

**ANNOTATED AGENDA
CITY COUNCIL MEETING
MAY 9, 2018
CITY OF DALLAS
1500 MARILLA STREET
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:08 A.M. – 1:22 P.M.
[18-0670; HELD]**

Invocation and Pledge of Allegiance (Council Chamber)

Agenda Item/Open Microphone Speakers
[18-0671]

VOTING AGENDA

1. Approval of Minutes of the April 25, 2018 City Council Meeting
[18-0672; APPROVED]

CONSENT AGENDA
[18-0673; APPROVED]

Department of Public Works

2. Authorize a thirty-six-month contract for the cost share Sidewalk Replacement Program that will include barrier-free ramps and water and wastewater adjustments at various locations throughout the city - Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of six - Not to exceed \$4,825,300 - Financing: 2017 Bond Funds (\$3,664,807), 2012 Bond Funds (\$1,063,493), and Water Utilities Capital Construction Funds (\$97,000)
[18-0674; APPROVED]
3. Authorize an increase to the construction services contract with Texas Standard Construction, Ltd., for installing new cast-in-place reinforced concrete box culverts and associated reinforced concrete roadway pavement for Bishop Arts Area Street and Drainage Improvements Project - Not to exceed \$254,408, from \$6,528,099 to \$6,782,507 - Financing: 2006 Bond Funds
[18-0675; APPROVED]

CONSENT AGENDA (continued)

Department of Sustainable Development and Construction

4. Authorize **(1)** the quitclaim of 12 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and **(2)** the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Estimated Revenue: \$66,000
[18-0676; APPROVED]

5. An ordinance abandoning a portion of a variable width maintenance easement to Timothy E. Head and Julia R. Head, the abutting owners, containing approximately 407 square feet of land, located near the intersection of Hillcrest and Frankford Roads - Revenue: \$5,400, plus the \$20 ordinance publication fee
[18-0677; APPROVED; ORDINANCE 30854]

6. An ordinance abandoning two utility easements to Stillwater AP-1 Development, LLC, the abutting owner, containing a total of approximately 9,571 square feet of land, located near the intersection of Milton Street and Amesbury Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee
[18-0678; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 30855]

Department of Transportation

7. Authorize a professional services contract with Brown & Gay Engineers, Inc., most advantageous proposer of seventeen, to provide traffic signal design services for 16 traffic signals at various intersections and other related tasks (list attached) - Not to exceed \$441,550 - Financing: 2017 Bond Funds (\$139,550), 2006 Bond Funds (\$140,000) and General Funds (\$162,000) (subject to annual appropriations)
[18-0679; APPROVED]

8. Authorize a professional services contract with LJA Engineering, Inc., most advantageous proposer of seventeen, to provide traffic signal design services for 15 traffic signals at various intersections and other related tasks (list attached) - Not to exceed \$382,576 - Financing: 2017 Bond Funds (\$223,576) and General Funds (\$159,000) (subject to annual appropriations)
[18-0680; APPROVED]

9. Authorize a professional services contract with Stantec Consulting Services, Inc., most advantageous proposer of seventeen, to provide traffic signal design services for 15 traffic signals at various intersections and other related tasks (list attached) - Not to exceed \$489,470 - Financing: 2017 Bond Funds (\$269,530) and General Funds (\$219,940) (subject to annual appropriations)
[18-0681; APPROVED]

CONSENT AGENDA (continued)

Department of Transportation (continued)

10. Authorize **(1)** the receipt and deposit of funds in an amount not to exceed \$175,677 from AT&T, Inc. for certain material and labor costs associated with removal of existing traffic signals and replacing them with new signals at 8 intersections surrounding the proposed AT&T Discovery Plaza; and **(2)** an increase in appropriations in an amount not to exceed \$175,677 in the Capital Projects Reimbursement Fund - Not to exceed \$175,677 - Financing: Capital Projects Reimbursement Funds
[18-0682; APPROVED]

Department of Trinity Watershed Management

11. Authorize **(1)** a request to the Texas Department of Transportation to remove a portion of the S.M. Wright Freeway (SH 310/US 175) from C.F. Hawn Freeway (US 175) to Interstate Highway (IH) 45 from the State Highway System; and **(2)** upon construction completion the City of Dallas to assume responsibility for operation and maintenance of a portion of the S.M. Wright Freeway (SH 310/US 175) from C.F. Hawn Freeway (US 175) to IH-45 - Financing: This item has no cost consideration to the City (see Fiscal Information for potential future costs)
[18-0683; APPROVED]

Housing & Neighborhood Revitalization

12. Authorize the first amendment to the conditional grant agreement for development of 35 single-family homes, previously approved by Resolution No. 16-0840 on May 25, 2016, with Bosco Investments, Ltd. for the Sandyland Estates Project to **(1)** extend the Bond conditional grant agreement completion date from May 25, 2018 to November 30, 2019; and **(2)** amend the agreement to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0684; APPROVED AS AMENDED]
13. Authorize the first amendment to the conditional grant agreement for the construction of 18 single-family homes, previously approved by Resolution No. 16-0845 on May 25, 2016, with Dallas Area Habitat for Humanity for the Joppa Neighborhood Project to **(1)** extend the 2012 General Obligation Bond conditional grant agreement completion date from May 25, 2018 to November 30, 2018; and **(2)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0685; APPROVED]

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization (continued)

14. Authorize the first amendment to the loan agreement for development of 10 single-family homes, previously approved by Resolution No. 16-0849 on May 25, 2016, with South Dallas Fair Park/Innercity Community Development Corporation for the Frank Street Project to **(1)** extend the HOME and NSP loan agreement completion date from May 25, 2018 to February 28, 2019; and **(2)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0686; APPROVED]
15. Authorize the first amendment to the loan agreement for the development of 14 single-family homes for La Estrella Project, previously approved by Resolution No. 16-0850 on May 25, 2016, with Notre Dame Place, Inc. to **(1)** extend the loan agreement completion date from May 25, 2018 to November 30, 2018; and **(2)** amend the agreement to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0687; APPROVED]
16. Authorize the second amendment to the loan agreement for development of 5 rental units for seniors, previously approved by Resolution No. 15-0779 on April 22, 2015, with East Dallas Community Organization for the Bexar Street Senior Project to **(1)** extend the HOME and Community Development Block Grant loan agreement completion date from February 22, 2018 to November 30, 2018; and **(2)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0688; APPROVED]
17. Authorize the second amendment to the conditional grant agreement for the construction of 40 single-family homes, previously approved by Resolution No. 16-0841 on May 25, 2016, with Camden Homes at Shady Oaks, LLC for the Shady Oaks Project to **(1)** extend the conditional grant agreement completion date from May 25, 2018 to November 28, 2018; and **(2)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0689; DELETED ON THE ADDENDUM]
18. Authorize the third amendment to the loan agreement for 11 single-family homes, previously approved by Resolution No. 15-1080 on June 10, 2015, with South Dallas Fair Park/Innercity Community Development Corporation for the Scattered Sites Project to **(1)** extend the HOME loan agreement completion date from December 31, 2017 to July 31, 2019; and **(2)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0690; APPROVED]

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization (continued)

19. Authorize the third amendment to the loan agreement for the development of six single-family, affordable homes in the 2900 Block of South Boulevard and 2800 Park Row Avenue, previously approved by Resolution No. 17-1464 on September 13, 2017, with Southfair Community Development Corporation to **(1)** extend the loan agreement's completion date from August 31, 2018 to December 31, 2018; and **(2)** amend the agreement to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0691; APPROVED]
20. Authorize the fourth amendment to the conditional grant agreement, previously approved by Resolution No. 13-1105 on June 26, 2013, with KKBK Properties, LLC or its wholly owned subsidiary, for the Hatcher Gardens Project to **(1)** extend the conditional grant agreement completion date from August 31, 2017 to May 25, 2019; and **(2)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0692; APPROVED]
21. Authorize the fourth amendment to the loan agreement for development of 10 single-family homes, previously approved by Resolution No. 15-0989 on May 27, 2015, with Builders of Hope CDC for the Creekside Project to **(1)** decrease the number of units from 9 to 8 units; **(2)** decrease the HOME loan amount by (\$22,500), from \$202,500 to \$180,000; **(3)** extend the HOME loan agreement completion date from May 31, 2018 to November 30, 2018; and **(4)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0693; APPROVED]

Office of Budget

22. A resolution denying rates as requested by Oncor Electric Delivery Company LLC in its application for a Distribution Cost Recovery Factor filed with the City of Dallas on April 5, 2018 - Financing: No cost consideration to the City
[18-0694; APPROVED]

Office of Community Care

23. Authorize an Interlocal Agreement with the University of Texas Southwestern Medical Center on behalf of St. Paul University Hospital to provide guidance and assistance to routine postpartum women who are breastfeeding for the period March 1, 2018 through February 28, 2019 - Financing: No cost consideration to the City
[18-0695; APPROVED]

CONSENT AGENDA (continued)

Office of Economic Development

24. Authorize **(1)** a public hearing to be held on May 23, 2018, to receive comments concerning the renewal of the Deep Ellum Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the public hearing; **(2)** a resolution approving renewal of the District for seven years, and approval of the District's Service Plan for 2019-2025 - Financing: No cost consideration to the City
[18-0696; APPROVED]
25. Authorize **(1)** a public hearing to be held on May 23, 2018, to receive comments concerning the renewal of the Prestonwood Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the public hearing **(2)** a resolution approving renewal of the District for seven years, and approval of the District's Service Plan for 2019-2025 - Financing: No cost consideration to the City
[18-0697; APPROVED]

Office of Procurement Services

26. Authorize a three-year on-call consultant contract for solid waste consulting services with Burns & McDonnell Engineering Company, Inc. through an Interlocal Agreement with the City of San Antonio - Not to exceed \$255,000 - Financing: Sanitation Current Funds (subject to annual appropriations)
[18-0698; APPROVED]
27. Authorize an acquisition contract for the purchase and training support of one light duty explosives robot for the Dallas Police Department - Remotec, Inc., sole source - Not to exceed \$200,123 - Financing: U.S. Department of Homeland Security Grant Funds
[18-0699; APPROVED]

Water Utilities Department

28. Authorize a professional services contract with Garver, LLC to provide engineering services for the design, construction administration, and start-up of rehabilitation improvements at Central Wastewater Treatment Plant - Not to exceed \$2,198,026 - Financing: Water Utilities Capital Improvement Funds
[18-0700; APPROVED]

CONSENT AGENDA (continued)

Water Utilities Department (continued)

29. Authorize a construction contract for the installation of water and wastewater mains at 11 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of seven - Not to exceed \$5,499,773 - Financing: Aviation Capital Construction Funds (\$1,355,864) and Water Utilities Capital Improvement Funds (\$4,143,909)
[18-0701; APPROVED]
30. Authorize an increase in the construction services contract with John Burns Construction Company of Texas, Inc. for additional work associated with the installation of water and wastewater mains at three locations (list attached) - Not to exceed \$1,036,349, from \$10,528,912 to \$11,565,261 - Financing: Aviation Capital Construction Funds (\$148,000) and Water Utilities Capital Improvement Funds (\$888,349)
[18-0702; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

31. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
[18-0703; INDIVIDUAL AND OFFICER APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]

Housing & Neighborhood Revitalization

32. Authorize the ~~(1)~~ adoption of a new comprehensive housing policy (the "Housing Policy"); ~~(21)~~ (21) to rescind and replace the Home Repair Programs with the Home Improvement and Preservation Program; (2) to incorporate existing housing strategies, tools and programs including Landbank, Housing Bill 110, Dallas Tomorrow Fund, Dallas Homebuyer Assistance Program, and Tenant Based Rental Assistance; (3) to create and implement certain new existing housing strategies, tools and programs; are incorporated into the comprehensive housing policy; (34) to restrict certain changes to the Housing Policy to future city council approval of any addition to, alteration or deletion of a strategy tool, or program included in the comprehensive housing policy via a resolution to amend the Housing Policy unless such addition, alteration or deletion is purely administrative in form and does not alter the stated goals;

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization

32. [Continued]

~~(45) to recommend the Community Development Commission shall to use the Housing Policy as a guide for developing all recommendations, including those related to the U.S. Department of Housing and Urban Development entitlement grants; (56) to direct the City Manager to execute individual loans agreements, which may includes loans exceeding \$50,000, (and other necessary documents) in accordance with the Dallas Homebuyer Assistance Program and Home Improvement and Preservation Program; and without additional Council approval; (67) to use unspent funds estimated at approximately \$4.8M from home repair activities (Major Systems Repairs, Emergency System Repair, and Home Rebate Improvement) for the may be used in the new Home Improvement and Preservation Program; and (7) Housing Policy to take effect immediately upon approval - Financing: No cost consideration to the City~~
[18-0704; CORRECTED ON THE ADDENDUM; APPROVED AS AMENDED]

Department of Sustainable Development and Construction

ZONING CASES - CONSENT
[18-0705; APPROVED]

33. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 615, on the northeast corner of Park Central Drive and Banner Drive
Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan
Z178-148(WE/PD)
[18-0706; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30856]

34. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, distillery, or winery on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest corner of Main Street and Pryor Street
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-175(JM)
[18-0707; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30857]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Department of Sustainable Development and Construction (continued)

ZONING CASES – CONSENT (continued)

35. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1842 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northwest corner of West Kiest Boulevard and South Cockrell Hill Road
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z178-179(MB)
[18-0708; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30858]
36. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District, on the east line of Bennett Avenue, the south line of Monarch Street, and the west line of North Garrett Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z178-182(JM)
[18-0709; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30859]

ZONING CASES - INDIVIDUAL

37. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay, on the northwest corner of Lake June Road and North Prairie Creek Road
Recommendation of Staff: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions
Z178-180(JM)
[18-0710; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE NOS. 30860 AND 30861]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Department of Sustainable Development and Construction (continued)

ZONING CASES – INDIVIDUAL (continued)

38. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant with drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 366-D, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay, on the east line of South Buckner Boulevard, north of Bruton Road
Recommendation of Staff: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions
Z178-183(MB)
[18-0711; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 30862 AND 30863]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

39. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District; a resolution accepting deed restrictions volunteered by the applicant; and an ordinance granting a Specific Use Permit for outside sales on property zoned an R-10(A) Single Family District on the west line of South Belt Line Road, north of Sarah Lane
Recommendation of Staff: Approval of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for outside sales for a three-year period, subject to a site plan and conditions
Recommendation of CPC: Approval of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for outside sales for a two-year period, subject to a site plan and conditions
Z167-362(WE/SH)
Note: This item was considered by the City Council at a public hearing on March 28, 2018, and was deferred until May 9, 2018, with the public hearing open
[18-0712; DEFERRED TO JUNE 13, 2018 BY COUNCILMEMBER ATKINS]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

BENEFIT ASSESSMENT HEARINGS

Department of Public Works

40. A benefit assessment hearing to receive comments on street paving, drainage, water and wastewater main improvements for Lonsdale Avenue from Sarah Lee Drive to Lake June Road; and at the close of the hearing, authorize an ordinance levying benefit assessments; and a construction contract with Jeske Construction Company, lowest responsible bidder of thirteen - Not to exceed \$1,549,582 - Financing: 2017 Bond Funds (\$928,824), Water Utilities Capital Improvement Funds (\$551,718), and Water Utilities Capital Construction Funds (\$69,040)

[18-0713; HEARING CLOSED; APPROVED; ORDINANCE 30864]

MISCELLANEOUS HEARINGS

Office of Budget

41. A public hearing to receive comments on the FY 2018-19 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

[18-0714; HEARING CLOSED]

Office of Environmental Quality

42. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by JP-Banner, LP and JP-North Central Plaza, LLC, located near the intersection of Coit Road and Banner Drive and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to JP-Banner, LP and JP-North Central Plaza, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

[18-0715; HEARING CLOSED; APPROVED; ORDINANCE 30865]

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COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:08 A.M. – 1:22 P.M.**

CORRECTION:

Housing & Neighborhood Revitalization

32. Authorize the ~~(1)~~ adoption of a new comprehensive housing policy (the “Housing Policy”); ~~(21)~~ to rescind and replace the Home Repair Programs with the Home Improvement and Preservation Program; ~~(2)~~ to incorporate existing housing strategies, tools and programs including Landbank, Housing Bill 110, Dallas Tomorrow Fund, Dallas Homebuyer Assistance Program, and Tenant Based Rental Assistance; ~~(3)~~ to create and implement certain new existing housing strategies, tools and programs; are incorporated into the comprehensive housing policy; ~~(34)~~ to restrict certain changes to the Housing Policy to future city council approval of any addition to, alteration or deletion of a strategy tool, or program included in the comprehensive housing policy via a resolution to amend the Housing Policy unless such addition, alteration or deletion is purely administrative in form and does not alter the stated goals; ~~(45)~~ to recommend the Community Development Commission shall to use the Housing Policy as a guide for developing all recommendations, including those related to the U.S. Department of Housing and Urban Development entitlement grants; ~~(56)~~ to direct the City Manager to execute individual loans agreements, which may includes loans exceeding \$50,000, (and other necessary documents) in accordance with the Dallas Homebuyer Assistance Program and Home Improvement and Preservation Program; and without additional Council approval; ~~(67)~~ to use unspent funds estimated at approximately \$4.8M from home repair activities (Major Systems Repairs, Emergency System Repair, and Home Rebate Improvement) for the may be used in the new Home Improvement and Preservation Program; and (7) Housing Policy to take effect immediately upon approval
- Financing: No cost consideration to the City
[18-0704]

DELETION:

Housing & Neighborhood Revitalization

17. Authorize the second amendment to the conditional grant agreement for the construction of 40 single-family homes, previously approved by Resolution No. 16-0841 on May 25, 2016, with Camden Homes at Shady Oaks, LLC for the Shady Oaks Project to **(1)** extend the conditional grant agreement completion date from May 25, 2018 to November 28, 2018; and **(2)** amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City
[18-0689]