AUGUST 13, 2008 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated August 13, 2008. 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.

Mary K. Suhm
City Manager

Edward Scott
City Controller

8 - 8 - 08
Date

8/18/08
Date
REVISED ORDER OF BUSINESS

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

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

OPEN MICROPHONE

CLOSED SESSION

MINUTES  
Item 1

CONSENT AGENDA  
Items 2 - 79

CONSENT ADDENDUM  
Items 1 - 4

ITEMS FOR INDIVIDUAL CONSIDERATION  
No earlier than 9:30 a.m.  
Items 80 - 81

PUBLIC HEARINGS AND RELATED ACTIONS  
1:00 p.m.  
Items 82 - 116
Addendum Item 5
ADDENDUM
CITY COUNCIL MEETING
AUGUST 13, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

ADDITIONS:

CONSENT ADDENDUM

Economic Development

1. Authorize a Chapter 380 economic development grant agreement with AT&T Inc. and/or its subsidiary companies in consideration of the relocation of AT&T’s corporate headquarters and its company owned aircraft to the City of Dallas - Not to exceed $5,000,000 - Financing: Public/Private Partnership Program Funds (subject to annual appropriations)

Fire

2. Authorize a renewal to the contract with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2008 through August 31, 2009 - Not to exceed $427,856 - Financing: Current Funds $35,654 ($392,202 subject to appropriations)

Housing

3. Authorize (1) an amendment to the service contract with Enterprise Community Partners, Inc. for the Mortgage Assistance Program adding $1,000,000 of Community Development Grant funds subject to final approval on August 13, 2008; (2) an amendment to the Mortgage Assistance Program Statement under the subheading of Downtown Mortgage Assistance Program to allow for low to moderate income homeownership and assistance to be provided in an amount up to 50% of the sales price, not to exceed $100,000; and, (3) an amendment to the Mortgage Assistance Program Statement under the subheading of Enterprise Homeownership Partners in Dallas to allow for assisted homes located anywhere within the Dallas city limits and to change subsidy amounts and terms - $1,000,000 - Financing: 2006-07 Community Development Grant Funds

Office of Financial Services

4. Authorize annual adjustments to appropriations for the 2006-07 fiscal year for year-end close - Financing: No cost consideration to the City
ADDENDUM  
CITY COUNCIL MEETING  
AUGUST 13, 2008

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES - CONSENT

5. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Private electrical generating plant and A(A) Agricultural District Uses on property zoned an A(A) Agricultural District for an internal parcel located northwest of the intersection of Jordan Valley Road and Foothill Drive
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z078-237(RB)

DELETIONS:

Department of Development Services

81. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Seastrunk Enterprises, LLC, of approximately 4,000 square feet of unimproved land located near the intersection of Signet and Roberta Streets for pavement and drainage improvements for the Mouser Street Project - $5,120 - Financing: 2004-05 Community Development Grant Funds

ZONING CASES - CONSENT

87. A public hearing to receive comments regarding a Landmark Commission authorized hearing to consider expansion of the Harwood Historic District Overlay No 48, on property zoned Planned Development District No. 619 on the northeast corner of St. Paul Street and Commerce Street with revisions to preservation criteria and exhibits and an ordinance granting the expansion of the Historic Overlay
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z078-155(MW)

ZONING CASES - INDIVIDUAL

105. A public hearing to receive comments regarding an application for a Planned Development District for CR uses and attended donation center use on property zoned a CR Community Retail District on the southwest side of Haskell Avenue, between Lafayette Street and Delano Place
Recommendation of Staff and CPC: Denial
Z078-201(JH)
**ADDENDUM DATE August 13, 2008**

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<thead>
<tr>
<th>ITEM #</th>
<th>OK</th>
<th>DEF</th>
<th>DISTRICT</th>
<th>TYPE</th>
<th>DEPT.</th>
<th>DOLLARS</th>
<th>LOCAL</th>
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<td>Authorize a Chapter 380 economic development grant agreement with AT&amp;T Inc. and/or its subsidiary companies in consideration of the relocation of AT&amp;T’s corporate headquarters and its company owned aircraft to the City of Dallas.</td>
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<td>2</td>
<td>All</td>
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<td>FIR</td>
<td>$427,856.00</td>
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<td>NA</td>
<td>Authorize a renewal to the contract with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2008 through August 31, 2009.</td>
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<td>3</td>
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<td>Authorize an amendment to the service contract with Enterprise Community Partners, Inc. for the Mortgage Assistance Program adding $1,000,000 of Community Development Grant funds subject to final approval on August 13, 2008; an amendment to the Mortgage Assistance Program Statement under the subheading of Downtown Mortgage Assistance Program to allow for low to moderate income homeownership and assistance to be provided in an amount up to 50% of the sales price, not to exceed $100,000; and an amendment to the Mortgage Assistance Program Statement under the subheading of Enterprise Homeownership Partners in Dallas to allow for assisted homes located anywhere within the Dallas city limits and to change subsidy amounts and terms.</td>
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<td>NA</td>
<td>Authorize annual adjustments to appropriations for the 2006-07 fiscal year for year-end close.</td>
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<td>5</td>
<td>8</td>
<td>PH</td>
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<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Private electrical generating plant and A(A) Agricultural District Uses on property zoned an A(A) Agricultural District for an internal parcel located northwest of the intersection of Jordan Valley Road and Foothill Drive.</td>
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**TOTAL** $5,427,856.00
SUBJECT

Authorize a Chapter 380 economic development grant agreement with AT&T Inc. and/or its subsidiary companies in consideration of the relocation of AT&T’s corporate headquarters and its company owned aircraft to the City of Dallas – Not to exceed $5,000,000 – Financing: Public/Private Partnership Program Funds (subject to annual appropriations)

BACKGROUND

On June 27, 2008, AT&T announced publically that it will relocate its global corporate headquarters to Dallas. Prior to the announcement, the City proposed a package of incentives should AT&T decide to relocate to Dallas. The company plans to relocate approximately 700 employees from its current headquarters into its existing company office complex at 208 South Akard Street and relocate its corporate aircraft to Love Field.

To secure the relocation of AT&T to Dallas, proposed incentives include:

- $5 million economic development grant to be paid as follows: $1,500,000 by December 31, 2008, $1,750,000 by December 31, 2009 and $1,750,000 by December 31, 2010. The grant payments in the amount of $1,750,000 in December of 2009 and 2010 are subject to annual appropriations by the City Council.

- A ten-year economic development grant equal to 90 percent of the taxes paid to the City on aircraft located at Love Field and the value of business personal property resulting from the corporate headquarters relocation. These grant payments are also subject to annual appropriations by the City Council.
BACKGROUND (continued)

- ten-year grant related to aircraft totaling an estimated $6.315M (assumes $90M valuation appreciating to $95.5M over ten years and FY08 tax rate)

- ten-year grant related to business personal property located at HQ totaling an estimated $198,732 (assumes $15M annual valuation and FY08 tax rate)

• Total Estimated Incentive Benefit to AT&T: $11.5M over ten-years

AT&T will maintain its corporate headquarters in the City of Dallas for a minimum of five-years and relocate a minimum of 550 jobs to offices in Dallas by December 31, 2009 and relocate a minimum 275 of those jobs to Dallas by December 31, 2008. The City’s grant funding is subject to reimbursement on a pro rata basis should AT&T not maintain its corporate headquarters in the City of Dallas for a period of five-years.

Fortune Magazine ranks AT&T tenth on its 2008 list of America’s largest corporations.

ESTIMATED SCHEDULE

Relocation anticipated to be completed by December 31, 2009.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Public/Private Partnership Program Funds - $5,000,000 (subject to annual appropriations)

OWNER

AT&T Inc.

Randall Stephenson
Chairman, President, & CEO

MAP

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

WHEREAS, on April 9, 2008, the City Council authorized the continuation of its participation in tax abatement and established, by Resolution No. 08-1050, as amended, 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, on April 9, 2008, the City Council elected to continue its participation in economic development grants per Chapter 380 of the Texas Local Government Code by Resolution No. 08-1050, as amended; and

WHEREAS, the City desires to enter into an economic development grant agreement with AT&T Inc. and/or one of its subsidiary companies associated with the relocation of AT&T’s corporate headquarters to the City of Dallas.

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 Chapter 380 economic development grant agreement with AT&T Inc. and/or its subsidiary companies in consideration of the relocation of AT&T’s corporate headquarters and its company owned aircraft to the City of Dallas.

Section 2. That the economic development grant agreement with AT&T Inc. and/or its subsidiary companies include:

A. An economic development grant in an amount not to exceed $5,000,000 ("First Grant") to be paid to grantee in three (3) installments as follows:

(a) An amount not to exceed $1,500,000 to be paid no later than December 31, 2008; and,

(b) An amount not to exceed $1,750,000 to be paid no later than December 31, 2009, subject to future appropriations approved by the City Council; and,

(c) An amount not to exceed $1,750,000 to be paid no later than December 31, 2010, subject to future appropriations approved by the City Council.
Section 2. (continued)

B. An annual economic development grant for 10 years ("Second Grant") in an amount not to exceed 90 percent of the city taxes paid by AT&T and/or its subsidiary companies on the value of additional business personal property brought to Downtown Dallas inclusive of 208 South Akard Street and adjacent buildings occupied by AT&T and corporate aircraft located at Dallas Love Field or another City owned airport resulting from its corporate relocation to the City of Dallas.

C. That AT&T will maintain its corporate headquarters in the City of Dallas for a minimum of 5 years and relocate a minimum of 550 jobs to offices in Dallas by December 31, 2009 and relocate a minimum 275 of those jobs to Dallas by December 31, 2008.

D. That the City’s grant funding is subject to reimbursement on a pro rata basis should AT&T not maintain its corporate headquarters in the City of Dallas for a period of 5-years.

Section 3. That the City Controller is hereby authorized to encumber and disburse funds from: Fund 0352, Department ECO, Unit 9992, Object 3562, Activity PPPF, Encumbrance No. ECO9992K100, Vendor No. 502484, in an amount not to exceed $1,500,000.

Section 4. That the City Controller is hereby authorized to encumber and disburse future funds from: Fund 0352, Department ECO, Unit 9992, Object 3562, Activity PPPF, Vendor No. 502484 as necessary to make the additional “First Grant” contemplated payments of $1,750,000 by December 31, 2009 and $1,750,000 by December 2010 subject to future appropriations approved by the City Council.

Section 5. That the City Controller is hereby authorized to encumber and disburse future funds from: Fund 0352, Department ECO, Unit 9992, Object 3562, Activity PPPF, Vendor No. 502484 as necessary to make the additional contemplated “Second Grant” payments described above in Section 2 (B) subject to future appropriations approved by the City Council.

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.

Distribution: Office of Economic Development - Tenna Kirk, 5CS
Office of Economic Development – Sajid Safdar, 2CN
City Attorney's Office – Sarah Hasib
KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: August 13, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Fire

CMO: Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize a renewal to the contract with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2008 through August 31, 2009 - Not to exceed $427,856 - Financing: Current Funds $35,654 ($392,202 subject to appropriations)

BACKGROUND

The continuing education contract provides the City of Dallas with compliance of State laws governing certification of paramedics. State rules require 40 hours of continuing education training annually per paramedic. It is recommended that this contract be approved to provide the continuing education training required for Dallas Fire-Rescue Department paramedics.

The contract is between the City of Dallas and The University of Texas Southwestern Medical Center. The contract is needed to provide continuing education for approximately 650 Dallas Fire-Rescue Department paramedics. Continuing Education Training and Paramedic evaluations are conducted on-site at various fire stations. The University of Texas Southwestern Medical Center has provided continuing education for the Dallas Fire-Rescue Department for the past 30 years with satisfactory performance.

The University of Texas Southwestern Medical Center at Dallas provides part-time services of one emergency medical services supervisor, and five nurse/certified paramedic instructors or certified paramedics to provide continuing education and perform evaluations of certified City of Dallas emergency medical technicians and paramedics, and to make site visits to operational emergency medical units in the field for in-service evaluation and to assist in instruction.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a renewal to the contract for FY 2007-08 on August 22, 2007, by Resolution #07-2384.

FISCAL INFORMATION

Current Funds - $35,654 ($392,202 subject to appropriations)

M/WBE INFORMATION

In accordance with State law, the University of Texas Southwestern Medical Center at Dallas strongly supports a minority business enterprise program consistent with the City's Good Faith Effort Plan.

The University of Texas Southwestern Medical Center is committed to actively recruiting minority instructors. Every job announcement is advertised to the Black Firefighters Association, the Hispanic Firefighters Association, and the Black Nurse's Association.

The University of Texas Southwestern Medical Center employs minority paramedics as part-time instructors. In addition, the Fire-Rescue Department has assigned a Hispanic male as the EMS Training Coordinator that works directly with the paramedic students.

ETHNIC COMPOSITION

The University of Texas Southwestern Medical Center at Dallas, Department of Allied Health Sciences, Division of Emergency Medicine Education

Hispanic Females  2  Hispanic Males  1
Black Females  2  Black Males  1
White Females  15  White Males  15
Other Females  1  Other Males  1

OWNER

The University of Texas Southwestern Medical Center at Dallas

Kern Wildenthal, M.D., President, UTSWCD
WHEREAS, certified emergency medical technicians (EMT) and paramedics are required by State emergency medical service rules to attend continuing education courses in order to retain their state-issued certification as such; and

WHEREAS, The University of Texas Southwestern Medical Center at Dallas, in cooperation with the City of Dallas, provides a training system which conducts basic and advanced life sciences courses for the continuing education of certified and licensed emergency medical technicians (EMT) and paramedics; and

WHEREAS, this training system has operated efficiently and effectively; and

WHEREAS, additional professional personnel are currently needed to ensure the safe and efficient operation of training programs; and

WHEREAS, The University of Texas Southwestern Medical Center at Dallas offered to contract with the City of Dallas to provide personnel for the continuing education and evaluation of certified City of Dallas emergency medical technicians and paramedic personnel;

NOW, THEREFORE,

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

Section 1. That the City Manager be and is hereby authorized to execute a contract with the University of Texas Southwestern Medical Center at Dallas providing the part-time services of one emergency medical services supervisor and five nurse/certified paramedic instructors or certified paramedic instructors to provide continuing education and perform evaluations of certified City of Dallas emergency medical technicians and paramedics, and to make site visits to operational emergency medical units in the field for in-service evaluation and to assist in instruction.

Section 2. That the City Controller be and is hereby authorized to make payments to the University of Texas Southwestern Medical Center at Dallas pursuant to the contract out of Fund 001, Department DFD, Unit 2050, Object 3070, Encumbrance CT DFD20500694, Vendor #904272, not to exceed first month current funds of $35,654 in FY08-09, remaining contract amount of $392,202 is subject to appropriations.

Section 3. That the term of the contract shall be from September 1, 2008 through August 31, 2009.
August 13, 2008

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.

DISTRIBUTION:

Business Development and Procurement Services, 3FN
Office of Financial Services, 4FN
Fire-Rescue Department, 7AS
SUBJECT

Authorize (1) an amendment to the service contract with Enterprise Community Partners, Inc. for the Mortgage Assistance Program adding $1,000,000 of Community Development Grant funds subject to final approval on August 13, 2008; (2) an amendment to the Mortgage Assistance Program Statement under the subheading of Downtown Mortgage Assistance Program to allow for low to moderate income homeownership and assistance to be provided in an amount up to 50% of the sales price, not to exceed $100,000; and, (3) an amendment to the Mortgage Assistance Program Statement under the subheading of Enterprise Homeownership Partners in Dallas to allow for assisted homes located anywhere within the Dallas city limits and to change subsidy amounts and terms - $1,000,000 - Financing: 2006-07 Community Development Grant Funds

BACKGROUND

The Mortgage Assistance Program (MAP) and Downtown Mortgage Assistance Program (DMAP) are funded from U.S. Department of Housing and Urban Development (HUD) allocations. The DMAP is also supplemented with Downtown TIF funds. The MAP and DMAP both provide principal reduction, downpayment, and closing cost assistance to eligible homebuyers to purchase a home in the City of Dallas. DMAP restricts purchases to the Central Business District. Both MAP and DMAP provide downpayment assistance to families earning at or below 80% of the area median family income.

In the past, the MAP has been offered through over thirty lenders in the Dallas area. The current service contract with Enterprise Community Partners provides gap financing to eligible first-time homebuyers in the form of principal reduction, downpayment, and closing cost assistance. Enterprise Community Partners, Inc. is currently in its second year of a three year contract with the City of Dallas to administer the MAP and DMAP Programs.
BACKGROUND (continued)

As of July 17, 2008, MAP has provided assistance for 297 properties to eligible families and has registered 55 additional properties. The City Council Housing Committee approved the recommended addition of $1,000,000 to the citywide MAP program from the DMAP program on May 19, 2008.

The DMAP has not provided any assistance to date; however, additional marketing efforts are being developed. Recommended modifications to the DMAP program are expected to entice new low to moderate income homeowners into the downtown area. The Housing Committee approved the recommended changes to the MAP/DMAP program statement on June 2, 2008.

This item will allow the City Manager to execute an amendment to the service contract with Enterprise Community Partners, Inc. for the MAP adding $1,000,000 of Community Development Grant funds, subject to final approval on August 13, 2008. It authorizes an amendment to the Mortgage Assistance Program Statement under the subheading of Downtown Mortgage Assistance Program to allow for low to moderate income homeownership and assistance to be provided in an amount up to 50% of the sales price, not to exceed $100,000. This action also authorizes an amendment to the Mortgage Assistance Program Statement under the subheading of Enterprise Homeownership Partners in Dallas to allow for assisted homes to be located anywhere within the Dallas city limits and to adjust terms to match federal affordability requirements.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 28, 2007, City Council authorized an amendment to the service contract with Enterprise Community Partners, Inc., to administer the Downtown Mortgage Assistance program by Resolution No. 07-0708.

On June 27, 2007, City Council approved the FY07-08 Consolidated Plan Budget for the Mortgage Assistance Program by Resolution No. 07-1978.

On October 10, 2007, City Council authorized the execution of the first of two twelve-month renewal terms to the service contract with the Enterprise Community Partners, Inc. for the period October 1, 2007 through September 30, 2008, and an amendment to the MAP referencing the International Residential Code Repair by Resolution No. 07-2972.

On May 19, 2008, and June 2, 2008, the Housing Committee approved the addition of $1,000,000 to the citywide MAP program and approved recommended changes to the MAP/DMAP program statement.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)  (continued)

On June 25, 2008, City Council approved the preliminary FY 2006-07 Consolidated Plan Reprogramming Budget #4 to appropriate $1,000,000 of Downtown condo purchase income to the MAP Program and authorized a public hearing.

FISCAL INFORMATION

$1,000,000 - 2006-07 Community Development Grant Funds

OWNER(S)

Enterprise Community Partners, Inc.

Doris W. Koo, President & CEO
WHEREAS, homeownership is a high priority of the City of Dallas; and,

WHEREAS, the Enterprise Community Partners, Inc. formerly known as The Enterprise Foundation, Inc., has been the administrator of the City’s federally funded first-time homebuyers program known as the Mortgage Assistance Program (MAP); and,

WHEREAS, the MAP provides assistance to eligible homebuyers; and,

WHEREAS, on February 28, 2007, City Council authorized an amendment to the service contract with the Enterprise Community Partners, Inc., to administer the Downtown Mortgage Assistance Program by Resolution No. 07-0708; and,

WHEREAS, on June 27, 2007, City Council approved the FY07-08 Consolidated Plan Budget for the Mortgage Assistance Program by Resolution No. 07-1978; and,

WHEREAS, on October 10, 2007, City Council authorized the execution of the first of two twelve-month renewal terms to the service contract with the Enterprise Community Partners, Inc. for the period October 1, 2007 through September 30, 2008, and an amendment to the MAP referencing the International Residential Code Repair by Resolution No. 07-2972; and,

WHEREAS, on May 19, 2008 and June 2, 2008, City Council Housing Committee approved the addition of $1,000,000 to the citywide MAP program and approved recommended changes to the MAP/DMAP program statement; and,

WHEREAS, on June 25, 2008, City Council approved the preliminary FY 2006-07 Consolidated Plan Reprogramming Budget #4 to appropriate $1,000,000 of Downtown condo purchase income to the MAP Program and authorized a public hearing; and,

WHEREAS, the City now desires to (1) amend the service contract with Enterprise Community Partners, Inc. for the MAP adding $1,000,000 of Community Development Grant funds subject to final approval on August 13, 2008; and, (2) an amendment to the Mortgage Assistance Program Statement under the subheading of Downtown Mortgage Assistance Program (DMAP) to allow for low to moderate income homeownership and assistance to be provided in an amount up to 50% of the sales price, not to exceed $100,000; and, (3) an amendment to the Mortgage Assistance Program Statement under the subheading of Enterprise Homeownership Partners (EHOP) in Dallas to allow for assisted homes located anywhere within the Dallas city limits and to change subsidy amounts and terms; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:
Section 1. That the City Manager be authorized (1) to execute an amendment to the service contract with Enterprise Community Partners, Inc. for the Mortgage Assistance Program (MAP) adding $1,000,000 of Community Development Block Grant funds subject to final approval on August 13, 2008; and, (2) an amendment to the Mortgage Assistance Program Statement under the subheading of Downtown Mortgage Assistance Program (DMAP) to allow for low to moderate income homeownership and assistance to be provided in an amount up to 50% of the sales price, not to exceed $100,000; and, (3) an amendment to the Mortgage Assistance Program Statement under the subheading of Enterprise Homeownership Partners (EHOP) in Dallas to allow for assisted homes located anywhere within the Dallas city limits and to change subsidy amounts and terms as detailed in the attached revised Exhibit A.

Section 2. That the attached Program Statement amendment for the MAP/DMAP Programs is hereby approved and shall remain in effect until amended pursuant to a subsequent City Council resolution.

Section 3. That following approval as to form by the City Attorney, the City Manager is authorized to execute the necessary agreement and such other instruments as may be necessary to carry out the program in accordance with the MAP/DMAP Program Statement (Exhibit A attached).

Section 4. That the City Controller be authorized to encumber and disburse funds to Enterprise Community Partners, Inc., in accordance with the contract provisions as follows:

MORTGAGE ASSISTANCE PROGRAM

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<th>DEPT</th>
<th>UNIT</th>
<th>OBJ</th>
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Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas and is accordingly so resolved.

Distribution:

Housing Department, 6DN
City Attorneys Office, 7AN
Business Development and Procurement Services, 3FS
Office of Financial Services/Community Development, 4FS
EXHIBIT A

FY07-08 PROGRAM STATEMENT
MORTGAGE ASSISTANCE PROGRAM (MAP)

Program Purpose: To provide homeownership opportunities to low income, first-time homebuyers through the provision of financial assistance in purchasing a home.

Programs Description:

- Provides (i) downpayment, and closing cost assistance or (ii) principal reduction to low income first-time homebuyers. All properties purchased under this program must meet federal HUD requirements for compliance.

- Provide principal reduction, downpayment, and closing cost assistance based upon household income as follows:

<table>
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<th>Area Median Family Income (AMFI)</th>
<th>80% and below</th>
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<td>Subsidy Amount</td>
<td>Up to $10,000</td>
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<tr>
<td>International Residential Code Repair</td>
<td>Up to $1,500</td>
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<tr>
<td>Maximum Total Benefit</td>
<td>$11,500</td>
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Downpayment, closing cost assistance and principal reduction will be provided in the form of a lump sum payment at closing in exchange for the execution and placement of deed restrictions on the property for an eight (8) year term, to be amortized yearly over the term of the loan.

- All properties assisted with MAP funds must meet Federal International Residential Code (IRC). IRC repair funds in an amount not to exceed $1,500 shall be provided for IRC repairs and will be forgiven on a prorated basis over an eight (8) year term.

Additional Program Requirements for the Downpayment and Principal Reduction Programs:

- A first-time homebuyer is defined as a person who has not owned a home in 3 years, a displaced homemaker, or a single parent.

- Assistance is available citywide through participating lenders.

- Home sales prices may not exceed the Single Family Mortgage Limits under Section 203 (b) of the National Housing Act and homes must be located in the Dallas city limits.
• Homebuyer must successfully complete homeownership education from an approved counseling agency.

• The City Manager, or his designee, is authorized to grant waivers to the Mortgage Assistance Program guidelines, as set forth in this Program Statement, without further City Council authorization on a case by case basis.

NEIGHBORHOOD INVESTMENT PROGRAM (NIP)

In NIP target areas, the following exceptions shall apply:

• The maximum MAP subsidy shall be up to $12,000 for all income levels (up to 80% AMFI).

• First-time homebuyer criteria do not apply; however, the homeowner must be an owner-occupant.

CADILLAC HEIGHTS NEIGHBORHOOD POLICE ACADEMY PROJECT PROVISIONS

For households displaced by acquisition of land for the Police Academy facility in the Cadillac Heights Neighborhood the following shall apply:

• The maximum MAP subsidy shall be up to $15,000 for all income levels

• First-time homebuyer criteria do not apply; however, must be an owner-occupant

• The maximum borrower out-of pocket contribution limit of $5,000 does not apply

• The requirement that homes must be located in the Dallas city limits does not apply funds for comparable replacement homes purchased anywhere will be in the form of grant assistance with no deed restrictions

• If the homebuyer purchases a replacement home in Dallas that is greater in price than a comparable replacement home, MAP funds may be used as a loan toward the cost in excess of a comparable replacement home

• A first lien mortgage on comparable replacement homes is not required

• The City Manager is authorized to establish guidelines and procedures to administer this program in accordance with this Program Statement and applicable Federal and local regulations.
**Program Purpose:** To provide homeownership opportunities to low to moderate income, homebuyers through the provision of financial assistance in purchasing a condominium or townhouse in the Central Business District.

**Program Description:** Provides principal reduction, downpayment, and closing cost assistance based upon household income as follows:

<table>
<thead>
<tr>
<th>Area Median Family Income (AMFI)</th>
<th>Subsidy Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>80% and below</td>
<td>50% of Sales Price up to $40,000-$100,000</td>
</tr>
</tbody>
</table>

- Principal reduction, downpayment, and closing cost assistance will be provided in the form of a lump sum payment at closing in exchange for the execution of lien and deed restriction on the property in perpetuity, with the note due in full if sale occurs. Upon sale or transfer of the unit, one half of the appreciated value will also be repaid to the City.

- All properties purchased under this program must meet federal and local requirements for international residential code compliance.

- Assistance is available through participating lenders.

- Home sales prices may not exceed the Single Family Mortgage Limits under Section 203 (b) of the National Housing Act and homes must be located in the Central Business District.

- Homebuyer must successfully complete homeownership education from an approved counseling agency and may not currently own a home in the city of Dallas.

- The City Manager, or his designee, is authorized to grant waivers to the Mortgage Assistance Program guidelines, as set forth in this Program Statement, without further City Council authorization on a case by case basis.

**Enterprise Homeownership Partners (EHOP) in Dallas**

**Program Purpose:** To provide homeownership opportunities to low income homebuyers through the provision of financial assistance in purchasing a home under the EHOP Program.

**Program Description:** Provides principal reduction, downpayment, and closing cost assistance based upon household income as follows:
Area Median Family Income (AMFI)  80% and below

<table>
<thead>
<tr>
<th>Subsidy Amount</th>
<th>up to $25,000</th>
</tr>
</thead>
</table>

- Downpayment, closing cost assistance and principal reduction will be provided in the form of a lump sum payment at closing in exchange for the execution and placement of deed restrictions on the property for a ten (10) year term for subsidy up to $14,999 and an eight (8) year term for subsidy of $15,000 to $25,000, to be amortized yearly over the term of the loan.

- All properties purchased under this program must meet federal and local requirements for international residential code compliance.

- Assistance is available through participating lenders.

- Home sales prices may not exceed the Single Family Mortgage Limits under Section 203 (b) of the National Housing Act and homes must be located in the Central Business District-Dallas city limits.

- Homebuyer must successfully complete homeownership education from an approved counseling agency.

- The City Manager, or his designee, is authorized to grant waivers to the Mortgage Assistance Program guidelines, as set forth in this Program Statement, without further City Council authorization on a case by case basis.
ADDENDUM ITEM # 4

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: August 13, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Dave Cook, 670-7804

MAPSCO: N/A

SUBJECT

Authorize annual adjustments to appropriations for the 2006-07 fiscal year for year-end close - Financing: No cost consideration to the City

BACKGROUND

The End of Year Report for FY 2006-07 indicates the final status of expenditures and revenues compared to budget. It reflects adjustments to appropriations to balance the fifteen (15) General Fund departments (Building Services, Business Development & Procurement Services, City Manager’s Office, City Secretary’s Office, Court and Detention Services, Dallas County Tax Collection, Environmental and Health Services, Dallas Fire Rescue, Independent Audit, Judiciary, Library, Mayor and City Council, Non-Departmental, Police, and Street Services) that are over budget with departments that are under budget. The General Fund and other fund adjustments are shown below.

General Fund

Building Services – exceeds budget by $950,979 primarily due to professional services and building materials.

Business Development & Procurement Services – exceeds budget by $179,050 primarily due to decrease in the reimbursement for Surety Support.

City Manager’s Office – exceeds budget by $13,753 primarily due to personnel related expenses partially offset by an increase in reimbursements.

City Secretary’s Office – exceeds budget by $11,270 primarily due to advertising partially offset by printing services savings.

Court and Detention Services – exceeds budget by $104,125 primarily due to expenses for overtime cost to process citations partially offset by supplies and services.
**BACKGROUND (continued)**

Dallas County Tax Collection – exceeds budget by $2,386 due to higher than estimated number of accounts.

Environmental and Health Services – exceeds budget by $119,926 primarily due to personnel expenses associated with the Utility Pay Stations and consulting fees.

Dallas Fire Rescue – exceeds budget by $875,588 uniform personnel overtime costs off-set by an increase in reimbursements.

Independent Audit – exceeds budget by $704,261 due to additional charges for work related to fiscal year 2005-06 and a higher than budgeted cost for the 2006-07 audit.

Judiciary – exceeds budget by $100,490 primarily due to overtime, Teen Court, and civil court proceedings, and a decrease in reimbursements from the Court Security Fund.

Library – exceeds budget by $111,215 primarily due to personnel related expenses offset by material savings.

Mayor and City Council – exceeds budget by $3,867 primarily due to personnel related expenses.

Non-Departmental – exceeds budget by $399,909 primarily due to HUD grant repayment.

Dallas Police – exceeds budget by $12,548,428 due to the hiring of additional police officers, overtime initiatives and certification incentive pay. This fiscal year, the department achieved a net gain of 168 officers instead of 100 as originally budgeted. More overtime was utilized to support initiatives such as the Holiday Mall Task Force, Public Nuisance, and call answering. In addition, the budget anticipated that approximately 2,000 officers would receive the Certification Incentive Pay. The expenditures reflect that nearly 2,400 officers are earning this pay.

Street Services – exceeds budget by $75,727 primarily due to supplies and materials related to street repairs.

The above fifteen (15) items require an appropriation increase of $16,200,974. The increase is offset by appropriation decreases in other General Fund departments.

**Non-General Fund**

An additional appropriation adjustment is needed for five (5) Non-General Fund departments that are over budget. Sufficient revenues or fund balance have been generated by the respective departments to offset these expenditures.
BACKGROUND (continued)

Aviation – exceeds budget by $5,075,521 primarily due to overruns for Legend Terminal litigation, DPD Security Orange Level overtime, DFR ARFF overrun, Wright Amendment litigation, Rates and Charges Study, COCO Communications, environmental emission testing, CDM utility deregulation consulting, and Director Search.

Convention and Event Services – exceeds budget by $5,405,218 primarily due to expenses related to non-budgeted events and hotel occupancy tax.

Express Business Center – exceeds budget by $1,078,305 due to staff realignment and increase in postage rate.

911 Systems Operation – exceeds budget by $82,201 due to VESTA maintenance, the primary software interface between the phone company and the CAD system.

Communication Services (Radio) – exceeds budget by $543,257 primarily due to equipment purchase.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was on the Finance, Audit and Accountability Committee's August 12, 2008 agenda.

FISCAL INFORMATION

No cost consideration to the City.
WHEREAS, appropriation adjustments are necessary to provide funds for service delivery through September 30, 2007; and

WHEREAS, other transfers to funds and accounts are necessary for annual end of year financial adjustments;

Now Therefore,

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

Section 1. That the City Manager be and is hereby authorized to adjust FY 2006-07 budget appropriations as detailed in Attachment A.

Section 2. That the City Manager be and is hereby authorized to increase total General Fund appropriations by $10,248,009, from $996,745,089, to $1,006,993,098 to be appropriated from FY 2006-07 excess revenues and fund balance.

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

GENERAL FUND APPROPRIATION ADJUSTMENTS

<table>
<thead>
<tr>
<th>Increases</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Services</td>
<td>$950,979</td>
</tr>
<tr>
<td>Business Development &amp; Procurement Services</td>
<td>179,050</td>
</tr>
<tr>
<td>City Manager’s Office</td>
<td>13,753</td>
</tr>
<tr>
<td>City Secretary Office</td>
<td>11,270</td>
</tr>
<tr>
<td>Courts and Detention Services</td>
<td>104,125</td>
</tr>
<tr>
<td>Environmental and Health Services</td>
<td>119,926</td>
</tr>
<tr>
<td>Dallas County Tax Collection</td>
<td>2,386</td>
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<tr>
<td>Fire Rescue</td>
<td>875,588</td>
</tr>
<tr>
<td>Independent Audit</td>
<td>704,261</td>
</tr>
<tr>
<td>Judiciary</td>
<td>100,490</td>
</tr>
<tr>
<td>Library</td>
<td>111,215</td>
</tr>
<tr>
<td>Mayor and Council</td>
<td>3,867</td>
</tr>
<tr>
<td>Non-Departmental</td>
<td>399,909</td>
</tr>
<tr>
<td>Police</td>
<td>12,548,428</td>
</tr>
<tr>
<td>Street Services</td>
<td>75,727</td>
</tr>
<tr>
<td></td>
<td><strong>$16,200,974</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Decreases</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>City Attorney’s Office</td>
<td>$604,875</td>
</tr>
<tr>
<td>City Auditor’s Office</td>
<td>116,704</td>
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<tr>
<td>Civil Service</td>
<td>141,604</td>
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<tr>
<td>Code Compliance</td>
<td>696,119</td>
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<tr>
<td>Development Services</td>
<td>173,323</td>
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<tr>
<td>Elections</td>
<td>63,189</td>
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<tr>
<td>Housing</td>
<td>228,755</td>
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<tr>
<td>Human Resources</td>
<td>350,705</td>
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<td>Office of Cultural Affairs</td>
<td>47,820</td>
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<tr>
<td>Office of Economic Development</td>
<td>155,113</td>
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<td>Office of Emergency Management</td>
<td>3,223</td>
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<tr>
<td>Office of Environmental Quality</td>
<td>88,955</td>
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<tr>
<td>Office of Financial Services</td>
<td>30,062</td>
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<tr>
<td>Park and Recreation</td>
<td>257,459</td>
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<tr>
<td>Public Works and Transportation</td>
<td>900,185</td>
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<tr>
<td>Sanitation Services</td>
<td>1,318,182</td>
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<tr>
<td>Street Lighting</td>
<td><strong>776,692</strong></td>
</tr>
<tr>
<td></td>
<td><strong>$5,952,965</strong></td>
</tr>
</tbody>
</table>

Net increase in General Fund expenditure appropriations  $10,248,009
## NON-GENERAL FUND APPROPRIATION ADJUSTMENTS

Increase from respective fund balance:

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Express Business Center Fund 0199</td>
<td>$1,078,305</td>
</tr>
<tr>
<td>Communication &amp; Information Services Fund 0197</td>
<td>543,257</td>
</tr>
<tr>
<td>911 System Operations Fund 0191</td>
<td>82,201</td>
</tr>
<tr>
<td>Aviation Fund 0130</td>
<td>5,075,521</td>
</tr>
<tr>
<td>Convention and Event Services Fund 0080</td>
<td>5,405,218</td>
</tr>
<tr>
<td>Water Purification-Employee Fund 0921</td>
<td>20,000</td>
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<tr>
<td>Martin Weiss Park E. Trust Fund 0333</td>
<td>50,000</td>
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<tr>
<td>Fair Park Spec Maintenance Fund 0329</td>
<td>160,000</td>
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<tr>
<td>Smoke Detector Program Donations Fund 0230</td>
<td>11,461</td>
</tr>
<tr>
<td>Central Library Gifts &amp; Donations Fund 0214</td>
<td>7,000</td>
</tr>
<tr>
<td>Energy Emergency Assistance Fund 0312</td>
<td>279,906</td>
</tr>
<tr>
<td>Fireman’s Fund 0235</td>
<td>48,191</td>
</tr>
<tr>
<td>Mayor’s Back to School Fair Fund 0T24</td>
<td>163,899</td>
</tr>
</tbody>
</table>

Total: $12,924,959
SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Private electrical generating plant and A(A) Agricultural District Uses on property zoned an A(A) Agricultural District for an internal parcel located northwest of the intersection of Jordan Valley Road and Foothill Drive

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions

Z078-237(RB)

LOCATION: Internal Parcel of Land Northwest of the Intersection of Jordan Valley Road and Foothill Drive

COUNCIL DISTRICT: 8     MAPSCO: 69A-N

SIZE OF REQUEST: Approx. 31,668 Sq. Ft.     CENSUS TRACT: 171.02

APPLICANT: Mark Meadows

REPRESENTATIVE: Tom Hoover

OWNER: Mesquite Landfill TX, LP

REQUEST: An application for a Planned Development District for a Private electrical generating plant and A(A) Agricultural District Uses on property zoned an A(A) Agricultural District.

SUMMARY: The applicant proposes to develop the site with a gas-to-electric generating plant encompassing 3,500 square feet of floor area.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions.
BACKGROUND INFORMATION:

- The request site is undeveloped.
- The site is situated within the Mesquite landfill site and is approximately 1,800 feet west and 330 feet north of the intersection of Jordan Valley Road and Foothill Drive.
- A PDD is being requested for consideration of the following: 1) establish the requested use that is not currently defined within the Dallas Development Code; 2) provide for alternative landscaping for the proposed use; and 3) consider no parking requirements for the proposed use.
- The existing A(A) District uses and development standards will be retained.

Zoning History:

<table>
<thead>
<tr>
<th>File No.</th>
<th>Request, Disposition, and Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Z067-270</td>
<td>A PDD for a Drive-in theater and CS District Uses. Approved by the City Council on June 11, 2008, subject to a development plan and conditions, with retention of the D-1 Liquor Control Overlay.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Thoroughfare</th>
<th>Designation; Existing &amp; Proposed ROW</th>
</tr>
</thead>
<tbody>
<tr>
<td>IH 20</td>
<td>Freeway; Variable ROW</td>
</tr>
<tr>
<td>C. F. Hawn Freeway</td>
<td>Freeway; Variable ROW</td>
</tr>
<tr>
<td>Jordan Valley Road</td>
<td>Principal Arterial; 107’ &amp; !07’ ROW</td>
</tr>
</tbody>
</table>

STAFF ANALYSIS:

Comprehensive Plan

The applicant is proposing to develop a private gas-to-electric generating plant inclusive of 3,500 square feet of floor area. While the Dallas Development Code has established a public utility use category, the proposed private facility is not defined.
The internal site is situated approximately 2,000 feet from the closest residential area and sits approximately 20 feet below the intersection of Jordan Valley Road and Foothill Drive to the southeast. Maximum structure height for the proposed improvements is 30 feet.

Due to the significant setback and minimum physical improvements on the site, as well as recognition of the use’s commitment to environmental quality, staff has determined the request complies with the Land Use and Environment Elements, respectively, outlined in forwardDallas!

**Land Use**

GOAL 1.4 Coordinate planning activities to balance transportation, land use, infrastructure, and the environment.

   Policy 1.4.3 Embrace environmental sustainability.

**Environment**

GOAL 6.6 Increase recycling and conservation of renewable resources.

   Policy 6.6.2 Design for recycling.

**Land Use Compatibility:** The request site is undeveloped. The applicant proposes to operate a gas-to-electric recycling facility on an internally located parcel within the boundary of the previously operated Mesquite landfill.

The site is surrounded by undeveloped property spanning the old landfill site (approximately 240 acres) as well as scattered residential uses to the southeast, across Jordan Valley Road, and west. It should be noted the site’s access will be from the north via the C. F. Hawn Freeway service road, while providing for a ten foot strip to Jordan Valley Road to satisfy platting requirements.

**Traffic:** The Engineering Section of the Building Inspection Division of the Department of Development Services has reviewed the request and determined that it will not significantly impact the surrounding street system.

**Off-street Parking:** The proposed development will provide for an enclosed structure to secure equipment for the applicant’s process. Due to the nature of the operation, employees will not be present on a consistent basis. As a result, staff is not recommending any off-street parking for the use.
**Landscaping:** The site possesses a significant stand of trees to the south and west. As stated above, the internally located site is situated approximately 2,000 feet from the scattered residential development in the immediate area. The chief arborist has recommended that no additional landscape materials be required since the intensity of the proposed use possesses no significant screening/buffering concerns. It should be noted that all other uses permitted in the A(A) District will require compliance with Article X.

**CPC ACTION**

(July 24, 2008)

**Motion:** It was moved to recommend approval of a Planned Development District for a Private electrical generating plant and an A(A) Agricultural District Uses, subject to a development plan and conditions on property zoned an A(A) Agricultural District for an internal parcel of land northwest of the intersection of Jordan Valley Road and Foothill Drive with the following change: The words “coal” and “nuclear fission” be deleted from the definition of Private Electrical Generating Plant.

- **Maker:** Wolfish
- **Second:** Weiss
- **Result:** Carried: 14 to 0

  - **For:** 14 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar
  - **Against:** 0
  - **Absent:** 0
  - **Vacancy:** 1 - District 8

**Notices:** Area: 500  Mailed: 11

**Replies:** For: 0  Against: 2

**Speakers:**
- **For (did not speak):** Benny Benson, 67247 Trout Ln., Bend, OR, 97701
- **For (did not speak):** John Bean, 17735 December Pine, Spring, TX, 77379
- **For (did not speak):** Tom Hoover, 1361 W. Euless Blvd., Euless, TX, 76040
- **Against:** None
ACTIVE OFFICERS and DIRECTORS
Allied Waste Systems Holdings, Inc.  FEIN 59-2068174

Michael Sean Burnett
18500 North Allied Way
Phoenix, Arizona 85054
   Treasurer  From: 2/27/2006

Timothy Richard Donovan
18500 North Allied Way
Phoenix, Arizona 85054
   Director  From: 4/11/2007
   Vice President  From: 4/11/2007

Connie J. Gecich
18500 North Allied Way
Phoenix, Arizona 85054
   Assistant Secretary  From: 6/23/2003

Peter S. Hathaway
18500 North Allied Way
Phoenix, Arizona 85054
   Director  From: 12/1/1997
   President  From: 12/1/1997

Eileen Bernadette Schuler
1001 S. Dairy Ashford, Suite 400
Houston, Texas 77077
   Assistant Secretary  From: 7/30/1999

Jo Lynn White
18500 North Allied Way
Phoenix, Arizona 85054
   Secretary  From: 2/1/1999
CPC RECOMMENDED CONDITIONS

"ARTICLE               .

PD                  .

SEC. 51P-         .101.  LEGISLATIVE HISTORY.

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

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

PD is established on property located north and west of the intersection of Jordan Valley Road and Foothill Drive. The size of PD is approximately 31,668 square feet of land.

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

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

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. In this district, PRIVATE ELECTRICAL GENERATING PLANT means a privately-owned facility that generates electricity from mechanical power produced by natural gas, solar, water, wind, geothermal, or biomass.

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

SEC. 51P-         .104  EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ___A: development plan.
SEC. 51P- .105. DEVELOPMENT PLAN.

(a) For a private electrical generating plant, development and use of the Property must comply with the development plan (Exhibit ___B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

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

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

The following additional main use is permitted by right:

-- Private electrical generating plant.

SEC. 51P- .107. ACCESSORY USES.

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

(b) The following accessory uses are not permitted:

-- Accessory community center (private).
-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological incinerator.

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

-- Accessory helistop.

(d) An SUP may be required for the following accessory use:

-- Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1)﹍]
SEC. 51P- .108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the A(A) Agricultural District apply.

(b) For a private electrical generating plant:

(1) Front yard. Minimum front yard is 50 feet.

(2) Side and rear yard. No minimum side or rear yard.

(3) Floor area. Maximum floor area is 5,000 square feet.

(4) Lot coverage. Maximum lot coverage is 15 percent.

(5) Structure height. Maximum structure height is 30 feet.

(6) Stories. Maximum number of stories is one.

SEC. 51P- .109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a private electrical generating plant, no off-street parking is required.

SEC. 51P- .110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- .111. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided as pursuant to Article X.

(b) For a private electrical generating plant, no landscaping is required.

(c) Maintenance. Plant materials must be maintained in a healthy, growing condition.
SEC. 51P- .112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- .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.

SEC. 51P- .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 director of public works and transportation.

(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 district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

SEC. 51P- .116. ZONING MAP.

PD _____ is located on Zoning Map No. N-11.
Z078-237 (O-11, O-12)

CPC

11 Property Owners Notified (12 parcels)
0 Replies in Favor (0 parcels)
2 Replies in Opposition (1 parcel)
500’ Area of Notification
07/24/2008 Date

SCALE: 1:6,000


**Notification List of Property Owners**

**Z078-237**

11 Property Owners Notified

<table>
<thead>
<tr>
<th>Label #</th>
<th>Address</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11800</td>
<td>KLEBERG MESQUI TE LANDFILL TX LP</td>
</tr>
<tr>
<td>2</td>
<td>12535</td>
<td>FOOTHILL SHORTNACY LEONARD MICHAEL</td>
</tr>
<tr>
<td>3</td>
<td>2802</td>
<td>JORDAN VALLEY JONES REBECCA SHALON E &amp;</td>
</tr>
<tr>
<td>4</td>
<td>2820</td>
<td>JORDAN VALLEY MORRIS JOHN J</td>
</tr>
<tr>
<td>5</td>
<td>2810</td>
<td>JORDAN VALLEY MORRIS VENITA ESTATE OF % JOHN MORRIS</td>
</tr>
<tr>
<td>6</td>
<td>2766</td>
<td>JORDAN VALLEY GADDIS JANIE M &amp; MICHAEL D GADDIS</td>
</tr>
<tr>
<td><strong>7</strong></td>
<td>2754</td>
<td>JORDAN VALLEY SEAGROVES CONNEL R ET AL</td>
</tr>
<tr>
<td>8</td>
<td>2742</td>
<td>JORDAN VALLEY MONTEZ ALBERTO</td>
</tr>
<tr>
<td>9</td>
<td>2900</td>
<td>JORDAN VALLEY HERNANDEZ UBALDO ET AL</td>
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<td>10</td>
<td>2755</td>
<td>JORDAN VALLEY SCOOGINS M D</td>
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<tr>
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*Tuesday, July 08, 2008*
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<tr>
<th>Name</th>
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<td>Al Romero</td>
<td>PO Box 870875, Mesquite, TX 75150</td>
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<td>Anthony Jones</td>
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<td>Betty Wadkins</td>
<td>2843 Modesto Drive, Dallas, TX 75227</td>
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<tr>
<td>Bill Dahlstrom</td>
<td>901 Main St., Ste 6000, Dallas, TX 75202</td>
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<td>Bridge Ballowe</td>
<td>1680 N. Prospert Dr., Richardson, TX 75081</td>
<td>Cindy Harris 4310 Buena Vista #8, Dallas, TX 75205</td>
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<tr>
<td>Clarence F Cope</td>
<td>10404 Ferndale, Dallas, TX 75238</td>
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<tr>
<td>Jane Guerrini</td>
<td>7032 Lupton, Dallas, TX 75225</td>
<td>Jeff Bosse 4310 Buena Vista #8, Dallas, TX 75205</td>
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<tr>
<td>Leanne Witek</td>
<td>16660 N Dallas Pkwy #1200, Dallas, TX 75248</td>
<td>Pam Conley 901 N Madison Avenue, Dallas, TX 75208</td>
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<tr>
<td>Marcus Wood</td>
<td>6060 N Central Expy Ste 333, Dallas, TX 75206</td>
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<td>Robert P. Garza</td>
<td>412 E. Sixth St., Dallas, TX 75203</td>
<td>Sheryl Jean, Newsroom-Business, Dallas, TX 75265</td>
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<tr>
<td>Steve Craft</td>
<td>P O Box 542225, Dallas, TX 75354</td>
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<tr>
<td>Steve Kim</td>
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<tr>
<td>Am. Metro/Study Corp</td>
<td>Marque Nelson 14881 Quorum Dr #400, Dallas, TX 75240</td>
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<td>Stan Armstrong 3700 Ross Ave, Box 61, Dallas, TX 75204</td>
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