

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on August 14, 2013, City Council authorized the creation of the Klyde Warren Park Public Improvement District for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 13-1375; and

WHEREAS, on April 1, 2014, the Woodall Rodgers Park Foundation representing property owners of Klyde Warren Park and Dallas Arts District areas, delivered to the City of Dallas a petition to create the new and expanded Klyde Warren Park/Dallas Arts District Public Improvement District (District) in accordance with the parameters of Chapter 372 of the Texas Local Government Code, as shown on the attached Map of the District (**Exhibit A**). City staff reviewed the petition and determined the owners of more than 60 percent of the appraised value of the taxable real property liable for assessment, and more than 60 percent of the land area of all taxable real property liable for assessment within the District executed the petition, in accordance with the necessary thresholds for the City Council to consider creation of the District; and

WHEREAS, on May 19, 2014, the Economic Development Committee was briefed on the creation of the new and expanded Klyde Warren Park/Dallas Arts District Public Improvement District and dissolution of the existing Klyde Warren Park Public Improvement District; and

WHEREAS, on May 28, 2014, City Council authorized: (1) a public hearing to be held on June 25, 2014 to receive comments concerning the dissolution of the existing Klyde Warren Park Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Klyde Warren Park area; and, at the close of the hearing (2) a resolution approving dissolution of the existing District effective December 31, 2014, subject to the establishment of the new and expanded Klyde Warren Park/Dallas Arts District Public Improvement District; and

WHEREAS, the Act states that the Petition is sufficient if signed by owners of more than 50 percent of taxable real property, according to appraised value, and either of the following: more than 50 percent of the area of all taxable real property liable for assessment under the proposal, or more than 50 percent of all record owners of property liable for assessment; and

WHEREAS, City staff reviewed the petitions and determined that the Petitions for creation are signed by owners of taxable real property in the District representing owners of sixty-three percent (63%) of the property value and owners of sixty-nine percent (69%) of the land area; and

WHEREAS, the Act further requires that prior to the adoption of the resolution providing for the creation of the new and expanded Klyde Warren Park/Dallas Arts District Public Improvement District to provide supplemental public services to be funded by assessments on real property and real property improvements, the City Council must hold a public hearing on the advisability of the improvements; the nature of the improvement; the estimated cost of the improvement; the boundaries of the public improvement district; the method of assessment; and the apportionment of costs between the district and the municipality as a whole; and

WHEREAS, on May 28, 2014, City Council called for a public hearing to be held on June 25, 2014, to hear comments and concerns regarding the creation of the new and expanded Klyde Warren Park/Dallas Arts District Public Improvement District and stated its intent at the close of that hearing to consider a Resolution creating the Klyde Warren Park/Dallas Arts District Public Improvement District; and

WHEREAS, pursuant to the Act, the City Council's intention to consider the establishment of the Klyde Warren Park/Dallas Arts District Public Improvement District at a public hearing on June 25, 2014 at 1:00 p.m., was mailed to the property owners within the District and was published in the official newspaper of the City of Dallas, Texas 15 days prior to the hearing; and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on June 25, 2014, conducted a public hearing on the advisability of the improvements and services, and adjourned such public hearing.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after considering the Petition for the proposed District and evidence and testimony presented at the public hearing on June 25, 2014, hereby finds and declares:

- A. Advisability of Service and Improvements Proposed for the District.** It is advisable to create the District to provide the services and improvements described in this Resolution.

Section 1. (Continued)

- B. Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services and improvements for properties specifically benefitted by their proximity to KWP and DAD, but not to replace or supplant existing City or other services provided. The general nature of the proposed services and improvements to be performed by the District for KWP and DAD includes security, sanitation, graffiti control and landscape improvements, marketing and promotional activities, distinctive lighting and signage, landscaping and water features, KWP/DAD improvements, trash pick-up, cultural enhancement, programs, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- C. Estimated Cost of the Services and Improvements.** During the seven (7) year period, the estimated cost of the improvements and services provided by the District will be approximately \$5,799,180 (an average annual expenditure of \$825,597). The District shall not incur bonded indebtedness. The attached Exhibit B shows the preliminary seven (7) year budget for total estimated collections and the Service Plan for the District. The service plan budget and assessment rate are subject to annual review, a public hearing and approval by the City Council.
- D. Boundary.** The District is located wholly within the City of Dallas, TX (the "City"), a Texas home rule municipality. The District contains properties that are enhanced by the improvements, programs and marketing of KWP and DAD. The boundary of the District is as shown in Map.
- E. Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The annual assessment rate for the next seven (7) years will be \$0.025 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.025 per \$100.00 valuation (**Exhibit C**).
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Section 1. (Continued)

- F. Apportionment of costs between the District and the Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against real property and real property improvements specially benefitted by the programming, marketing and other services and improvements provided within the Dallas Arts District and Klyde Warren Park. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

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

Section 3. That the Klyde Warren Park/Dallas Arts District Public Improvement is hereby authorized and established as a Public Improvement District under the Act in accordance with the findings as to the advisability of the services and improvements contained in this Resolution, with an effective date of January 1, 2015. The District shall be subject to all of the terms, conditions, limitations and reservations contained in the findings of Section 2 of this Resolution.

Section 4. That the City Secretary is directed to give notice of the authorization for the establishment of the District by publishing a copy of this Resolution once in the newspaper of general circulation in the City of Dallas. Such authorization shall take effect and the District shall be deemed to be established effective upon the publication of such notice. The District shall automatically dissolve on December 31, 2021 unless the District is renewed through the petition and approval process as provided by the Act, or the District is sooner terminated as provided by law. The power of the City to continue to levy and collect assessments within the District will cease and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Secretary of the City of Dallas and the petition contains the signatures of at least enough property owners in the District to make the petition sufficient for creation of a public improvement district as provided in Section 372.005(b) of the Act.

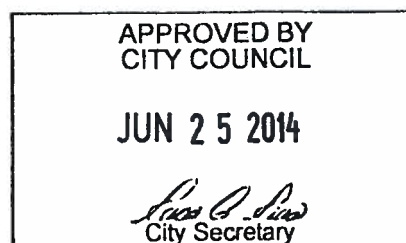
Section 5. That the City Council authorizes that the District shall be managed through Woodall Rodgers Park Foundation, a private nonprofit corporation established under the provisions of Section 501(c) of the Internal Revenue Code, to develop and recommend a service plan, improvement plan and assessment plan for approval by the City Council in order to promote the efficient management of the District. The Woodall Rodgers Park Foundation shall be the entity responsible for the management of the District.

Section 6. That City Council hereby approves the Service Plan prepared by the Woodall Rodgers Park Foundation, which is attached hereto and made part hereof and marked **(Exhibit B)** and directs the Woodall Rodgers Park Foundation, to implement it in accordance with the Act. The Service Plan covers a period of seven (7) years and defines the annual indebtedness and projected cost for services and improvements. The Woodall Rodgers Park Foundation, is hereby granted the ability to modify or substitute items without City Council approval within the program categories in the Service Plan if such changes serve the common interest of owners and tenants in the District and the increase and/or decrease in the amount of a program category does not exceed twenty percent (20%) of the budgeted amount for that category. "Program categories" in the Service Plan includes the listed improvement in Exhibit B that is authorized by the Act.

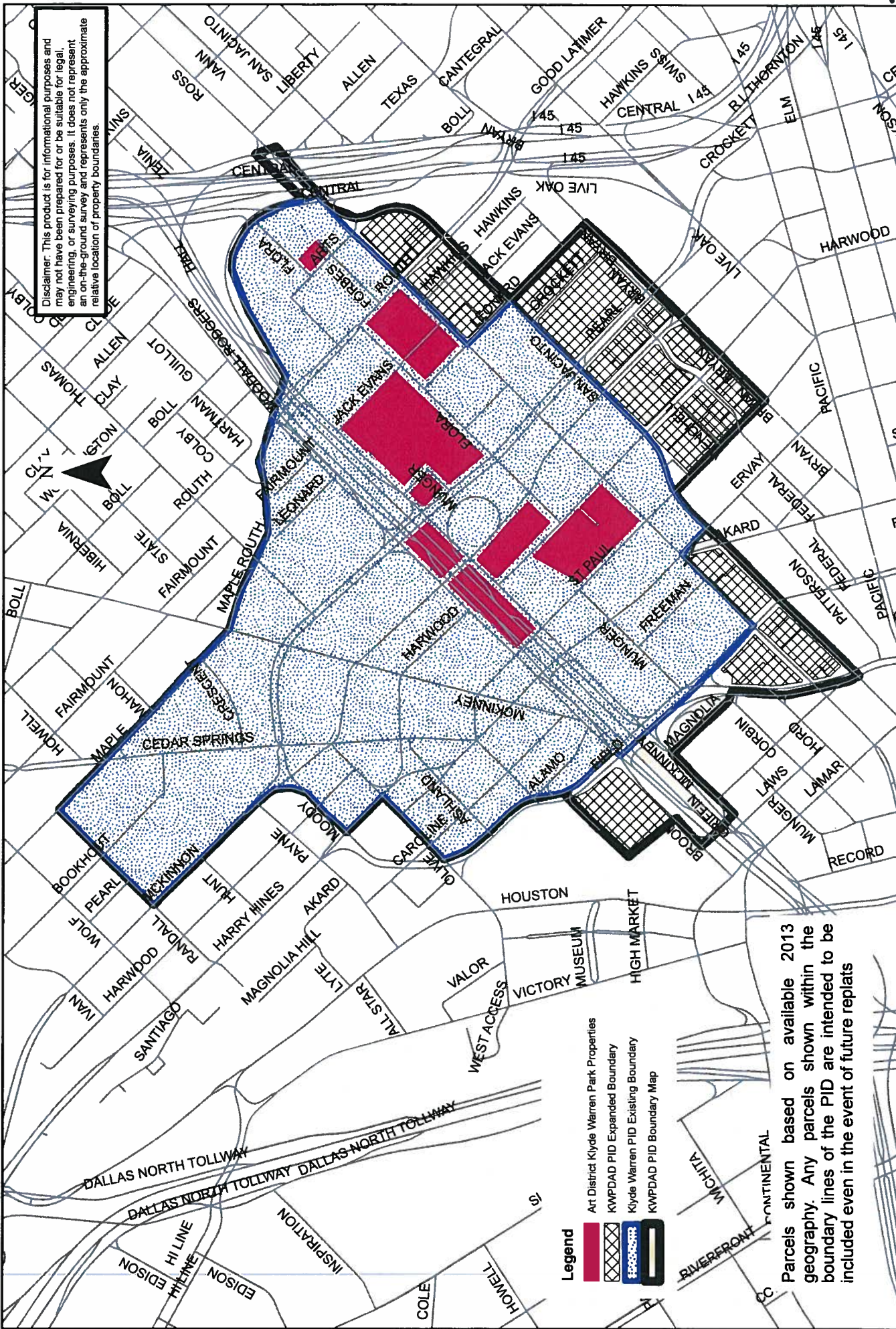
Section 7. That pursuant to the exception granted by Section 252.022(a)(9) of the Texas Local Government Code, the City Manager is hereby authorized and directed, upon approval as to form by the City Attorney, to enter into a contract with Woodall Rodgers Park Foundation, to manage special supplemental services for enhancing landscaping, park improvements to be paid from the assessments collected. The contract with the Woodall Rodgers Park Foundation shall be in accordance with the Service Plan and this Resolution and shall provide for compliance by the Woodall Rodgers Park Foundation, with the Business Inclusion and Development Plan for participation of minorities and women providing services and improvements to the District.

Section 8. That the contract with the Woodall Rodgers Park Foundation shall also provide for assessment collection services that the County will provide to the Woodall Rodgers Park Foundation, for collection of the special assessments. The County shall receive a fee per account as compensation for its collection services.

Section 9. 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.



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.



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Exhibit A Proposed Klyde Warren Park/Art District PID (KWPDADPID) Boundary Map

- Legend**
- Art District Klyde Warren Park Properties
 - KWPDAD PID Expanded Boundary
 - Klyde Warren PID Existing Boundary
 - KWPDAD PID Boundary Map

Parcels shown based on available 2013 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats

**KLYDE WARREN PARK/ARTS DISTRICT PID BUDGET
SERVICE PLAN 2015 TO 2021**

	2015	2016	2017	2018	2019	2020	2021
REVENUE							
Fund Balance from previous year							
¹ Net assessment revenue	\$754,219.69	\$776,846.28	\$800,151.66	\$824,156.21	\$848,880.90	\$874,347.33	\$900,577.75
TOTAL REVENUE	\$754,219.69	\$776,846.28	\$800,151.66	\$824,156.21	\$848,880.90	\$874,347.33	\$900,577.75
EXPENDITURES							
TOTAL REVENUE	100.00%	\$776,846.28	\$800,151.67	\$824,156.22	\$848,880.91	\$874,347.33	\$900,577.75
² Security	42.83%	\$332,741.90	\$342,724.16	\$353,005.88	\$363,596.06	\$374,503.94	\$385,739.06
³ Sanitation	21.73%	\$163,922.61	\$168,840.29	\$173,905.50	\$179,122.66	\$184,496.34	\$190,031.23
⁴ Scrubbing and power washing pavers	1.43%	\$10,794.84	\$11,118.69	\$11,452.25	\$11,795.81	\$12,149.69	\$12,514.18
Waste disposal	1.72%	\$12,953.81	\$13,342.42	\$13,742.70	\$14,154.98	\$14,579.63	\$15,017.02
Landscape improvements	4.79%	\$36,162.72	\$37,247.60	\$38,365.03	\$39,515.98	\$40,701.46	\$41,922.50
Water features and general maintenance	1.50%	\$11,334.58	\$11,674.62	\$12,024.86	\$12,385.60	\$12,757.17	\$13,139.88
⁵ Cultural enhancement (programs)	5.33%	\$40,192.26	\$41,398.03	\$42,639.97	\$43,919.17	\$45,236.74	\$46,593.85
⁶ Marketing and promotion	11.91%	\$89,790.33	\$92,484.04	\$95,258.56	\$98,116.32	\$101,059.81	\$104,091.60
Administration	3.34%	\$25,201.83	\$25,957.88	\$26,736.62	\$27,538.72	\$28,364.88	\$29,215.83
Liability insurance and financial audit	2.92%	\$22,021.48	\$22,682.12	\$23,362.59	\$24,063.47	\$24,785.37	\$25,528.93
Holiday lighting and Decorations	1.43%	\$10,794.84	\$11,118.69	\$11,452.25	\$11,795.81	\$12,149.69	\$12,514.18
⁷ Signage	1.06%	\$8,240.00	\$8,487.20	\$8,741.82	\$9,000.00	\$9,274.19	\$9,552.42
Contingency							
TOTAL FUND OPERATING EXPENDITURES	100.00%	\$754,219.69	\$800,151.67	\$824,156.22	\$848,880.91	\$874,347.33	\$900,577.75
TOTAL FUND BALANCE/RESERVES	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

KWP and DAD will support the remaining operating costs of their organizations, which is not included in the Service Plan

¹ Assume a 3% increase in property values each year based on future Uptown and Downtown development

² 24 hour security at KWP; Off-duty police and crossing guards at DAD

³ Trash pickup, general cleaning, graffiti control and improvements

⁴ Pavement (sidewalk) detail cleaning, staining and restoration

⁵ Partial cost of European and Christmas Markets, programming activities, will grow yearly

⁶ Partial cost of promoting the district, PR, advertising, free Wi-Fi, website and Kiosk

⁷ Wayfinding signage

Exhibit C
Klyde Warren Park/Dallas Arts District Public Improvement District
Assessment Plan

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The Klyde Warren Park/Dallas Arts District Public Improvement District (PID) proposed assessment rate for 2014 is \$0.025 per \$100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of \$0.15 per \$100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.