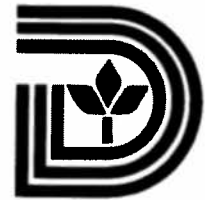


Exhibit C  
Memorandum



CITY OF DALLAS

RECEIVED

2015 JUL 21 PM 3:45

CITY SECRETARY  
DALLAS, TEXAS

DATE 07/13/15

TO City Secretary  
SUBJECT Correction to CR#15-1193

This is the first  correction to the subject Council Resolution. If no, attach copies of any previous approved correction memos.

The subject Council Resolution was approved on June 17, 2015 authorizing:

On May 26, 2010, the City Council authorized a Memorandum of Understanding to outline the strategies, future steps, and conditions for funding infrastructure improvements necessitated by the development of an approximately 1,661-acre site located near the intersection of LBJ Freeway (Interstate Highway 635) and South Belt Line Road ("Cypress Waters Project") in order to ensure a coordinated, master planned development for Cypress Waters within the corporate limits of the City of Dallas, but outside accessible City services, by Resolution No. 10-1348.

Change(s) is/are needed to correct (select all applicable):

Typo     Financial/funding information     Obvious error from CR context

Council Resolution Section 4 should read as follows:

**Section 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$880,816.40 from the Water Capital Construction Fund and Wastewater Capital Construction Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
0103	DWU	CS41	4111	715366	<del>CT-DWU7115366EN</del>	VS0000063575
<b>ENCUMBRANCE</b>						
<b>CT-DWU715366EN</b>						

Department: DWU

Director (or designee.):

7.20.15

Signature

Date

Jo M. (Jody) Puckett, P.E.

Print Name

Attachment for reference: Council Resolution [number], and if applicable, previous correction memo(s)

OFS:  Approved

Denied

Is ATT Approval Needed?  Y  N

OFS:

7-21-15

Signature

Date

Gregory Kuentz

Print Name

ATT:  Approved

Denied

Assistant City Attorney:

Signature

Date

*RAK 7/21/15*

**WHEREAS**, the City of Dallas recognizes the importance of its role in local economic development; and,

**WHEREAS**, on May 26, 2010, the City Council authorized a Memorandum of Understanding to outline the strategies, future steps, and conditions for funding infrastructure improvements necessitated by the development of an approximately 1,661-acre site located near the intersection of LBJ Freeway (Interstate Highway 635) and South Belt Line Road ("Cypress Waters Project") in order to ensure a coordinated, master planned development for Cypress Waters within the corporate limits of the City of Dallas, but outside accessible City services, by Resolution No. 10-1348; and,

**WHEREAS**, the City of Dallas wishes to participate in the cost of certain water infrastructure improvements and related engineering costs with the City of Irving; and,

**WHEREAS**, the City of Dallas wishes to enter into a Phase III Development Agreement with the Developer for water service, water supply, and wastewater service for the Cypress Waters area; and,

**WHEREAS**, on June 1, 2015, the Economic Development Committee was briefed on this project.

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager is hereby authorized to negotiate and enter into a Phase III Development Agreement, approved as to form by the City Attorney, with Billingsley LD, Ltd., to **(1)** provide water service, water supply, and wastewater service for the Cypress Waters area; **(2)** receive and deposit funds from Billingsley LD, Ltd in the amount of \$4,023,963 for use in Irving-led construction projects; and **(3)** authorize DWU participation of 30% of engineering costs in an amount not to exceed \$880,816.40.

**Section 2.** That the Development Agreement shall evidence, among other things, the following terms and conditions:

A. DWU shall, in accordance with state law and the Dallas City Code, participate in 30% of the costs for engineering, studies and analysis of Phase III of the Cypress Waters development.

B. DWU will participate in 30% of construction costs of Phase III of the Cypress Waters Project in accordance with City Participation provisions of Chapter 49, Section 62(j) of the Dallas City Code.

June 17, 2015

C. That Billingsley LD, Ltd. shall advance funds to the City of Dallas no later than four weeks prior to the approval of construction award of City of Irving improvements, of a future one million gallon (MGD) elevated storage tank, Hackberry Pump Station improvements, and future 5 MGD Northgate ground storage tank.

**Section 3.** That the Chief Financial Officer is hereby authorized to receive and deposit funds from Billingsley LD, Ltd. for this project and deposit funds in an amount not to exceed \$4,023,963.00 as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>REVENUE SOURCE</u>	<u>AMOUNT</u>
0102	DWU	CW41	9925	\$4,023,963.00

**Section 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$880,816.40 from the Water Capital Construction Fund and Wastewater Capital Construction Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0102	DWU	CW41	4111	715365	CT-DWU715365EN	VS0000063575

Billingsley LD, Ltd. - (Contract No. 15-365E) - \$148,640.15

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0103	DWU	CS41	4111	715366	CT-DWU7115366EN	VS0000063575

Billingsley LD, Ltd. - (Contract No. 15-366E) - \$732,176.25

**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.

