

December 13, 2017

WHEREAS, the Regional Transportation Council (RTC) is the regional transportation policy board of the North Central Texas Council of Governments (NCTCOG), and is a regional forum for cooperative decisions on transportation; and

WHEREAS, pursuant to Chapter 228 of the Texas Transportation Code, the State of Texas provided surplus revenue from a State Highway 121 Toll Project to RTC for its Sustainable Development Program; and

WHEREAS, the RTC approved \$41.0 million for the 2009-2010 Sustainable Development Program Call for Projects; and

WHEREAS, the City of Dallas issued a request for proposals to private developers and other organizations to solicit projects to submit to the RTC's Sustainable Development Call for Projects; and

WHEREAS, the City of Dallas submitted sixteen infrastructure projects, including the Lake Highlands Transit Oriented Development (TOD) Sustainable Development Infrastructure Project, and seven planning projects to the RTC's Sustainable Development Call for Projects; and

WHEREAS, on June 3, 2010, the RTC approved \$13,779,712 in Regional Toll Revenue (RTR) or Regional Transportation Council local funds for nine infrastructure and three planning projects in the City of Dallas; and

WHEREAS, on August 25, 2010, City Council authorized support for the Lake Highlands TOD Multimodal Connectivity Project and authorized the City Manager to negotiate agreements with NCTCOG and private sector partners by Resolution No. 10-2152; and

WHEREAS, on February 24, 2011, the Texas Transportation Commission concurred with RTC's selection of projects for the Lake Highlands TOD Multimodal Connectivity Project and its funding of \$2,774,222; and

WHEREAS, the Sustainable Development Program requires a minimum local match of 20% of the total project cost of \$3,467,778, or \$693,556, which was to be provided by Dallas County (10%) and PC LH Land Partners, LP (10%); and

WHEREAS, on September 26, 2012, City Council authorized an agreement with NCTCOG and the State of Texas to obtain funding to reimburse Dallas County, for the costs of the design, right-of-way acquisition, and construction of the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project, in the amount of \$2,774,222, by Resolution No. 12-2357; and

WHEREAS, on September 26, 2012, City Council authorized a Development Agreement with PC LH Land Partners, LP, to provide 10 percent of local matching funds for the design, right-of-way acquisition and construction of the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project by Resolution No. 12-2358; and

WHEREAS, on September 26, 2012, City Council authorized a Project Specific Agreement with Dallas County for reimbursement of the costs of design, right-of-way acquisition, and construction of the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project by Resolution No. 12-2359; and

WHEREAS, in March 2016, the developer, PC LH Land Partners, LP, notified the City of its desire to terminate its Tax Incentive Financing (TIF) agreement and forgo all obligations for this project; and

WHEREAS, on April 1, 2016, the Skillman Corridor TIF Board of Directors approved a district-wide TIF funding request of up to \$346,800 as the required 10 percent local matching funds that was to be provided by PC LH Land Partners, LP for the Lake Highlands Transit Oriented Development Sustainable Development Project in the Skillman Corridor TIF District in partnership with North Central Texas Council of Governments Regional Transportation Council for its Sustainable Development Program; and

WHEREAS, Dallas County was originally planned to be the lead agency administering design, right-of-way, and construction of the project; however, it was mutually agreed upon by the City of Dallas and Dallas County that the City of Dallas would take over the lead agency role in order to expedite the project in support of active private development in the vicinity; and

WHEREAS, on October 9, 2017, Administrative Action No. 17-6879 authorized a professional services contract with Civil Associates, Inc. to provide a trail alignment survey and environmental investigation for wetlands delineation in the amount of \$49,450.04; and

WHEREAS, it is now necessary to authorize Supplemental Agreement No.1 to the professional services contract with Civil Associates, Inc. to provide final design services for the Lake Highlands Transit Oriented Development Sustainable Development Infrastructure Project, in an amount not to exceed \$292,053.52, from \$49,450.04 to \$341,503.56.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No.1 to the professional services contract with Civil Associates, Inc., approved as to form by the City Attorney, to provide final design services for the Lake Highlands Transit Oriented Development Sustainable Development Infrastructure Project, in an amount not to exceed \$292,053.52, from \$49,450.04 to \$341,503.56.

SECTION 2. That the City Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$292,053.52 to Civil Associates, Inc., as follows:

Skillman Corridor TIF District Fund
Fund 0052, Department ECO, Unit W249, Object 4111
Program No. ECSD0006, Contract No./Encumbrance CX-PBW-2017-00002893
Vendor 512422 \$ 34,150.36

Capital Projects Reimbursement Fund
Fund 0556, Department PBW, Unit P737, Object 4111
Program No. ECSD0006, Contract No./Encumbrance CX-PBW-2017-00002893
Vendor 512422 \$ 34,150.35

Lake Highlands Project Fund
Fund S250, Department PBW, Unit P737, Object 4111
Program ECSD0006, Contract No./Encumbrance CX-PBW-2017-00002893
Vendor 512422 \$223,752.81

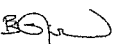
Total amount not to exceed \$292,053.52

SECTION 3. That this contract is designated as Contract No. PBW-2017-00002893.

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.

APPROVED BY
CITY COUNCIL

DEC 13 2017


Interim City Secretary