

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2023 SERVICE PLAN, THE FINAL 2022 ASSESSMENT PLAN, THE 2022 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY) AND 2023 NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT (TO BE FILED WITH DALLAS COUNTY); ESTABLISHING CLASSIFICATIONS TO APPORTION COSTS AND THE METHODS TO ASSESS SPECIAL ASSESSMENTS FOR SERVICES AND IMPROVEMENTS TO PROPERTY IN THE KLYDE WARREN PARK/DALLAS ARTS DISTRICT PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE PUBLIC HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2023; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE FILING OF THIS ORDINANCE WITH THE COUNTY CLERK; PROVIDING FOR THE COLLECTION OF THE 2022 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO WOODALL RODGERS PARK FOUNDATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, on June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District ("District") for a seven-year period and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074; and

**WHEREAS**, on September 9, 2015, City Council authorized an ordinance approving and adopting the District's final 2016 Service Plan, 2015 Assessment Plan, and the 2015 Assessment Roll by Resolution No. 15-1697 and Ordinance No. 29862; and

**WHEREAS**, on September 14, 2016, City Council authorized the 2016 assessment rate for the District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Ordinance No. 30203; and

**WHEREAS**, on September 13, 2017, City Council authorized the 2018 Service Plan and 2017 Assessment Plan for the District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Resolution No. 17-1484 and Ordinance No. 30638; and

**WHEREAS**, on September 12, 2018, City Council authorized an ordinance approving and adopting the District's final 2019 Service Plan, 2018 Assessment Plan, and the 2018 Assessment Roll by Resolution No. 18-1308 and Ordinance No. 30980; and

**WHEREAS**, on September 12, 2018, City Council authorized an amended and restated management contract with the Woodall Rodgers Park Foundation to reflect changes in the process for disbursement of assessment, revenue, authorizing the City to disburse assessments to Woodall Rodgers Park Foundation, and to address other amendments to the agreement form by Resolution No. 18-1309; and

**WHEREAS**, on September 11, 2019, City Council authorized an ordinance approving and adopting the District's final 2020 Service Plan, 2019 Assessment Plan, and the 2019 Assessment Roll by Resolution No. 19-1435 and Ordinance No. 31317; and

**WHEREAS**, on September 9, 2020 City Council authorized an ordinance approving and adopting the District's final 2021 Service Plan, 2020 Assessment Plan, and the 2020 Assessment Roll by Resolution No. 20-1360 and Ordinance No. 31636; and

**WHEREAS**, on May 26, 2021, City Council authorized the renewal of the District for a ten-year period and designated the Woodall Rodgers Park Foundation, as the management entity for the District by Resolution No. 21-0947; and

**WHEREAS**, on August 25, 2021 City Council authorized an ordinance approving and adopting the District's final 2022 Service Plan, 2021 Assessment Plan, and the 2021 Assessment Roll by Resolution No. 21-1417; Ordinance No. 31974; and

**WHEREAS**, on August 10, 2022, City Council authorized a public hearing to be held on August 24, 2022 to receive comments on the District's final 2023 Service Plan and 2022 assessment rate by Resolution No. 22-1097; and

**WHEREAS**, the Woodall Rodgers Park Foundation provided City staff with the proposed District 2023 Service Plan and 2022 Assessment Plan as shown in **Exhibits B and C**; and

**WHEREAS**, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.025 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District ("DCAD") is reasonable and adequate.

**Now, Therefore,**

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

**SECTION 1.** That City Council shall adopt an ordinance approving and adopting the District's final 2023 Service Plan, the final 2022 Assessment Plan, the 2022 Assessment Roll (to be kept on file with the City Secretary); and 2023 Notice of Obligation to Pay Improvement District Assessment (**Exhibit D**, to be filed with Dallas County); establishing classifications to apportion costs and the methods to assess special assessments for the services and improvements to property in the District; closing the public hearing and levying a special assessment on property in the District for services and improvements to be provided during 2023; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2022 assessment; authorizing the receipt and deposit of assessments from Dallas County; authorizing the disbursement of assessments to Woodall Rodgers Park Foundation; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That 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 DCAD. The net assessment amount for 2022 is proposed to be \$1,761,972.00. This amount shall be apportioned in an amount equal to \$0.025 per \$100.00 valuation. Once levied, this assessment rate shall not increase during the 2023 Service Plan year. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2023 Service Plan, the final 2022 Assessment Plan and the 2022 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for tax year ending December 31, 2022, of approximately \$1,761,972.00. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of City Council's intention to consider the proposed assessments at a virtual and in-person public hearing on August 24, 2022 no earlier than 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2023. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

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**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That not later than seven (7) calendar days after the date of passage, the Director of Office of Economic Development or his or her designee is directed to cause this Ordinance and a copy of the service plan to be filed with the county clerk of Dallas County and each county in which all or a part of the District is located.

**SECTION 13.** That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Klyde Warren Park/Dallas Arts District Public Improvement District Fund, Fund 9P03, Department ECO, Unit 1858, Revenue Code 8576.

**SECTION 14.** That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse the City administrative costs for the day-to-day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

**SECTION 15.** That the Chief Financial Officer is authorized to reimburse General Fund, Fund 0001, Department ECO, various Unit, Object 5011 for administrative costs incurred for the day-to-day administrative and operational oversight of the District, in amounts to be determined based upon costs incurred and related rates in effect, from Klyde Warren Park/Dallas Arts District Public Improvement District Fund 9P03, Department ECO, Unit 1858, various Object Codes.

**SECTION 16.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed actual collections estimated at \$1,761,972.00 from Klyde Warren Park/Dallas Arts District Public Improvement District Fund 9P03, Department ECO, Unit 1858, Object 3034 to Woodall Rodgers Park Foundation (VS0000083698), for assessments due to the District as assessed, paid to Dallas County and transferred to the City for processing net of administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

**SECTION 17.** That the Chief Financial Officer is hereby authorized to disburse funds from Klyde Warren Park/Dallas Arts District Public Improvement District Fund 9P03, Department ECO, Unit 1858, Object 3034 to Dallas County (243282) to refund assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

**SECTION 18.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

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**SECTION 19.** That this ordinance 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 ordained.

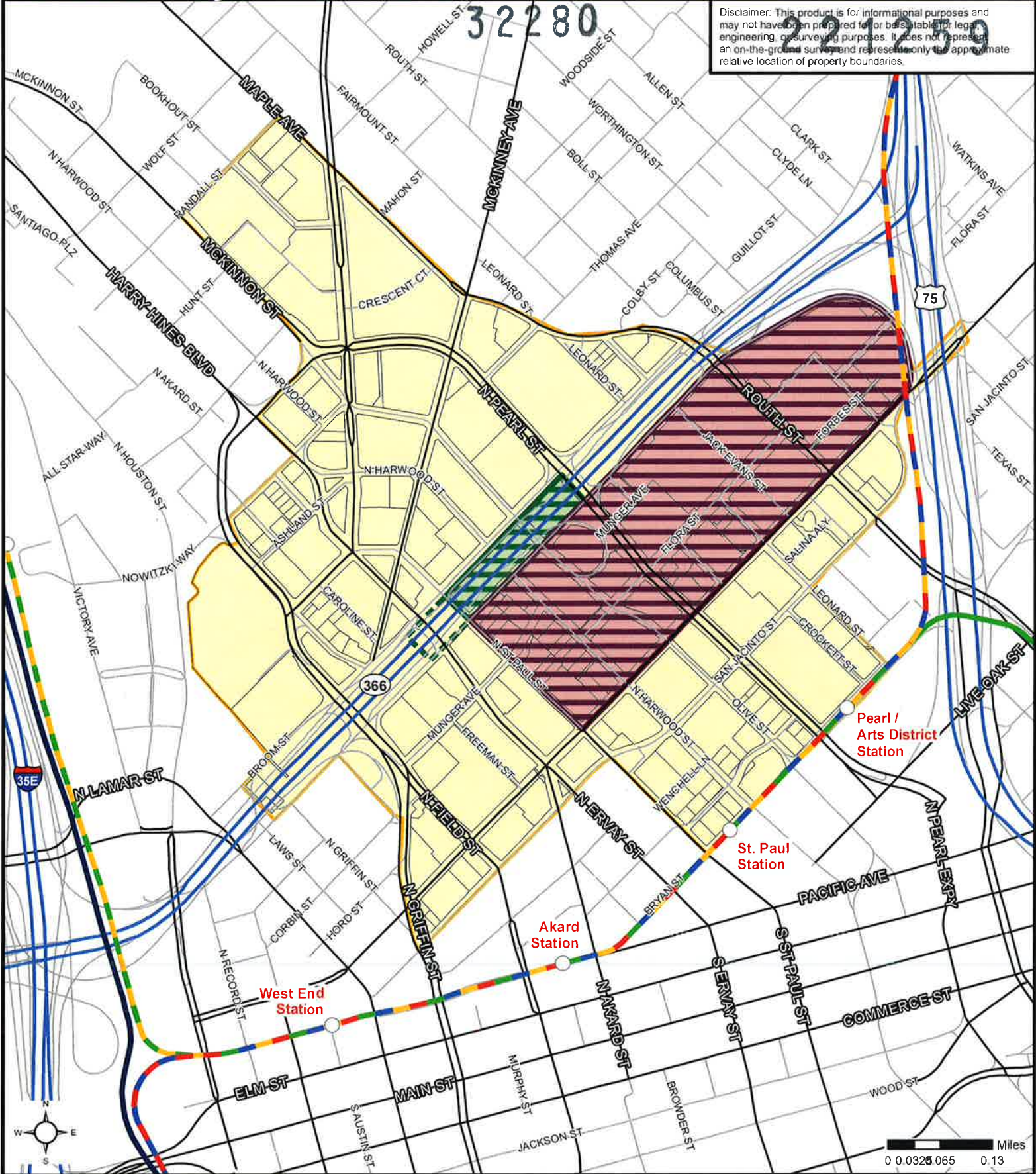
APPROVED AS TO FORM:  
CHRISTOPHER J. CASO, City Attorney

BY:   
Assistant City Attorney

Passed           AUG 24 2022

# Klyde Warren PID Boundaries - Exhibit A

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.



## Legend

- |                             |                     |                  |                 |
|-----------------------------|---------------------|------------------|-----------------|
| Klyde Warren - 2021         | Dallas Art District | Freeway          | Rail Station    |
| Tax Parcels - 2021          | Klyde Warren Park   | Tollway          | DART Red Line   |
| Klyde Warren Park Phase 2.0 | Arterial            | DART Blue Line   | DART Green Line |
|                             | Local Streets       | DART Orange Line | Commuter Rail   |

**EXHIBIT B  
KLYDE WARREN PARK/DALLAS ARTS DISTRICT PID BUDGET  
SERVICE PLAN 2023 - 2027**

	2023 Plan Proposed Plan	2024 Plan	2025 Plan	2026 Plan	2027 Plan
<b>REVENUE</b>					
Fund Balance from previous year	-	-	-	-	-
1 Net assessment revenue	\$1,761,972	\$2,401,359	\$2,761,563	\$3,175,797	\$3,652,167
<b>TOTAL REVENUE</b>	<u>\$1,761,972</u>	<u>\$2,401,359</u>	<u>\$2,761,563</u>	<u>\$3,175,797</u>	<u>\$3,652,167</u>
<b>EXPENDITURES</b>					
2 Security	\$281,916	\$384,217	\$441,850	\$476,370	\$547,825
3 Operations, Maintenance & Capital Improvements	\$810,507	\$1,104,625	\$1,270,319	\$1,492,625	\$1,716,518
4 Programming, Promotion & Cultural Enhancements	\$387,634	\$528,299	\$607,544	\$698,675	\$803,477
5 Finance & Administration	\$158,578	\$216,122	\$248,541	\$285,822	\$328,695
6 Insurance & Audit	\$123,338	\$168,095	\$193,309	\$222,306	\$255,652
<b>TOTAL OPERATING EXPENDITURES</b>	<u>\$1,761,972</u>	<u>\$2,401,359</u>	<u>\$2,761,563</u>	<u>\$3,175,797</u>	<u>\$3,652,167</u>
<b>FUND BALANCE/ RESERVES</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

KWP/DADPID assessments support part of the KWP and DAD operations, remaining operating costs of these organizations are supported thru fundraising and other activities, which is not included in the Service Plan.

% The % for each service category is calculated by dividing each category \$ amount by total expenditures.

Net Assessment Revenue for the 2022 Proposed Plan year is net of the City's 5% Retainage to be used for repayments, if any, required by the County in settlement of tax protests. Should any retainage funds not be used to settle tax protests, such funds may be used within the existing Service Plan budget categories and in accordance with the Management Contract. The proposed plan assumes the Service Plan as presented in the PID Renewal for 2024 forward.

2 24 hour security in KWP and DAD

3 Lawn care, horticultural upgrades, cleaning services, repairs & maintenance, equipment rental, electrical work, utilities, trash collection, graffiti and rodent control, pavement cleaning / detailing / staining and restoration, and capital improvements for safety and connectivity in KWP and DAD

4 Providing free WiFi, holiday lighting, TVs on the Porch, daily/weekly programming and cultural enhancements in KWP and DAD, event production and equipment rental, signage, public relations, website, advertising, promotion and marketing for both KWP and DAD

5 Partial cost of staff time and office related expenses for KWP and DAD

6 Insurance carried for the Park and Dallas Arts District, and the annual audit and tax return preparation



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**Exhibit C**

**Klyde Warren Park/Dallas Arts District Public Improvement District  
2022 Assessment Plan**

The costs of the services and improvements by the Klyde Warren Park/Dallas Arts District Public Improvement District (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.

The District's proposed assessment rate for 2022 is \$0.025 per \$100 of appraised value. Once levied, this assessment rate shall not increase during the 2023 Service Plan year.

The City of Dallas is not responsible for payment of assessments against exempt City property in the District because City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted. Payment of assessments by other tax-exempt jurisdictions and entities must be established by contract.

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**EXHIBIT D**

**NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT  
TO THE CITY OF DALLAS, TEXAS CONCERNING THE FOLLOWING PROPERTY**

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(insert property description / street address)

As the purchaser of the real property described above (the "Property"), you are obligated to pay annual assessments to the City of Dallas, Texas (the "City"), for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of property within Klyde Warren Park/Dallas Arts District Public Improvement District (the "District") created under Subchapter A, Chapter 372, Texas Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST THE PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL. THE ASSESSMENT RATE FOR PROPERTIES WITHIN THE DISTRICT FOR 2022 IS **\$0.025 PER \$100** OF APPRAISED VALUE. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

Annually, the Dallas City Council approves the assessment rate and annual service plan updates for the District. More information about the assessments, including the exact amount due and due dates, may be obtained from the Office of Economic Development of the City of Dallas, Texas.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to the amount you owe the City or in a lien on and the foreclosure of your Property.

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Signature of Purchaser

Date

---

Signature of Purchaser

Date

*The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract to purchase of the Property.*

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Signature of Buyer

Date

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Signature of Buyer

Date



## PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL AUG 24 2022

ORDINANCE NUMBER 32280

DATE PUBLISHED AUG 27 2022

ATTESTED BY:



Agenda Information Sheet

File #: 22-1686  
PH5.

Item #:

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** August 24, 2022  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Majed Al-Ghafry

**SUBJECT**

**Klyde Warren Park/Dallas Arts District**

A public hearing to receive comments concerning: **(1)** the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (the "District"), in accordance with Chapter 372, Texas Local Government Code, for the purpose of providing supplemental public services to be funded by special assessments on property in the District; and, at the close of the public hearing: **(2)** authorize an ordinance approving and adopting the final 2023 Service Plan, the final 2022 Assessment Plan, the 2022 Assessment Roll (to be kept on file with the City Secretary), 2023 Notice of Obligation to Pay Improvement District Assessment (to be filed with Dallas County); **(3)** establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; **(4)** closing the public hearing and levying a special assessment on property in the District for services and improvements to be provided in the District during 2023; **(5)** providing for reimbursement of city administrative costs for operational oversight of the District; **(6)** fixing charges and liens against the property in the District and against the owners thereof; **(7)** providing for the collection of the 2022 assessment; **(8)** authorizing the receipt and deposit of assessments from Dallas County; **(9)** authorizing the disbursement of assessments and interest to Woodall Rodgers Park Foundation; and **(10)** providing for an effective date - Not to exceed actual collections estimated at \$1,761,972.00 - Financing: Klyde Warren Park/Dallas Arts District Public Improvement District Fund (subject to appropriations) (see Fiscal Information)

**BACKGROUND**

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the District and authorizes the Service Plan for the District. Upon adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel. After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special

assessment on the property in the District.

A recent amendment to Section 372.013 of the Texas Local Government Code (the "Act") requires a municipality or county to, not later than the seventh day after the date that the governing body of a municipality or county approves a service plan, file a copy of the approved plan with the county clerk of each county in which all or part of the public improvement district is located. If the governing of a municipality or county approves an amended or updated service plan, the filing must include a copy of the notice required under Section 5.014, Texas Property Code.

Woodall Rodgers Park Foundation provided City staff with the proposed District Service Plan for 2023 and the 2022 Assessment Plan for review, and staff found the services and improvements to be advisable and recommends approval subject to the public hearing on August 24, 2022.

Dallas County will continue to collect assessments, retain a collection fee (\$2.75 per account and subject to change), and transfer the remaining assessments to the City. The City will then disburse assessments to the District management entity at a frequency outlined in the District's management contract.

The District Service Plan consists of:

- (a) **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 are provided to the Klyde Warren Park and Dallas Arts District facilities; services shall include, but are not limited to: security, beautification, programming, cultural enhancements, custodial and landscape maintenance, and capital improvements, and other related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) **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 range from a low of \$1,761,972.00 in 2023 and to a high of \$3,652,167.00 in 2027. The total estimated net assessments to be collected during the next five-year period is approximately \$13,752,858.00. The District shall incur no bonded indebtedness.
- (c) **Boundaries.** The boundaries of the District are located wholly within the City of Dallas, Dallas County, Texas. The boundaries of the District are attached to the ordinance as shown in **Exhibit A**.
- (d) **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 Dallas Central Appraisal District (DCAD). The net assessment amount for the 2023 Service Plan year is proposed to be \$1,761,972.00. This amount is approximately equal to \$0.025 per \$100.00 valuation. Once levied, this assessment rate shall not increase during the 2023 Service Plan year. 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 approval by the City Council.

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 Texas 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.

- (e) **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. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to assessment. The City of Dallas is not responsible for payment of assessment against exempt City property in the District.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District for a seven-year period and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074.

On September 9, 2015, City Council authorized an ordinance approving and adopting the District's final 2016 Service Plan, 2015 Assessment Plan, and the 2015 Assessment Roll by Resolution No. 15-1697 and Ordinance No. 29862.

On September 14, 2016, City Council authorized the 2016 assessment rate for the District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Resolution No. 16-1498 and Ordinance No. 30203.

On September 13, 2017, City Council authorized the 2018 Service Plan and 2017 Assessment Plan for the District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20 percent of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Resolution No. 17-1484 and Ordinance No. 30638.

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On September 12, 2018, City Council authorized an amended and restated management contract with the Woodall Rodgers Park Foundation to reflect changes in the process for disbursement of assessment, revenue, authorizing the City to disburse assessments to Woodall Rodgers Park Foundation, and to address other amendments to the agreement form by Resolution No. 18-1309.

**File #:** 22-1686  
PH5.

**Item #:**

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On May 26, 2021, City Council authorized the renewal of the District for a ten year period and designated the Woodall Rodgers Park Foundation, as the management entity for the District by Resolution No. 21-0947.

On August 25, 2021, City Council authorized an ordinance approving and adopting the District's final 2022 Service Plan, 2021 Assessment Plan, and the 2021 Assessment Roll by Resolution No. 21-1417 and Ordinance No. 31974.

[The Economic Development Committee was briefed by memorandum regarding this matter on August 1, 2022.](#)

On August 10, 2022, City Council authorized a public hearing to be held on August 24, 2022, to receive comments on the District's final 2023 Service Plan and 2022 assessment rate by Resolution No. 22-1097.

[City Council was briefed by a memorandum regarding this matter on August 19, 2022.](#)

### **FISCAL INFORMATION**

Fund	FY 2022	FY 2023	Future Years
Klyde Warren Park/Dallas Arts District Public Improvement District Fund	\$0.00	\$1,761,972.00	\$0.00

Cost consideration to others - For District property owners, the proposed assessment amount is approximately equal to \$0.025 per \$100.00 of appraised value as determined by DCAD. (i.e., property owners within the boundaries of the District pay the assessment and, after disbursement by the City, the funds are managed by a private, non-profit entity pursuant to the approved service plan and a management contract with the City).