

August 28, 2019

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on August 25, 1999, City Council authorized the creation of the Deep Ellum Public Improvement District (“District”), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Deep Ellum Foundation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 99-2604; and

WHEREAS, on August 9, 2006, City Council authorized the renewal of the Deep Ellum Public Improvement District and approval of the Service Plan and management contract by Resolution No. 06-2051; and

WHEREAS, on August 14, 2013, City Council authorized the renewal of the Deep Ellum Public Improvement District and approval of the Service Plan and management contract by Resolution No. 13-1376; and

WHEREAS, on May 23, 2018, City Council authorized the renewal of the Deep Ellum Public Improvement District and approval of the Service Plan and management contract by Resolution No. 18-0784; and

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with Deep Ellum Foundation pursuant to Resolution No. 18-1307; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1306; Ordinance No. 30979; and

WHEREAS, the Deep Ellum Foundation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2019 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

August 28, 2019

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2020 Service Plan and the proposed 2019 Assessment Plan for the Deep Ellum Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

- (a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.
- (b) **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, 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 next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$765,437.00 in 2020 and reach \$1,344,271.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately \$5,275,902.00. The District shall incur no bonded indebtedness.
- (d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD"). The assessment amount for 2019 is proposed to be \$780,443.00. This amount is approximately equal to \$0.12 per \$100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed \$0.12 per \$100.00 valuation.

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SECTION 1. (continued)

Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

The real property of jurisdictions and entities that have obtained an exemption from the 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. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

- (f) **Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way and City parks are not subject to assessment.

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 a public hearing shall be held no earlier than 6:00 p.m. on September 11, 2019, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

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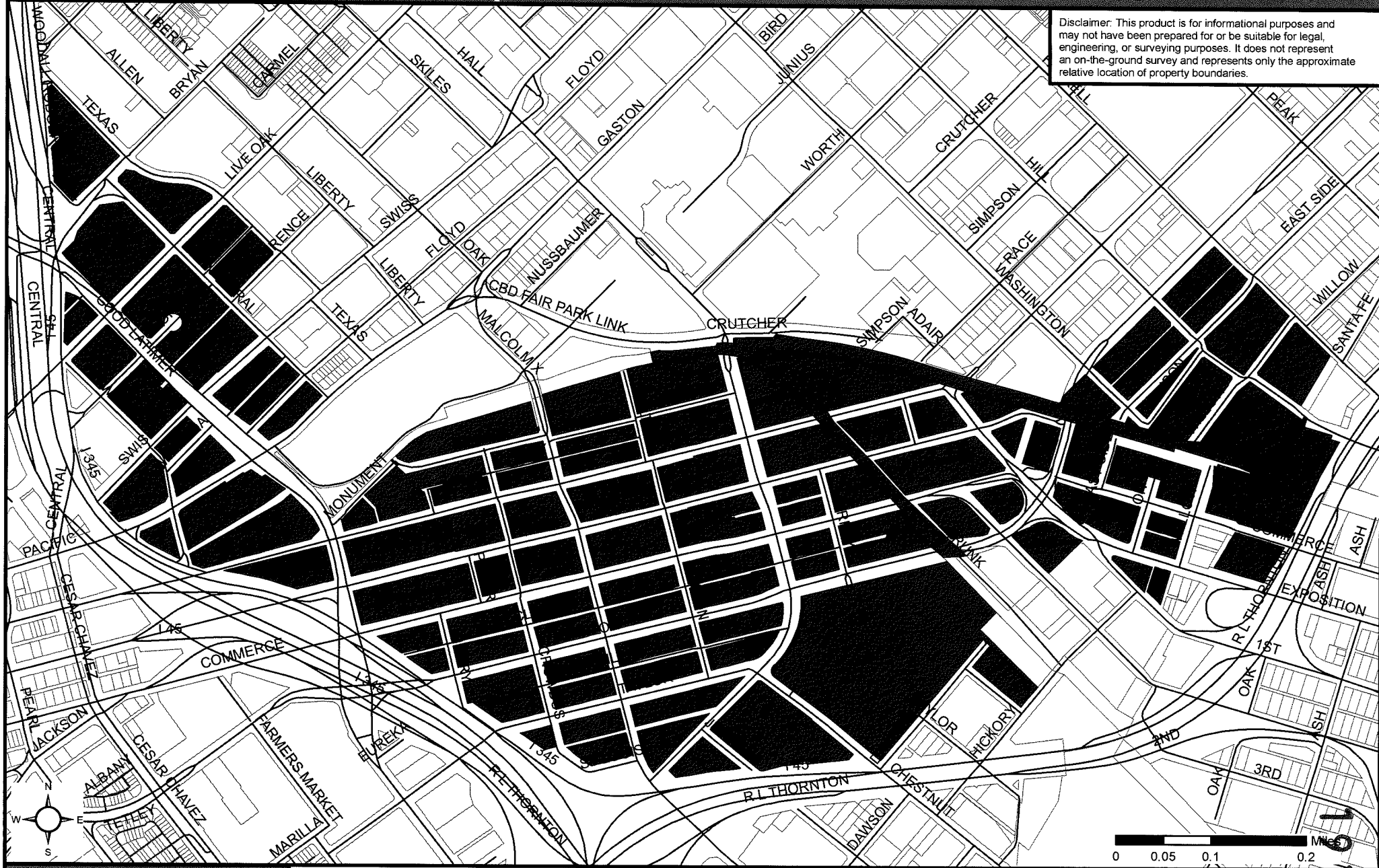
SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

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.



Exhibit A - Deep Ellum PID 2018 Renewal Boundaries

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.



DALLAS ECONOMIC DEVELOPMENT
 Research & Information Division
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Legend

- DEPID 2018 Renewal Parcels
- Parcel 2017
- STREETS

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**EXHIBIT B
DEEP ELLUM PID
Service Plan 2020-2024**

	2020	2021	2022	2023	2024
Revenues and Reserves	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET
Gross assessments revenue	\$788,397	\$906,657	\$1,042,655	\$1,199,053	\$1,378,911
PID Oversight Charge from City + County Fees	-\$7,954	-\$7,954	-\$7,954	-\$7,954	-\$7,954
Net Assessment Revenue	\$780,443	\$898,702	\$1,034,701	\$1,191,099	\$1,370,957
Fund balance from previous year	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Interest on cash balances & other income	\$603	\$633	\$665	\$698	\$733
Projected Adjustment for Property Tax Protest	-\$15,609	-\$17,974	-\$20,694	-\$23,822	-\$27,419
Total Income and Reserves	\$795,437	\$911,361	\$1,044,672	\$1,197,975	\$1,374,271
Capital Improvements & Maintenance ¹	\$153,087	\$176,272	\$202,934	\$233,595	\$268,854
Business Development and Recruitment ²	\$76,544	\$88,136	\$101,467	\$116,798	\$134,427
Marketing and Promotion ³	\$114,816	\$132,204	\$152,201	\$175,196	\$201,641
Public Safety ⁴	\$252,594	\$290,849	\$334,842	\$385,432	\$443,609
Administration	\$114,816	\$132,204	\$152,201	\$175,196	\$201,641
Financial Audit and Insurance	\$53,581	\$61,695	\$71,027	\$81,758	\$94,099
Total Expenditures	\$765,437	\$881,361	\$1,014,672	\$1,167,975	\$1,344,271
Fund Balance/Reserves	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000

1. The Deep Ellum PID was renewed in 2018 with an adjusted service plan for 2019-2025. With the renewed service plan, the two Categories of Improvements (graffiti mitigation and prevention, landscaping, lighting enhancements, irrigation, park improvements,
2. Business development and recruitment to promote the District as well as efforts to ease the burden of opening and operating a
3. Marketing and other promotional activities including but not limited to website, WIFI and web services, streetlight pole banners, branded materials, brochures and flyers, videography and photography, district events, and newsletter.
4. Safety and security related initiatives including but not limited to security patrol, lighting, cameras and signage.

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EXHIBIT C**2019 ASSESSMENT PLAN
Deep Ellum Public Improvement District**

The cost of the services and improvements provided by the Deep Ellum Public Improvement District (DEPID) will be paid primarily by special assessments against property in the District. Annual assessments will be based on the total value of real property and improvements as certified by the Dallas Central Appraisal District.

All property owners not exempt from assessment will be assessed at a uniform rate. For the tax year of 2019, the rate continues to be \$0.12 per \$100.00 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. DEPID will recognize and honor exemptions listed by the Dallas Central Appraisal District, including homestead, disability, senior citizen and exemptions for property owned by tax-exempt entities. Payment of the DEPID assessment by any exempt owners must be established by contract.

DEPID's assessments will be collected by Dallas County for the City of Dallas, in accordance with the management contract between the City of Dallas and The Deep Ellum Foundation, the non-profit corporation that manages the District.