

City of Dallas



COUNCIL ANNOTATED AGENDA

May 8, 2019

2:03 P.M. – 7:13 P.M.

[19-0680; HELD]

***Kleberg-Rylie Recreation
Center 1515 Edd Road
Dallas, Texas 75253***

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers
[19-0681]

VOTING AGENDA

1. 19-596 Approval of Minutes of the April 24, 2019 City Council Meeting
[19-0682; APPROVED WITH A CORRECTION]

CONSENT AGENDA
[19-0683; APPROVED]

Department of Public Works

2. 19-46 Authorize a design-build services contract with Harrison, Walker & Harper, L.P. for the design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the new Fire Station Number 59 to be located at 7097 South Jim Miller Road - Not to exceed \$658,932.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)
[19-0684; APPROVED]
3. 19-484 Authorize an increase in the construction services contract with Tiseo Paving Company to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection - Not to exceed \$143,240.99, from \$7,663,717.75 to \$7,806,958.74 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
[19-0685; APPROVED]
4. 19-501 Authorize Supplemental Agreement No. 5 to the professional services contract with Civil Associates, Inc. for additional engineering design of street lighting, plan revisions to incorporate recent adjacent private development, and necessary design modifications associated with the right-of-way acquisition needed for the Central Business District Fair Park Link from Hall Street to Interstate Highway 30 - Not to exceed \$251,110.00, from \$619,383.27 to \$870,493.27 - Financing: Street and Transportation Improvements Fund (2006 Bond Funds) (\$239,770.00) and Water Utilities Capital Construction Funds (\$11,340.00)
[19-0686; APPROVED]

Department of Sustainable Development and Construction

5. 19-490 Authorize acquisition from Aaron Glenn Parker, of approximately 26,770 square feet of land improved with a manufactured home located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$38,929.00 (\$35,929.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Water Construction Fund
[19-0687; APPROVED]

CONSENT AGENDA (continued)**Department of Sustainable Development and Construction** (continued)

6. 19-384 Authorize acquisition from Nueva Vida/New Life Assembly Inc., of approximately 27,669 square feet of land for a Temporary Working Space Easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$13,835.00 - Financing: Water Construction Fund
[19-0688; APPROVED]
7. 19-427 Authorize moving expense and replacement housing payments for Jorge Martinez and Lidia Silva Perez as a result of an official written offer of just compensation to purchase real property at 2919 Alex Street for the Cadillac Heights Phase II Project - Not to exceed \$71,050.00 - Financing: Land Acquisition in Cadillac Heights (2006 Bond Funds)
[19-0689; APPROVED]
8. 19-575 An ordinance amending Chapter 19 "Health and Sanitation", of the Dallas City Code by adding Section 19-38; requiring at least one safe, sanitary, and convenient diaper changing accommodation in publicly available and accessible restrooms in city-owned buildings and structures containing certain restaurant and retail uses - Financing: This action has no cost consideration to the City (see Fiscal Information)
[19-0690; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 31193]

Department of Transportation

9. 19-387 Authorize an amendment to the Municipal Maintenance Agreement with the Texas Department of Transportation for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City
[19-0691; APPROVED]
10. 19-394 Authorize a Beautification Agreement with the Fort Worth Avenue Development Group for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City (see Fiscal Information)
[19-0692; APPROVED]

Office of Budget

11. 19-609 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 8, 2019 - Financing: No cost consideration to the City
[19-0693; APPROVED]

CONSENT AGENDA (continued)**Office of Procurement Services**

12. 19-550 Authorize the purchase of **(1)** three mobile surveillance towers for the Police Department in the amount of \$610,835.75; and **(2)** seven self-contained breathing apparatus with parts and accessories for the Police Department in the amount of \$88,085.47 with Safeware, Inc. through the U.S. Communities Government Purchasing Alliance cooperative agreement - Total not to exceed \$698,921.22 - Financing: U.S. Department of Homeland Security Grant Funds
[19-0694; APPROVED]
13. 19-416 Authorize a three-year service price agreement, with two one-year renewal options, for electronic waste collection and recycling services for the Department of Sanitation Services - Universal Recycling Technologies, LLC, lowest responsible bidder of three - Estimated amount of \$143,702.70 - Financing: Sanitation Operation Fund
[19-0695; APPROVED]
14. 19-411 Authorize a five-year service price agreement for on-site heavy-duty truck washing services for the Department of Sanitation Services - FW Fleet Clean, LLC, lowest responsible bidder of two - Not to exceed \$1,253,122 - Financing: Sanitation Operation Fund
[19-0696; APPROVED]
15. 19-486 Authorize a three-year master agreement for smoke alarms for the Fire-Rescue Department - Asset Lighting and Electric, Inc., lowest responsible bidder of five - Estimated amount of \$226,380 - Financing: General Fund
[19-0697; APPROVED]

Water Utilities Department

16. 19-545 Authorize acquisition from 505 Riverfront, Ltd., of a subsurface Fiber Optic Communication easement under approximately 1,482 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed \$19,908.00 (\$16,908.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)
[19-0698; APPROVED]
17. 19-546 Authorize acquisition from 505 Riverfront, Ltd., of a Fiber Optic Communication easement containing two surface tracts totaling approximately 342 square feet of land and a subsurface tract under approximately 2,816 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed \$53,667.00 (\$50,667.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)
[19-0699; APPROVED]

CONSENT AGENDA (continued)**Water Utilities Department** (continued)

18. 19-544 Authorize a resolution **(1)** reaffirming the protection of the Great Trinity Forest and upholding the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and **(2)** directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
[19-0700; DELETED ON THE ADDENDUM]
19. 19-379 Authorize a professional services contract with HDR Engineering, Inc. for the engineering design of Storm Drainage Contract No. 1 for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System - Not to exceed \$1,066,050.69 - Financing: Storm Drainage Management Capital Construction Fund
[19-0701; APPROVED]
20. 18-1133 Authorize Supplemental Agreement No. 1 to the professional services contract with Half Associates, Inc. to provide additional engineering and construction administration services associated with heating, ventilation, and air conditioning system improvements and building envelope renovations at various Dallas Water Utilities owned facilities - Not to exceed \$139,871.85, from \$2,653,128.64 to \$2,793,000.49 - Financing: Water Utilities Capital Improvement Funds
[19-0702; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION**City Secretary's Office**

21. 19-597 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)
[19-0703; FULL COUNCIL AND INDIVIDUAL APPOINTMENTS MADE TO BOARDS]

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)**Office of Budget**

22. 19-601 Authorize **(1)** preliminary adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$29,896,688 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$14,697,642; **(b)** HOME Investment Partnerships Program in the amount of \$5,427,679; **(c)** Emergency Solutions Grant in the amount of \$1,256,675; **(d)** Housing Opportunities for Persons with AIDS in the amount of \$7,058,692; and **(e)** estimated Program Income in the amount of \$1,456,000; **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24; and **(3)** a public hearing to be held on May 22, 2019, to receive comments on the proposed use of funds - Financing: No cost consideration to the City
[19-0704; APPROVED]

Water Utilities Department

23. 19-506 Authorize a Project Partnership Agreement with the U.S. Army Corps of Engineers to complete design and construction for the Modified Dallas Floodway Project Flood Risk Management Projects, as defined in the Water Resources Development Act of 2007 and the 2015 Record of Decision, including associated interior drainage improvements adjacent to the Dallas Floodway levees, and consistent with the Balanced Vision Plan for the Trinity River Corridor Project - Not to exceed \$69,015,000.00 - Financing: Trinity River Corridor Project Funds (1998 Bond Funds) (\$66,996,164.00) and Flood Protection and Storm Drainage Facilities Fund (2006 Bond Funds) (\$2,018,836.00)
[19-0705; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Sustainable Development and Construction**ZONING CASES - CONSENT**[19-0706; APPROVED]**

24. 19-589 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an MU-3 Mixed Use District; and **(2)** an ordinance granting a Specific Use Permit for a commercial amusement (outside) use on a portion on property zoned an IR Industrial Research District, west of East Technology Boulevard, north of Connector Drive
Recommendation of Staff and CPC: Approval of an MU-3 Mixed Use District and approval of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-240(SM)
[19-0707; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 31194 AND 31195]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Department of Sustainable Development and Construction** (continued)ZONING CASES – INDIVIDUAL

25. 19-590 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for IR Industrial Research District uses plus a community resource campus on property zoned an IR Industrial Research District, on the west side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive
Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions.
Z178-121(JM)
[19-0708; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 31196]
26. 19-591 A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1871 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 northeast corner of Lake June Road and Holcomb Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z178-378(SM)
[19-0709; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 31197]
27. 19-592 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Use District uses on property zoned an MF-2(A) Multifamily District, on the northwest corner of East Side Avenue and South Collett Avenue
Recommendation of Staff: Denial.
Recommendation of CPC: Approval, subject to a development plan and conditions.
Z189-125(CY)
[19-0710; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 31198]
28. 19-593 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Cedar Springs Road and Maple Avenue
Recommendation of Staff: Approval, subject to a revised development plan and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions
Z189-145(JM)
[19-0711; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 31199]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Department of Sustainable Development and Construction** (continued)ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

29. 19-645 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)
Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions
Z167-180(JM)
Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was deferred held under advisement until May 8, 2019, with the public hearing open.
[19-0712; CORRECTED ON THE ADDENDUM; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 31200 AND 31201]
30. 19-580 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and **(2)** an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street
Recommendation of Staff and _____ CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use
Z178-260(SM)
Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019 and April 10, 2019, and is scheduled for consideration on May 8, 2019.
[19-0713; HEARING OPEN; DEFERRED TO JUNE 12, 2019 BY COUNCILMEMBER NARVAEZ]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Department of Sustainable Development and Construction** (continued)ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL (continued)

31. 19-649 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses on property zoned a GR General Retail Subdistrict and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of North Fitzhugh Avenue and Buena Vista Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions
Z189-155(SM)
Note: This item was deferred by the City Council before opening the public hearing on April 24, 2019, and is scheduled for consideration on May 8, 2019.
[19-0714; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 31202]

SPECIAL PURPOSE SIGN DISTRICT

32. 19-594 A public hearing to receive comments regarding a City Council authorized hearing to amend the Antioch Church Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the southeast corner of Pacific Avenue and North Austin Street with consideration given to amending Division 51A-7.1007.2 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
SPSD189-003
[19-0715; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 31203]
33. 19-595 A public hearing to receive comments regarding a City Council authorized hearing to amend the Purse Building Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the northeast corner of Elm Street and Record Street with consideration being given to amending Division 51A-7.1007.1 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
SPSD189-004
[19-0716; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 31204]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

MISCELLANEOUS HEARINGS

Fire-Rescue Department

34. 19-610 A public hearing to receive comments on an amendment to Chapter 16, "Dallas Fire Code," of the Dallas City Code, **(1)** decreasing the hourly standby personnel fee; **(2)** providing a definition of alternative standby personnel; **(3)** allowing alternative standby personnel to conduct fire watch duties; **(4)** requiring standby personnel and alternative standby personnel to have a minimum of two means of contact the fire department; and **(5)** providing minimum qualifications of alternative standby personnel; and, at the close of the public hearing an ordinance granting an amendment to Chapter 16, "Dallas Fire Code", of the Dallas City Code - Financing: This action has no cost consideration to the City (see Fiscal Information for cost consideration to others)
[19-0717; HEARING CLOSED; APPROVED; ORDINANCE 31205]

ADDITIONS:ITEMS FOR INDIVIDUAL CONSIDERATION**Department of Human Resources**

1. 19-711 A resolution authorizing a first amendment to the City Manager Agreement of Employment with City Manager T.C. Broadnax to increase his annual base salary in the amount of \$11,850.00, effective May 8, 2019 - Not to exceed \$11,850.00, from \$395,000.00 to \$406,850.00 - Financing: General Fund
[19-0718; APPROVED]
2. 19-712 A resolution authorizing an increase in the annual base salary of the City Secretary Bilierae Johnson in the amount \$7,500.00, effective May 8, 2019 - Not to exceed \$7,500.00, from \$150,000.00 to \$157,500.00 - Financing: General Fund
[19-0719; APPROVED]

Municipal Court Judiciary

3. 19-644 A resolution appointing four associate (part-time) hearing officers to preside over the City of Dallas's municipal court of record and shall serve until a successor is recommended by the administrative judge and appointed by the city council - Financing: No cost consideration to the City
[19-0720; APPROVED]
4. 19-700 An ordinance establishing the judicial salaries for the administrative judge and full-time municipal judges - Financing: General Fund
[19-0721; APPROVED; ORDINANCE 31206]

Office of Budget

5. 19-603 An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 15, 2019 Dallas Annual Rate Review filing - Financing: No cost consideration to the City
[19-0722; APPROVED; ORDINANCE 31207]

Office of Economic Development

6. 19-679 Authorize a resolution **(1)** designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code to promote an increase in economic development in the zone, establish the boundaries of the zone, and provide for an effective date; and **(2)** creating a pilot economic development program for City of Dallas NEZ No. 9 to encourage increased economic development in the zone - Financing: No cost consideration to the City (see Fiscal Information)
[19-0723; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)**Police Department**

7. 19-621 Authorize **(1)** an application for and acceptance of the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No. 20.616) in the amount of \$84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for a safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; **(2)** a City contribution of Federal Insurance Contributions Act costs in the amount of \$1,232.36; **(3)** the establishment of appropriations in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; **(4)** the receipt and deposit of grant funds in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; and **(5)** execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount \$86,222.36 - Financing: General Fund (\$1,232.36) and Texas Department of Transportation Grant Funds (\$84,990.00)
[19-0724; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

Office of Budget

8. 19-680 A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City
[19-0725; HEARING CLOSED]

CORRECTION:

29. 19-645 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)
Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions
Z167-180(JM)
Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was deferred held under advisement until May 8, 2019, with the public hearing open.
[19-0712]

DELETION:**Water Utilities Department**

18. 19-544 Authorize a resolution **(1)** reaffirming the protection of the Great Trinity Forest and upholding the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and **(2)** directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
[19-0700]