. The applicant indicates it was due to the ownership change.

Z156-132(OTH)

Previously, SUP conditions for child-care facilities included conditions such as indoor floor area, outdoor floor area and/or loading space. Those conditions have been removed from this child-care facility at the instruction of the City Attorney's Office because they are regulated by the Texas Department of Protective and Regulatory Services.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. Parking for the use must be provided as shown on the site plan.

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code. The request does not trigger new landscaping since the applicant is not proposing any new construction.

Z156-132(OTH)

CPC ACTION – January 7, 2016

Z156-132(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1439 for a child-care facility for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned an MF-2(A) Multifamily District on the south corner of Highland Road and Hunnicut Road.

Maker: Anantasomboon
Second: Davis
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons*, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 2 - Housewright, Tarpley
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 27
Replies: For: 2 Against: 0

Speakers: None

**SUP Proposed Conditions
Z156-132**

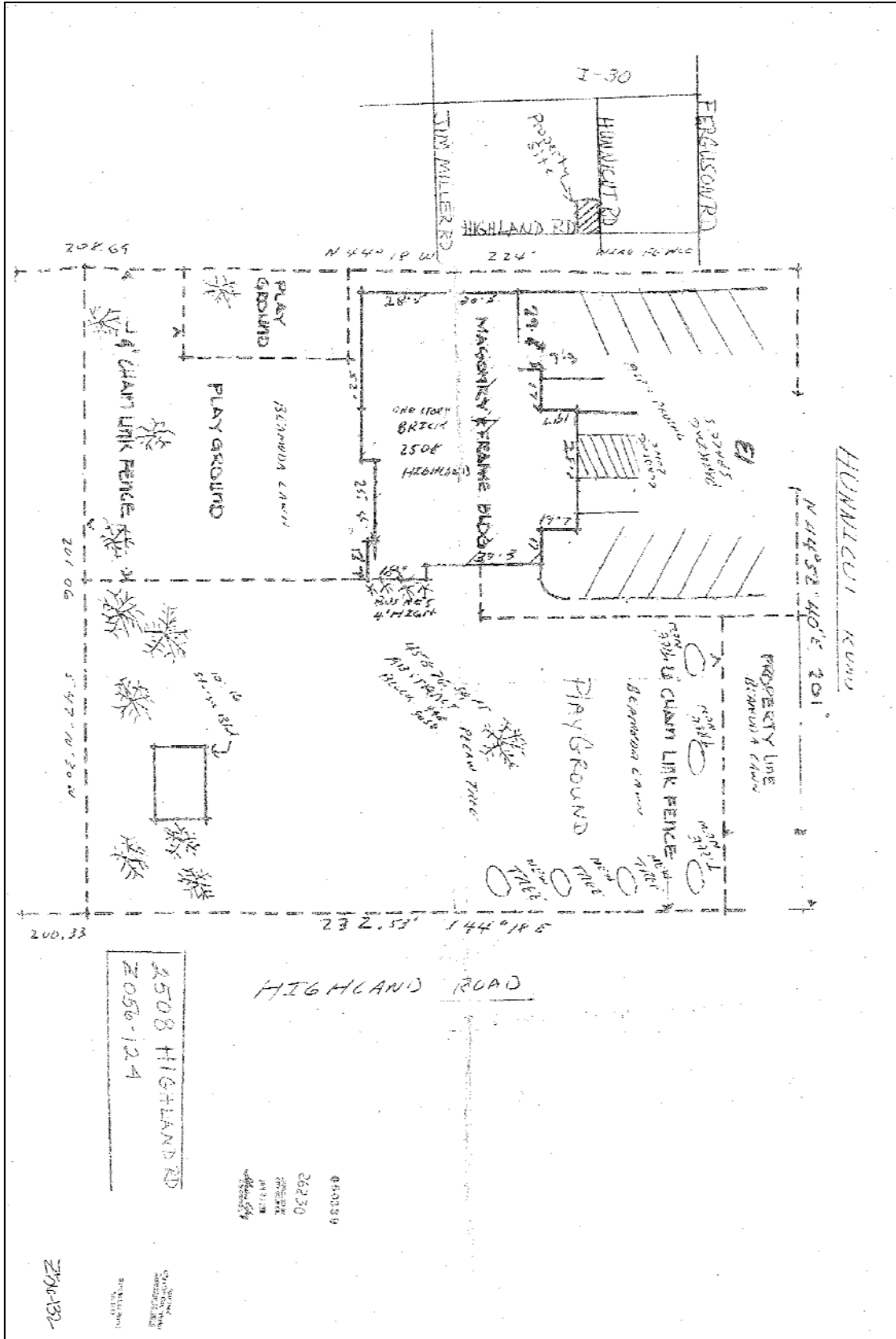
SECTION 2. That this specific use permit is granted upon the following conditions:

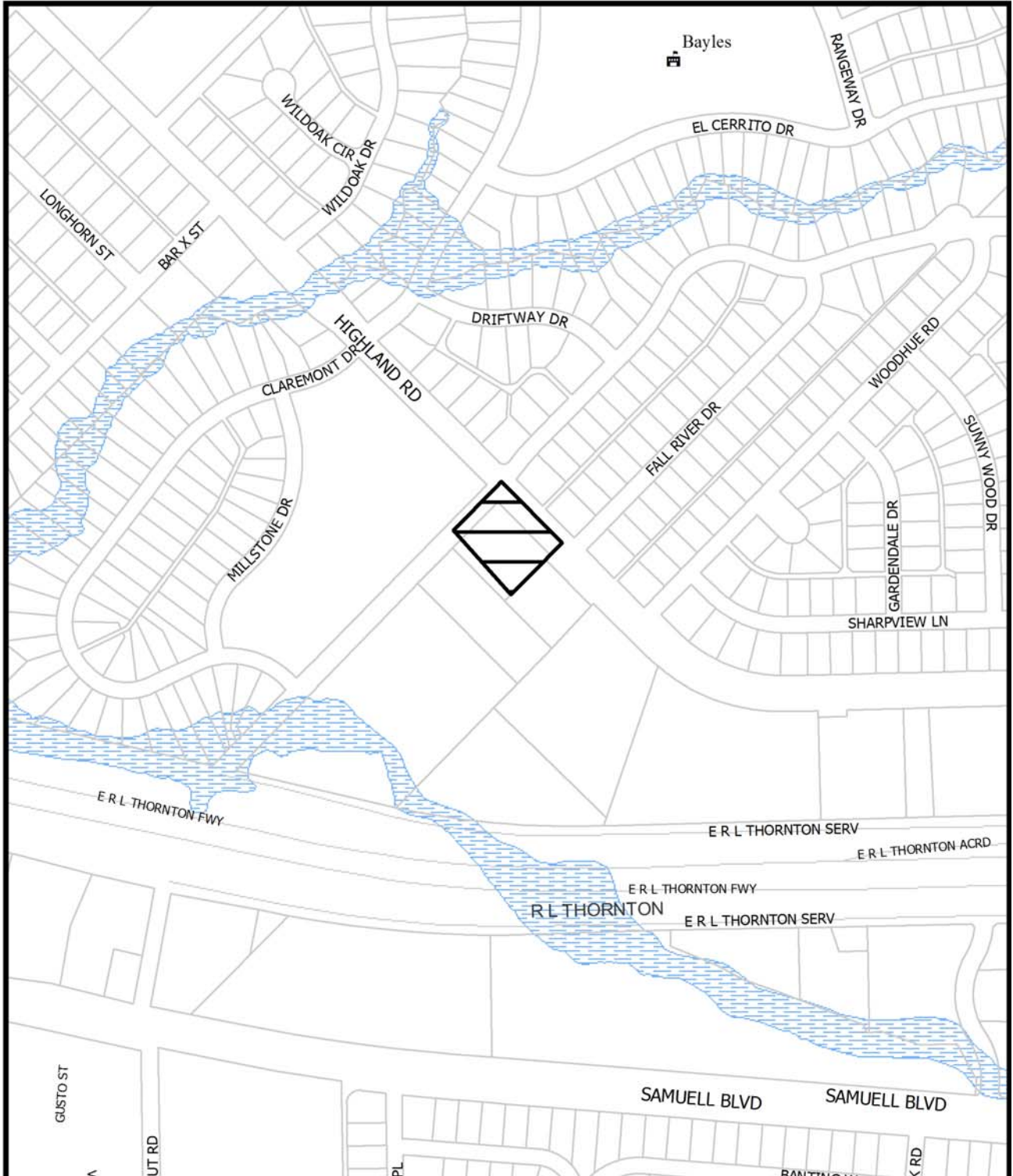
1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a five-year period, with and is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended. In order 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: Prior to the issuance of a certificate of occupancy, landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.
5. ~~LOADING/UNLOADING: Prior to the issuance of a certificate of occupancy, a designated loading/unloading area must be provided and located as shown on the attached site plan.~~
6. HOURS OF OPERATION: The hours of operation are limited to the hours between 6:00 a.m. and 6:30 p.m., Monday through Friday.
7. ~~INDOOR FLOOR AREA: A minimum of 50 square feet of indoor floor area must be provided for each child in attendance.~~
8. ~~OUTDOOR PLAY AREA: A minimum of 100 square feet of outdoor play area must be provided for each child in the play area.~~
9. OFF-STREET PARKING: A minimum of 14 off-street parking spaces must be provided and located as shown on the attached site plan.
10. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.


Z156-132(OTH)

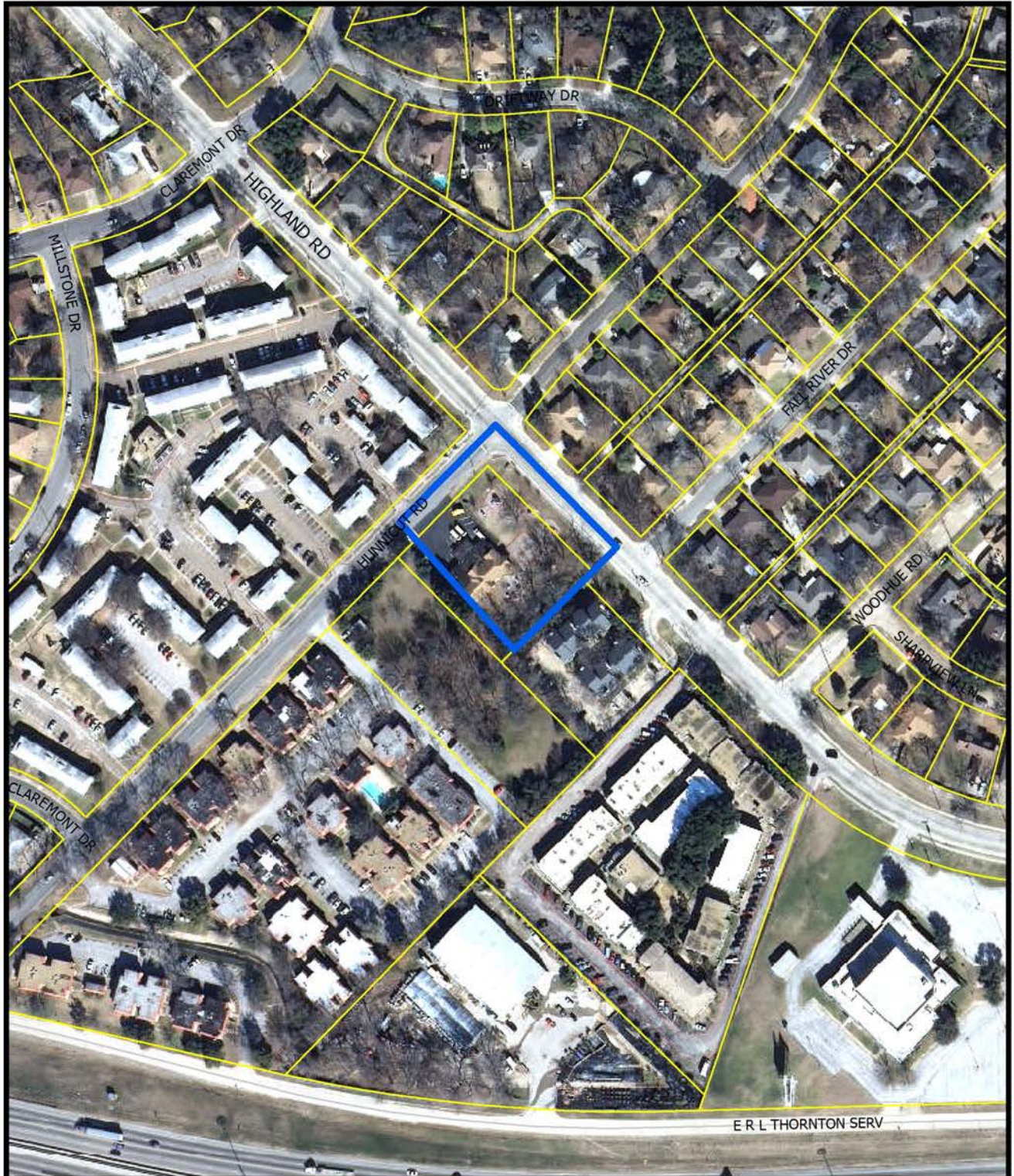
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN





 1:4,800	<h1>VICINITY MAP</h1>	Case no: <u> Z156-132 </u> Date: <u> 11/25/2015 </u>
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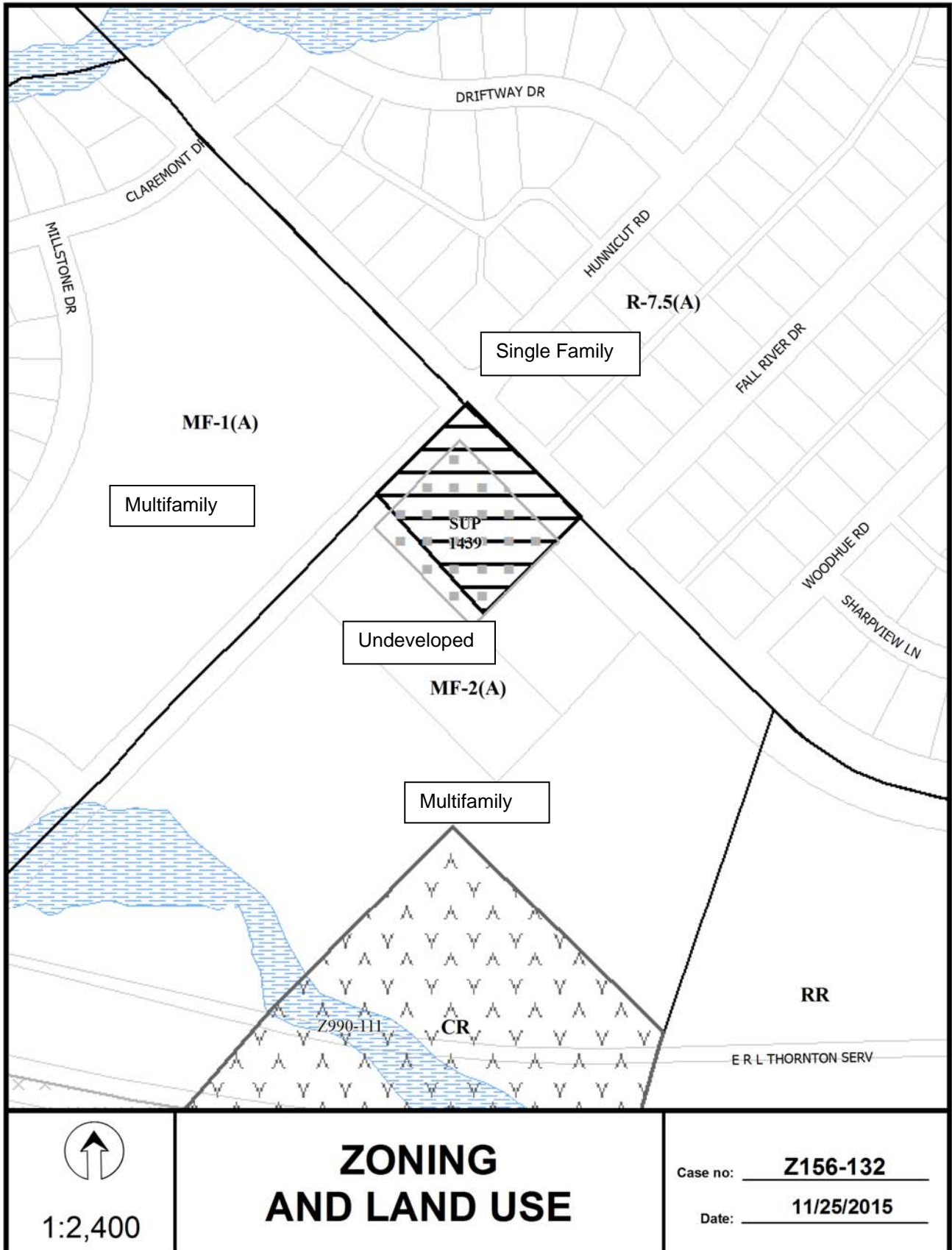


1:2,400

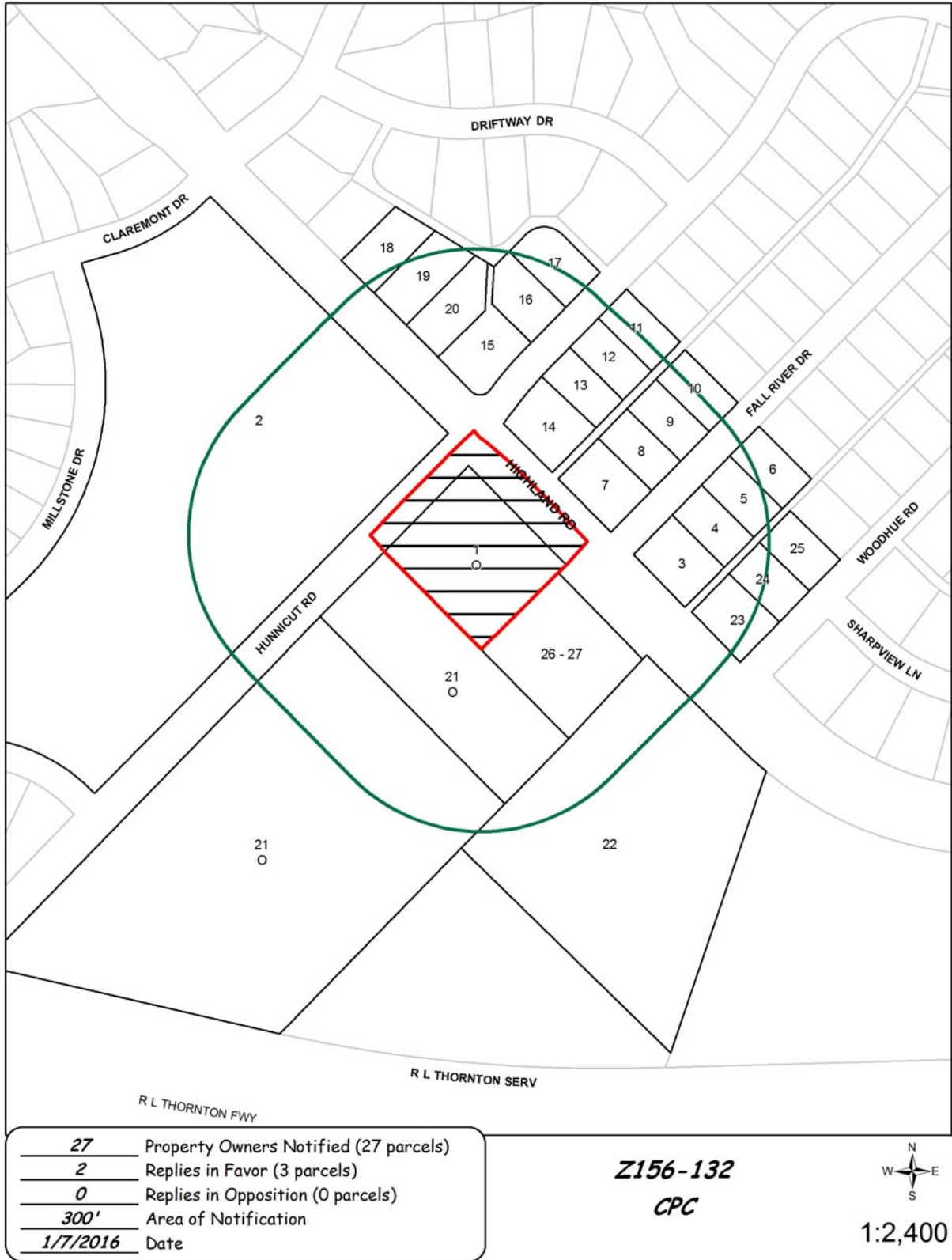
AERIAL MAP

Case no: Z156-132

Date: 11/25/2015



CPC RESPONSES



01/06/2016

Reply List of Property Owners***Z156-132******27 Property Owners Notified******2 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	2508 HIGHLAND RD	GABERINO JAMES D & SUZANNE S LTD
	2	2472 HIGHLAND RD	CLAREMONT KIWI LLC
	3	8006 FALL RIVER DR	DODGE JOHN ROSS &
	4	8010 FALL RIVER DR	MOTE ROSEMARY
	5	8016 FALL RIVER DR	ANAYA ERNESTO & CONSUELO
	6	8020 FALL RIVER DR	THOMAS JAY
	7	8007 FALL RIVER DR	CORNETT WILLIAM R III
	8	8011 FALL RIVER DR	PENNEY RENA F
	9	8017 FALL RIVER DR	TOVAR TANYA E
	10	8021 FALL RIVER DR	WILLIAMS BYRON C
	11	8024 HUNNICUT RD	THACKER RORY
	12	8018 HUNNICUT RD	GRAVES STUART J
	13	8012 HUNNICUT RD	SALUBI DONNA KAY
	14	8006 HUNNICUT RD	2013B PROPERTY OWNER LLC
	15	2485 HIGHLAND RD	SHANKLE LIZA M &
	16	8017 HUNNICUT RD	PEDRAZA SALVADOR &
	17	8023 HUNNICUT RD	CHAPA GINA
	18	2467 HIGHLAND RD	WEBER MARJORIE
	19	2473 HIGHLAND RD	BRYAN OLLIE P
	20	2479 HIGHLAND RD	GONZALES JAYE ALENE
O	21	E R L THORNTON FWY	JAMES D & SUZANNE S GABERINO LTD
	22	2600 HIGHLAND RD	SOCAL LP
	23	8005 WOODHUE RD	STRICKLER MARK B
	24	8011 WOODHUE RD	RICHARD VERNON F
	25	8017 WOODHUE RD	THOMPSON DONNIE R &
	26	2550 HIGHLAND RD	SUMNER HAROLD & PHYLLIS
	27	2550 HIGHLAND RD	STRICKLIN ENTERPRISES LTD

AGENDA ITEM # 37

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

AGENDA DATE: February 10, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 23-Z 24-W

SUBJECT

A public hearing to receive comments for the proposed use of a portion of the Bachman Creek Greenbelt, totaling approximately 42,323 square feet, for driveway access and parking by QuikTrip Corporation; and at the close of the public hearing, consideration of a resolution authorizing the use – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Bachman Creek Greenbelt (approximately 42,323 square feet) located at 3900 Shorecrest Drive, just north of Love Field Airport. This passive-use park is used for open space. A trail runs through the park along the north side of Bachman Creek which connects to and is a part of the Bachman Lake Park Trail in adjacent Bachman Lake Park to the west. Currently, there is no direct public accessible access to Bachman Creek Greenbelt for residential neighborhoods to the north. There is a need for direct, publicly accessible access to Bachman Creek Greenbelt for the surrounding neighborhood. QuikTrip proposes to construct and maintain a trailhead which includes parking, landscaping, seating, paving, and a drinking fountain. QuikTrip is proposing to allow itself and patrons use of the proposed parkland access drive and parking lot. Because of the configuration and limited space available for development of the proposed trailhead, access drive, and parking lot there is a need and no feasible and prudent alternative to allowing access and use of the parkland parking lot by QuikTrip and its patrons.

In compliance with the law, QuikTrip has determined that there is a need and that there is no feasible and prudent alternative and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the use of parkland.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On December 3, 2015 the Park and Recreation Board authorized a public hearing to be held on February 10, 2016.

On January 13, 2016 City Council authorized a public hearing to be held on February 10, 2016, by Resolution No. 16-0088.

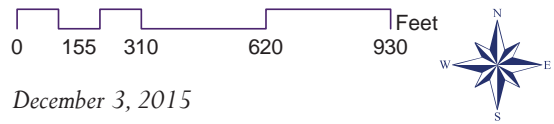
Information about this item will be provided to the Quality of Life & Environment Committee on February 8, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAPS

Attached



Bachman Creek Greenbelt (3900 Shorecrest Dr.)

Mapsco
23 Z
24 W

District
13

February 10, 2016

WHEREAS, the City of Dallas owns land in Dallas known as Bachman Creek Greenbelt, located at 3900 Shorecrest Drive, north of Love Field Airport, which has been maintained by the City as parkland since 1930; and

WHEREAS, QuikTrip Corporation (QuikTrip), an Oklahoma corporation, proposes to design, construct, and maintain a trailhead on approximately 42,323 square feet of parkland in Bachman Creek Greenbelt, which will provide accessible public access to the existing hike and bike trail; and

WHEREAS, QuikTrip Corporation has requested non-exclusive use of the trailhead access driveway and parking for itself and its patrons as identified in Exhibit A and Exhibit B, and the Park and Recreation Board is agreeable to providing the property for this non-exclusive use; and

WHEREAS, a public hearing was held, as required by the Texas Parks and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this parkland and that all reasonable planning to minimize harm to Bachman Creek Greenbelt has been taken.

Now, Therefore,

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

SECTION 1. That the use of the portion of Bachman Creek Greenbelt as described in Exhibit A is authorized and approved subject to this resolution, and to all of the following terms and conditions:

I. Construction work shall not begin until the City enters into a development and maintenance agreement (Agreement) with QuikTrip, approval of which is by separate Council resolution;

II. The plan of the Bachman Creek Greenbelt Trailhead project shall be based on the attached concept plan (Exhibit A), as approved by the Director of the Park and Recreation Department (PARD). Such improvements shall consist of in part the following elements:

- a) Parking and driveway access including lighting;
- b) Public access trail connection to Bachman Lake Hike and Bike Trail in accordance with PARD guidelines and in compliance with the Americans with Disabilities Act (ADA);
- c) Pavilion, signage, seating, and trash receptacles;
- d) Landscaping and irrigation.

February 10, 2016

SECTION 1. (Continued)

III. All health, safety, noise, environmental protection, waste disposal, and air quality regulations shall remain in compliance. Safety fencing shall be installed for public protection prior to and during construction.

IV. The City shall bear no cost for any part of the design or construction of the trailhead project.

V. QuikTrip will maintain and replace as needed, at its sole cost, the portion of the park as described in Exhibit A, for the length and terms specified in the Agreement, which includes existing and improved amenities and other elements and features:

- a) Maintenance shall be in accordance with PARD standards;
- b) No chemicals shall be used on park property without prior written permission by PARD.

VI. No construction equipment storage shall be allowed on park property without prior written permission by PARD.

VII. Construction shall provide minimal disturbance to the remainder of the Bachman Creek Greenbelt including use of the Bachman Lake Hike and Bike Trail:

- a) After construction has commenced, the trailhead project shall be completed in a timely fashion without unreasonable delays.

SECTION 2. That the City of Dallas hereby approves the proposed non-exclusive use of parkland by QuikTrip Corporation and its patrons as identified in Exhibit A and Exhibit B for use of driveway access and parking, subject to the terms and conditions of the Agreement and this resolution.

SECTION 3. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use of parkland, consistent with the Texas Parks and Wildlife Code, and that all reasonable planning to minimize harm to parkland has been taken.

SECTION 4. That, as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of the Bachman Creek Greenbelt for the purpose stated in this resolution and that all reasonable planning to minimize harm to the parkland has been taken.

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.

**LICENSE AGREEMENT
42,323 SQUARE FEET (0.972 ACRE)
FORM THE CITY OF DALLAS
LEMMON AVE. & N.W. HIGHWAY
CITY BLOCK 4424**

**Exhibit A
1 of 3**

BEING a 42,323 square foot (0.972 acre) tract of land (unplatted) located in the City of Dallas, Dallas County, Texas, part of City Block No. 4424, part of the William C. Trimble Survey, Abstract No. 1484, and being part of that called 22.1324 acre tract of land described in deed to the City of Dallas as recorded in Volume 280, Page 40, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3" brass disk in concrete monument (controlling monument) found for the northwest corner of Lot 5, Block A/5089, Northway Addition, an addition to the City of Dallas according to the plat thereof recorded in Volume 88231, Page 2676, Deed Records, Dallas County, Texas, said point being North 71 degrees 30 minutes 00 seconds East, a distance of 100.72 feet from the intersection of the southerly right-of-way line of Northwest Highway (100' R.O.W.) and the easterly right-of-way line of Lemmon Avenue (240' R.O.W.);

THENCE, along the westerly line of said Lot 5, South 18 degrees 30 minutes 00 seconds East, a distance of 209.00 feet to an "X" in concrete (controlling monument) found for the southwest corner of said Lot 5;

THENCE, along the southerly line of said Lot 5, South 84 degrees 42 minutes 48 seconds East, a distance of 173.76 feet to a "Mag-Nail" set for the southeast corner of said Lot 5, being the southwest corner of a 0.676 acre tract of land (part of Block 5089, unplatted) described in deed to Admiral Flag Inc. as recorded in Volume 91056, Page 4426, Deed Records, Dallas County, Texas;

THENCE, departing the south line of said Lot 5, over and across said 22.1324 acre City of Dallas tract of land as follows:

South 18 degrees 32 minutes 32 seconds East, a distance of 108.87 feet to a 5/8" iron rod set with red plastic cap stamped "SCI";

South 76 degrees 56 minutes 29 seconds West, a distance of 143.16 feet to an "X" in concrete set, being in the curving easterly right-of-way line of Lemmon Avenue (240' R.O.W.), said point being the beginning of a non-tangent curve to the right;

THENCE, along the easterly right-of-way line of Lemmon Avenue as follows:

Along said curve to the right through a central angle of 22 degrees 47 minutes 10 seconds, a radius of 453.69 feet, an arc length of 180.43 feet, a chord bearing of North 42 degrees 06 minutes 35 seconds West and a chord distance of 179.24 feet to a 5/8" iron rod set with red plastic cap stamped "SCI" ;

North 30 degrees 43 minutes 00 seconds West a distance of 215.00 feet to a 5/8" iron rod set with red plastic cap stamped "SCI", being the intersection of the easterly right-of-way of Lemmon Avenue and the southerly right-of-way line of Northwest Highway (100' R.O.W.);

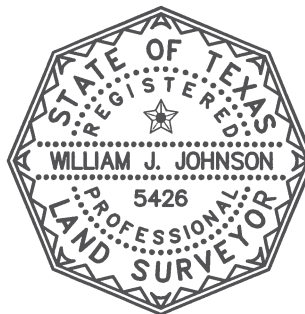
THENCE, departing the easterly right-of-way line of Lemmon Avenue, along the southerly right-of-way line of Northwest Highway, North 71 degrees 30 minutes 00 seconds East, a distance of 100.72 feet to the **POINT OF BEGINNING** and containing 42,323 square feet or 0.972 acres of land more or less.

BASIS OF BEARINGS: West line of Lot 5, Block A/5089, Northway Addition, Volume 86231, Page 2676, Deed Records, Dallas County, Texas held as South 18 degrees 30 minutes 00 seconds East.


William J. Johnson
Registered Professional Land Surveyor No. 5426



903 N. Bowser Road
Suite 240
Richardson, Texas 75081
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com



FIELD NOTES APPROVED:

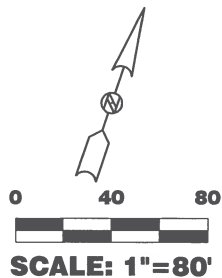
DSR 12-10-15

SHEET 1 OF 2

**LICENSE AGREEMENT
42,323 SQUARE FEET (0.972 ACRE)
FORM THE CITY OF DALLAS
LEMMON AVE. & N.W. HIGHWAY
CITY BLOCK 4424**

Exhibit A

LEGEND 2 of 3



BASIS OF BEARINGS
WEST LINE OF LOT 5, BLOCK A/5089
NORTHWAY ADDITION
(S 18°30'00" E)
VOL. 88231, PG. 2676, D.R.D.C.T.

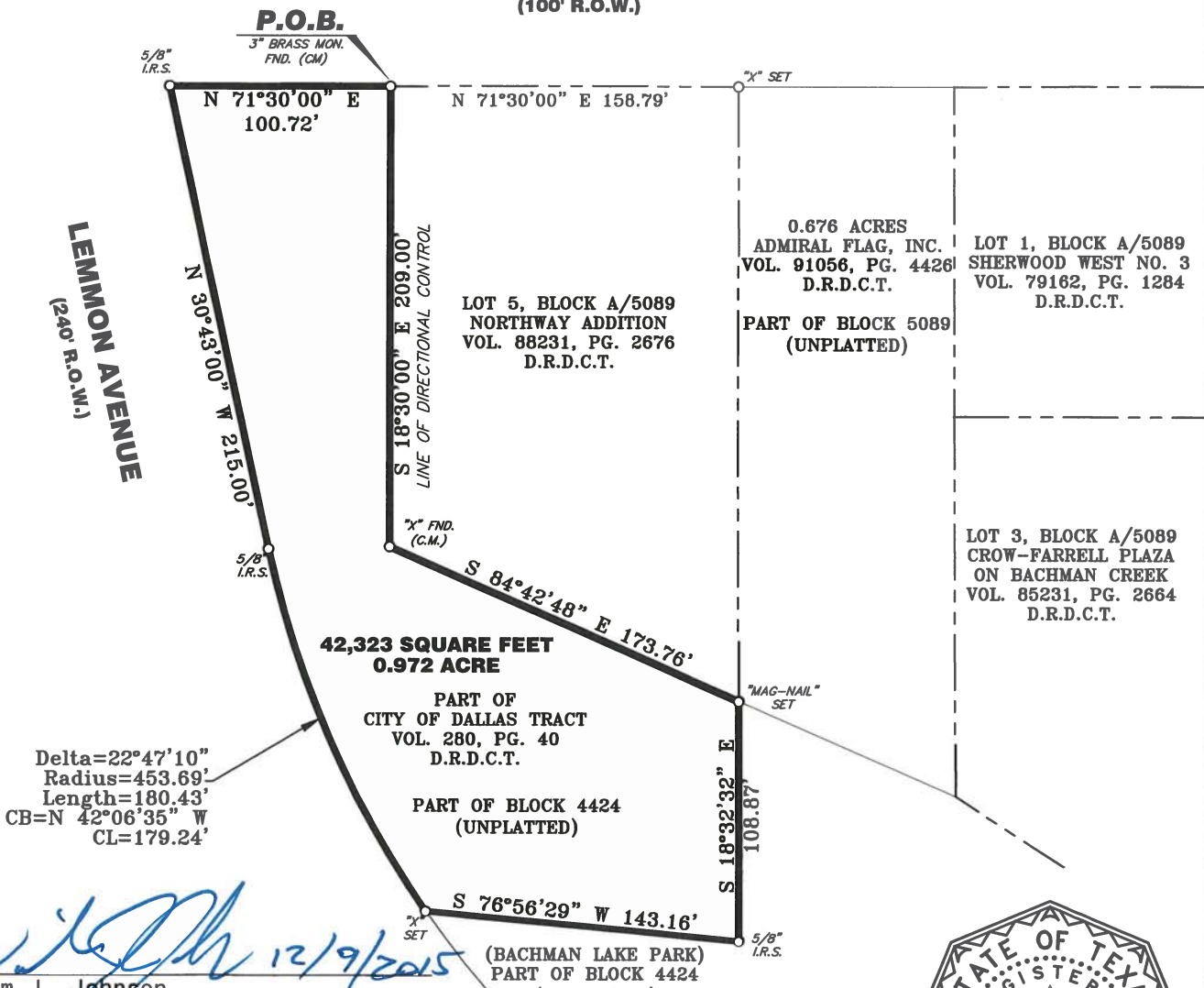
- | | |
|-------------|--|
| 5/8" I.R.S. | 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "SCI" |
| (C.M.) | CONTROLLING MONUMENT |
| D.R.D.C.T. | DEED RECORDS, DALLAS COUNTY, TEXAS |
| I.R.F. | IRON ROD FOUND |
| PG. | PAGE |
| P.O.B. | POINT OF BEGINNING |
| R.O.W. | RIGHT-OF-WAY |
| VOL. | VOLUME |

PART OF BLOCK 5087
0.5048 ACRES
LEAL PROPERTIES, INC.
VOL. 2002006, PG. 7150, D.R.D.C.T.
(UNPLATTED)

LOT 1, BLOCK 1/5087
NEC N.W. HWY. & MARSH ADDITION
VOL. 94188, PG. 4568
D.R.D.C.T.

NORTHWEST HIGHWAY

(100' R.O.W.)

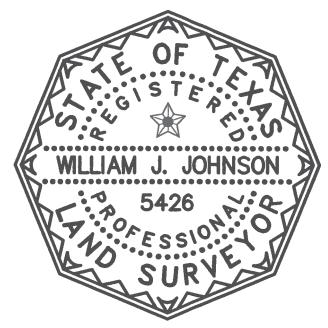


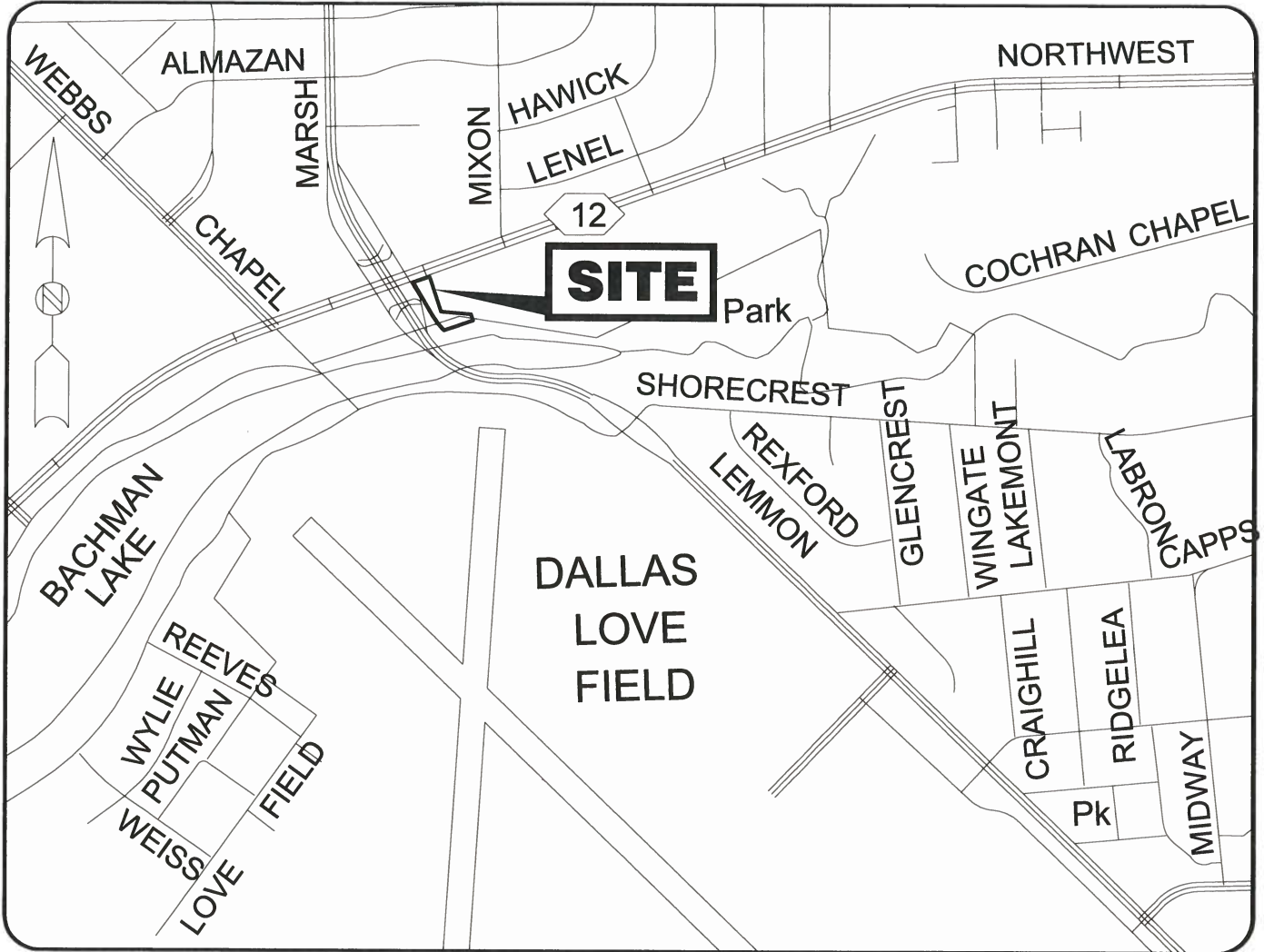
Delta=22°47'10"
Radius=453.69'
Length=180.43'
CB=N 42°06'35" W
CL=179.24'

William J. Johnson
12/9/2015
William J. Johnson
Registered Professional
Land Surveyor No. 5426



903 N. Bowser Road
Suite 240
Richardson, Texas 75081
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com





LOCATION MAP
SCALE: 1"=1000'

LANDSCAPE CHECK LIST

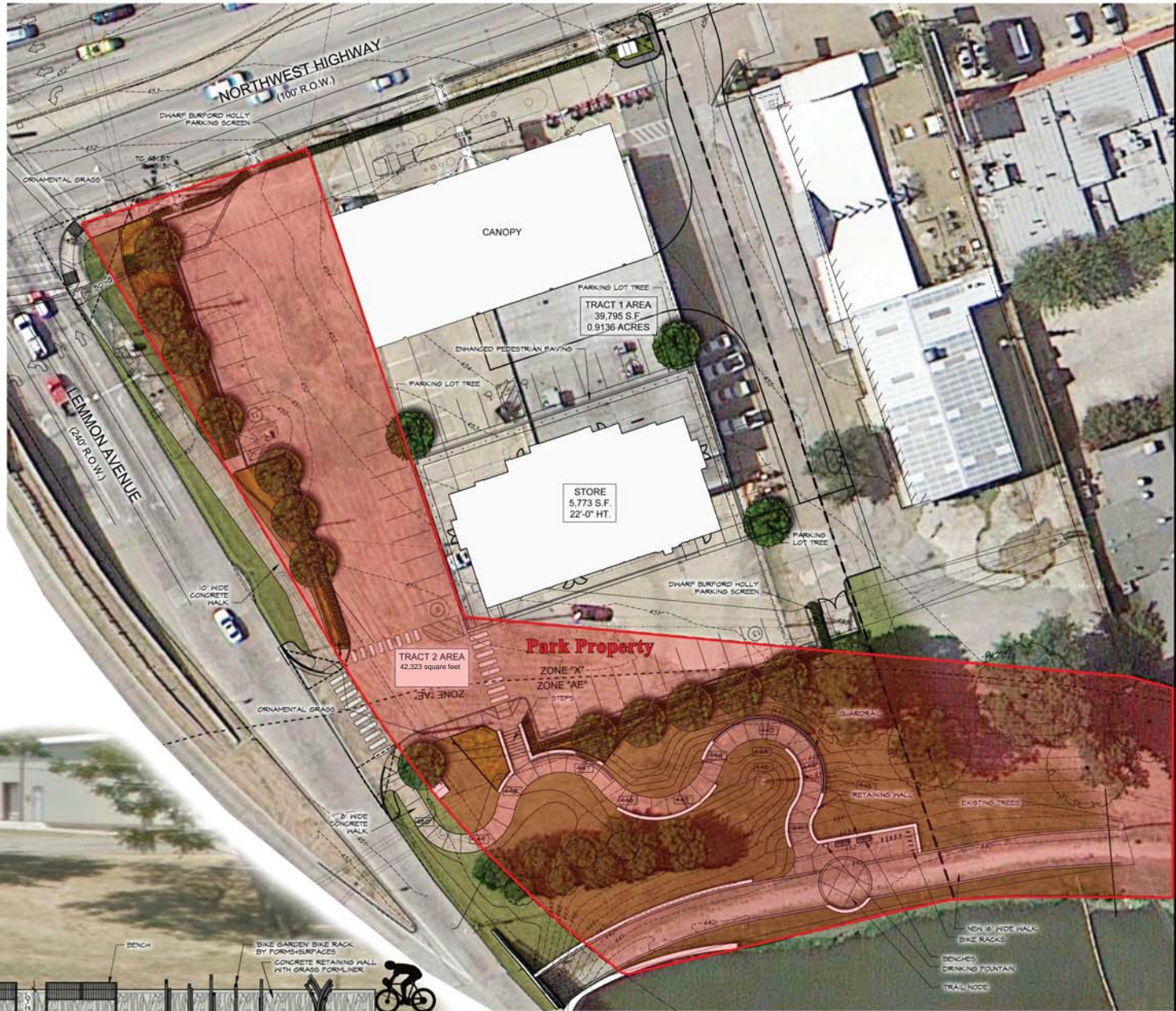
City of Dallas Landscape Ordinance

MANDATORY PROVISIONS:

- ✓ Tree Survey - must include trees 6" caliper and greater on the lot and/or within 50' of construction.
- ✓ Tree Protection - permanent protective fencing around the drip line of each protected tree to remain. Ref. A1B/LD00.
- ✓ Protected Tree Mitigation - Replacement trees must equal, in caliper, the caliper of protected trees removed. Approved replacement trees to be 2" minimum caliper and be of a species on the approved tree list. See below.
- ✓ Site Trees - Must have one 2" caliper tree per 4000 square feet of lot area with a minimum of 4 trees. All site trees must be located on the lot.
- DB,005 sf / 4000 = 10 site trees
- NA Former Landscape Buffer Strip - Must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists and at least be 10' wide. Must contain buffer plant material as defined in Sec. 51A-10.29(b)(1).
- NA Screening of off-street loading spaces - Must be screened from residential adjacent public streets. Minimum 6' height. See Sec. 51A-4.602(b)(3) for methods of screening and automatic irrigation required for any screening material.
- ✓ Street Trees - Must have one 3" caliper large tree per 50' of street frontage with a minimum of 2 trees. All street trees must be located within 50' of the projected street curb.
- 5d - linear ft.
Required Street Trees = 2' (3" cal. min.)
- ✓ Parking Lot Trees - All required parking spaces must be located within 120' of the trunk of a 2" caliper (min.) large canopy tree. Parking lot trees may not be planted closer than 2.5' to the paved portion of the parking lot.

DESIGN STANDARDS

- ✓ Screening of off-street parking - Screen all parking lots on the building site or artificial lot. Must be voluntary, extend along entire street frontage excluding driveways and vehicle bays, and at least 3' in height (ex. large evergreen shrubs, 5' height, 1" in girth, 3" on center, 3' wide bed, or 3" tall solid fence, or 3' tall berm, or a combination) with an automatic irrigation system required. Underground parking is considered to be screened for purposes of the subsection.
- Northwest Highway - Provided shrub screen
- ✓ Enhanced Pedestrian Walkways - Walkways must consist of enhanced pavement intended for pedestrian use and occupy at least 5% of the lot.



B TRAIL CONNECTION ELEVATION

SCALE 1/4" = 1'-0"

A LANDSCAPE PLAN PLAN

SCALE 1" = 20'-0"



NORTH



Norman, Jackson, Babinovic
Landscape Architect
Banner Plaza North
12770 Oak Road, Suite 210
Dallas, Texas 75241
Tel: 972-233-2033
Fax: 972-233-2022
njb@njbnc.net



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QuikTrip No. 0961
NORTHWEST HWY & LEMON AVE
DALLAS, TEXAS

Revisions	
No.	Date, Item

Date: 05/13/15
Drawn: MA
Checked: KWB
Project No.:

Sheet Title:

Exhibit B

Scale: as noted
Sheet No.:

