

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 (RTC) 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 projects selected within the City of Dallas for the Regional Transportation Council sustainable Development Program, which included the Lake Highlands TOD Sustainable Development Infrastructure 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 Sustainable Development Infrastructure Project and its funding of \$2,774,222.00; and

**WHEREAS**, the Sustainable Development Program requires a minimum local match of 20% of the total project cost of \$3,467,778.00, or \$693,556.00, 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 design, right-of-way acquisition, and construction of the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project in the amount of \$2,774,222.00, by Resolution No. 12-2357; and

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**WHEREAS**, on September 26, 2012, City Council authorized a Development Agreement with PC LH Land Partners, LP, in support of 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 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 \$346,800.00 as the required 10 percent local matching funds that was originally to be provided by PC LH Land Partners, LP for the Lake Highlands TOD Multimodal Connectivity Sustainable Development Infrastructure Project in the Skillman Corridor TIF District in partnership with North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) for its Sustainable Development Program; and

**WHEREAS**, it is now necessary to **(1)** amend Resolution No. 12-2357, previously approved on September 26, 2012, for the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project, **(a)** delete project reimbursements to Dallas County; **(b)** revise Section 2 funding receipt source to receive funds from the North Central Texas Council of Governments to the Texas Department of Transportation; and **(c)** correct the name of the project from Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project to Lake Highlands Transit Oriented Development Sustainable Development Infrastructure Project; **(2)** authorize the Skillman Corridor Tax Increment Financing (TIF) District Board of Directors to dedicate up to \$346,778.00 in the Skillman Corridor TIF District Funds as the required local matching funds for the North Central Texas Council of Governments Sustainable Development Infrastructure Program associated with the Lake Highlands Transit Oriented Development Sustainable Development Infrastructure Project in the Skillman Corridor TIF District; and **(3)** increase appropriations in an amount not to exceed \$346,778.00 in the Skillman Corridor TIF District Fund.

**Now, Therefore,**

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

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**SECTION 1.** That the City Manager is hereby authorized to amend Resolution No. 12-2357, previously approved on September 26, 2012 for the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project to: delete project reimbursements to Dallas County; revise Section 2 funding receipt source to receive funds from the North Central Texas Council of Governments to the Texas Department of Transportation; and correct the name of the project from Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project to Lake Highlands Transit Oriented Development Sustainable Development Infrastructure Project, approved as to form by the City Attorney, as follows:

**Section 1.** That the City Manager, upon approval as to form by the City Attorney's Office, is hereby authorized to execute an agreement with NCTCOG and the State of Texas to obtain funding to reimburse ~~Dallas County~~, for the costs of design, right-of-way acquisition, and construction of the Lake Highlands Transit Oriented Development ~~Multimodal Connectivity~~ Sustainable Development Infrastructure Project in an amount not to exceed \$2,774,222.

**Section 2.** That the ~~City Controller~~ Chief Financial Officer is hereby authorized to receive and deposit funds from the ~~North Central Texas Council of Governments Texas Department of Transportation~~ in Fund S250, Department ECO, Unit P737, Activity ECSD, Revenue Source 6516, in an amount not to exceed \$2,774,222.

**SECTION 2.** That the Skillman Corridor Tax Increment Financing (TIF) District Board of Directors is hereby authorized to dedicate up to \$346,778.00 in the Skillman Corridor TIF District Funds as the required local matching funds for the North Central Texas Council of Governments Sustainable Development Grant Program associated with the Lake Highlands TOD Sustainable Development Infrastructure Project to support the development in the Skillman Corridor TIF District.

**SECTION 3.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$346,778.00 in the Skillman Corridor TIF District Fund for the required 10 percent local matching funds in accordance with the agreement in Fund 0052, Department ECO, Unit W249, Object 4111.

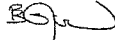
**SECTION 4.** That the City Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$346,778.00 in accordance with the terms of the local match requirements of the grant and as approved by TxDOT from the Skillman Corridor TIF Fund, Fund 0052, Department ECO, Unit W249, Object 4111, Program ECSD0006, Contract No./Encumbrance CX-PBW-2017-00002893.

**SECTION 5.** That this contract is designated as Contract No. PBW-2018-00004416.

**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.

APPROVED BY  
CITY COUNCIL

DEC 13 2017



Interim City Secretary