

WHEREAS, the Regional Transportation Council approved \$40.61 million for a Sustainable Development Program Call for Projects on April 14, 2005 and the North Central Texas Council of Governments (NCTCOG) established Sustainable Development Program Call for Projects Rules; and,

WHEREAS, the City of Dallas submitted a Sustainable Development Program application for the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development project to the North Central Texas Council of Governments prior to the January 20, 2006 deadline; and,

WHEREAS, the Regional Transportation Council approved \$1,600,000 in Regional Transportation Council Local Funds under the Sustainable Development Program for the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development project on April 13, 2006; and,

WHEREAS, the Sustainable Development Program requires a minimum local match of 20 percent of the total project cost of \$2,000,000, or \$400,000, to be provided by Prescott Realty Group and Southern Methodist University; and,

WHEREAS, on June 28, 2006, Resolution No. 06-1796 supported the land use development concepts of the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development project; and,

WHEREAS, on December 13, 2006, Resolution No. 06-3366 authorized an Interlocal Agreement with the North Central Texas Council of Governments for design and construction of the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development; and,

WHEREAS, on December 13, 2006, Resolution No. 06-3367 authorized a development participation agreement with Prescott Realty Group and Southern Methodist University for design and construction of the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development; and,

WHEREAS, on October 24, 2007, Resolution No. 07-3200 authorized an amendment to Resolution No. 06-3366 and payment to the North Central Texas Council of Governments for the project in the amount of \$400,000; and,

WHEREAS, on October 24, 2007, Resolution No. 07-3201 authorized an amendment to Resolution No. 06-3367 and receipt of payment from Southern Methodist University for the project in the amount of \$400,000; and,

WHEREAS, the City has three projects (list attached) in the same vicinity approved in the 2006 Bond Program with similar scopes for a total amount of \$1,038,298; and,

WHEREAS, it is now desirable to amend the participation agreement with Prescott Realty Group and Southern Methodist University to add the implementation of three 2006 Bond Program projects (list attached) with the Mockingbird Plaza Sustainable Development Project increasing the project funding from \$2,000,000 to \$3,038,298, to revise construction payment procedure, to extend the construction project completion date to December 31, 2013, and to specify the insurance requirements.

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 Amendment No. 1 to the development agreement with Prescott Realty Group and Southern Methodist University to add the implementation of three projects with the Mockingbird Plaza Sustainable Development Project, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds to Prescott Realty Group for the engineering design cost associated with the Mockingbird Plaza Sustainable Development Project in accordance with the terms and conditions of the development agreement from:

Street and Transportation Improvements Fund
Fund 6T22, Dept. PBW, Unit U754, Act. SSUD
Obj. 4111, Program PB06U754, CT PBW06U754I1
Vendor # VS0000010606, in an amount not to exceed \$100,000

Street and Transportation Improvements Fund
Fund 6T22, Dept. PBW, Unit U758, Act. SSUD
Obj. 4111, Program PB06U758, CT PBW06U754I1
Vendor # VS0000010606, in an amount not to exceed \$100,000

Street and Transportation Improvements Fund
Fund 6T22, Dept. PBW, Unit U759, Act. SSUD
Obj. 4111, Program PB06U759, CT PBW06U754I1
Vendor # VS0000010606, in an amount not to exceed \$100,000

Total in an amount not to exceed \$300,000

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

APPROVED BY
CITY COUNCIL

JUN 22 2011


City Secretary