MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, MAY 25, 2022

22-0780

VOTING AGENDA MEETING
DALLAS CITY HALL, COUNCIL CHAMBER/VIDEO CONFERENCE
MAYOR ERIC JOHNSON, PRESIDING

MAYOR ERIC JOHNSON, PRESIDING Johnson, *West (**10:40 a.m.), Resendez, Moreno, Thomas, Arnold, PRESENT: [15] Narvaez, Bazaldua, Atkins, Blackmon, McGough, Schultz, Mendelsohn, Willis, Ridley ABSENT: [0] The meeting was called to order at 9:23 a.m. with a quorum of the city council present. The invocation was given by Dallas Fire Rescue Chaplain Joe Veracruz. Mayor Johnson led the pledge of allegiances of the United States of America and Texas State flags. The meeting agenda, posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented. The meeting recessed at 11:25 a.m. and reconvened to open session at 1:12 p.m. After all business properly brought before the city council had been considered, the city council adjourned at 2:59 p.m. Mayor ATTEST:

The annotated agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Date Approved

The actions taken on renewal motions that allows the city council to further discuss (reconsideration) or dispose (rescind) of a motion previously considered by the city council, are filed with the City Secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

*Note: Members of the City Council participated in this meeting by video conference.

City Secretary

^{**}Note: Indicates arrival time after meeting called to order/reconvened

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, MAY 25, 2022

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, MAY 25, 2022

EXHIBIT B

MAY 25, 2022

22-0781

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Robin Caldwell, 7030 Judi St. SUBJECT: Safety on DART Silver Line

REPRESENTING: Highlands of McKamy IV & V HOA

SPEAKER: Cookie Peadon, 7111 Debbe Dr.

SUBJECT: Short Term Rentals

REPRESENTING: North Dallas Neighborhood Alliance

SPEAKER: Barbara Batson, 5030 Thunder Rd. SUBJECT: Short Term Rental zoning/regulations

SPEAKER: Katherine McGovern, 4364 Royal Ridge Dr.

SUBJECT: Opposition to sale of WRR

REPRESENTING: Friends of WRR

SPEAKER: Augusta Bailey, 3910 Penelope St.

SUBJECT: Homeless in City of Dallas

REPRESENTING: Passion for Children

<u>OPEN MICROPHONE – END OF MEETING:</u>

SPEAKER: Kaseya Bornslater, 5012 Urban Crest Rd.

SUBJECT: Boarding homes

SPEAKER: John Ocallahan, 2920 Forest Ln.

SUBJECT: Fighting homelessness

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL 22-0781 Page 2

OPEN MICROPHONE – END OF MEETING:

(continued)

SPEAKER: Alicia Sanchez, 515 N. Marsalis Ave.

SUBJECT: Becoming homeless

SPEAKER: Alexander Stein, 7509 Inwood Rd.

SUBJECT: Why the city is tripping

SPEAKER: Charles Jones, 515 N. Marsalis Ave.

SUBJECT: Becoming homeless

SPEAKER: Lisa Marshall, 4545 Royal Ln. SUBJECT: Becoming homeless/housing issues

SPEAKER: Hector Hernandez, 515 N. Marsalis Ave.

SUBJECT: Becoming homeless

MAY 25, 2022

22-0782

Item 1: Approval of Minutes of the May 11, 2022 City Council Meeting

Councilmember Narvaez moved to adopt the minutes as presented.

Motion seconded by Deputy Mayor Pro Tem Resendez and unanimously adopted. (West absent when vote taken)

MAY 25, 2022

22-0783

CONSENT AGENDA

Prior to consideration of the consent agenda, the following registered speakers addressed the city council:

Dustin Bullard, 1401 Elm St., representing Downtown Dallas Inc. [Agenda Item 10] Ellen Magnis, 711 S. St Paul St., representing Family Gateway [Agenda Item 20]

The consent agenda consisted of consent agenda items 2-35. Consent agenda item 11 was deleted.

Mayor Johnson requested consent agenda item 8 be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Councilmember Ridley requested consent agenda item 15 be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Councilmember Moreno requested consent agenda items 18, 19 and 33 be considered as individual items later in the meeting; there was no objection voiced by the city council.

Therefore, the consent agenda, consisting of consent agenda items 2-7, 9, 10, 12-14, 16, 17, 20-32, 34 and 35 was presented for consideration.

Councilmember Atkins moved to adopt all items on the consent agenda.

Motion seconded by Councilmember Narvaez and unanimously adopted. (West absent when vote taken)

MAY 25, 2022

22-0784

Item 2:

Authorize an increase in the construction services contract with TDIndustries to provide heating, ventilation and air conditioning system installation and services at City facilities, through the National Cooperative Purchasing Alliance Contract No. 02-92 - Not to exceed \$5,600,000.00, from \$22,400,000.00 to \$28,000,000.00 - Financing: Coronavirus State and Local Fiscal Recovery Funds (\$4,000,000.00) and Capital Construction Fund (\$1,600,000.00) (subject to annual appropriations)

MAY 25, 2022

22-0785

Item 3: Authorize settlement of Arstella Owens's claim in the lawsuit styled

Donnia Beasley et al. v. City of Dallas, Cause No. DC-21-07254 - Not to exceed

\$60,000.00 - Financing: Liability Reserve Fund

MAY 25, 2022

22-0786

Item 4:

Authorize Supplemental Agreement No. 1 to the professional services contract with Kirkland & Ellis LLP for final payment of legal services rendered to the City of Dallas in connection with an investigation of, and report about, data loss involving City of Dallas Information and Technology Services Department employee(s) migrating Dallas Police Department and City Secretary's Office files from an online cloud-based archive to a server for the time period of January 21, 2021 through April 1, 2021, and any other data loss reported - Not to exceed \$82,803.88, from \$548,450.00 to \$631,253.88 - Financing: Liability Reserve Fund

MAY 25, 2022

22-0787

Item 5:

An ordinance amending Chapter 2, "Administration," of the Dallas City Code by amending Article VIII (1) providing a socially responsible banking program; (2) providing a saving clause; (3) providing a severability clause; and (4) providing an effective date - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32211

MAY 25, 2022

22-0788

Item 6:

Authorize (1) an increase in the construction services contract with Flatiron Constructors, Inc. to provide additional construction services for the Reconstruction of Runway 13R-31L and Taxiway C Phase I Project at Dallas Love Field; and (2) an increase in appropriations in an amount not to exceed \$4,994,038.70 in the 2021 AVI Commercial Paper Fund - Not to exceed \$4,994,038.70, from \$124,623,248.58 to \$129,617,287.28 - Financing: 2021 AVI Commercial Paper Fund

MAY 25, 2022

22-0789

Item 7:

Authorize a decrease in the construction services Contract No. CCT-2020-00013016 with Sawyers Construction, Inc., for Change Order No. 2 reducing the contractor's scope of work for the Kay Bailey Hutchison Convention Center Dallas Elevator and Escalator Modernization project located at 650 South Griffin Street - Not to exceed (\$408,655.02) from \$6,503,498.00 to \$6,094,842.98

- Financing Convention Center Construction Fund

MAY 25, 2022

22-0790

Item 8:

Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$35,000,000.00; proceeds of the Bonds will be loaned to Ash Creek Preservation Apartments, LLC to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Rosemont at and located at 2605 John West Road, Dallas, Texas (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on March 28, 2022 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

Mayor Johnson requested the item be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Later in the meeting, the item was presented for consideration.

The city secretary announced Mayor Johnson had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Johnson left the council chamber.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Blackmon and unanimously adopted. (Johnson abstain; West absent when vote taken)

MAY 25, 2022

22-0791

Item 9:

Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$30,000,000.00; proceeds of the Bonds will be loaned to S Zang, LP to finance a portion of the cost for the new construction of units for an affordable multifamily complex to be known as Highpoint at Wynnewood and located at 1911 Pratt Street, Dallas, Texas 75224 (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on March 14, 2022 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

MAY 25, 2022

22-0792

Item 10:

An ordinance providing for the closure and vacation to vehicular traffic of a portion of South Pearl Expressway containing approximately 12,160 square feet of land, located at the intersection of South Pearl Expressway and Taylor Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32212

MAY 25, 2022

22-0793

Item 11:

Authorize acquisition from Wilbow-Timberlawn, LLC, of approximately four acres of land located near the intersection of Samuell Boulevard and Grove Hill Road for the 4600 Samuell Boulevard Future Park Project Not to exceed \$1,207,600.86 (\$1,200,000.00, plus closing costs and title expenses not to exceed \$7,600.86) - Financing: Equity Revitalization Capital Fund (\$107,600.86) and General Fund (\$1,100,000.00)

Deleted

MAY 25, 2022

22-0794

Item 12:

Authorize a thirty-six-month construction services contract for the 2022 Dallas Sidewalk Master Plan Improvements that includes water and wastewater adjustments at various locations throughout the City - Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of seven - Not to exceed \$13,887,150.00 - Financing: Certificate of Obligation Funds (\$6,922,812.89), Street and Alley Improvement Fund (\$5,682,577.11), General Fund (\$695,560.00), Water Construction Fund (\$546,200.00) and Wastewater Construction Fund (\$40,000.00) (subject to annual appropriations)

MAY 25, 2022

22-0795

Item 13:

Authorize a sixty-two month lease agreement with Ricchi Towers, LLC, for approximately 2,105 square feet of office space located at 8585 North Stemmons Freeway, Suite S-720, to be used for City personnel purposes for the Dallas Fire Department for the period July 1, 2022 through August 31, 2027 - Not to exceed \$190,151.68 - Financing: General Fund (subject to annual appropriations)

MAY 25, 2022

22-0796

Item 14:

Authorize Change Order No. 2 to the construction services contract with Heritage Materials, LLC to authorize reducing General Fund capacity by \$5,649,587.95 and Street and Alley Improvement Fund by \$5,649,587.95 and increasing Certificate of Obligation funding by \$11,299,175.90 for a zero-dollar change order, keeping the contract amount at \$193,566,066.60 - Financing: 2022 Certificate of Obligation Fund

MAY 25, 2022

22-0797

Item 15:

Authorize a construction contract for the Dallas Union Bikeway Connector Project from Houston Street and Nowitzki Way to the intersection of Harwood Street and Woodall Rodgers Freeway access road - Gibson & Associates, Inc., lowest responsible bidder of two - Not to exceed \$1,015,842.45 - Financing: Texas Department of Transportation Grant Fund (\$554,682.00), Bike Lane Fund (\$461,160.45)

Councilmember Ridley requested the item be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Later in the meeting, the item was presented for consideration.

Councilmember Ridley moved to adopt the item.

Motion seconded by Councilmember Narvaez and unanimously adopted. (West absent when vote taken)

MAY 25, 2022

22-0798

Item 16:

Authorize the (1) acceptance of a grant from the United States Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside (TASA) Program Grant (Agreement No. CSJ 0918-47-327, CFDA No. 20.205) in the amount of \$325,661.00 as federal share in the total project cost of \$342,743.37 (Federal share \$325,661.00, Indirect \$14,121.87, and City of Dallas match for Direct State Participation \$2,960.50 totaling \$342,743.37) for costs related to the reconstruction and widening of the existing sidewalks to install ADA ramps, from Gaston Avenue to the Northwest, and North Prairie Avenue to the Northeast for installation of traffic calming improvements for crosswalks, signs, pedestrian signals and other Safe Routes to School Improvements; (2) establishment of appropriations in the amount of \$325,661.00 in the Zaragoza Road Safe Routes to School (SRTS) Improvements Fund; (3) receipt and deposit of funds in the amount of \$325,661.00 in the Zaragoza Road Safe Routes to School (SRTS) Improvements Fund; (4) disbursement of funds in the amount of \$325,661.00 from the Zaragoza Road Safe Routes to School (SRTS) Improvements Fund; (5) disbursement of City of Dallas Direct State Participation funds in the amount of \$1,480.25 to be issued as a warrant check to TxDOT for State construction costs and other State direct costs related to the project from the Bike Lane Fund; (6) disbursement of City of Dallas Direct State Participation funds in the amount of \$1,480.25 to be issued as a warrant check to TxDOT for State construction costs and other State direct costs related to the project from the General Fund; and (7) execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the grant agreement - Total amount of \$328,621.50 - Financing: Texas Department of Transportation Grant Funds (\$325,661.00) Bike Lane Fund (\$1,480.25) General Fund (\$1,480.25)

MAY 25, 2022

22-0799

Item 17:

Authorize Supplemental Agreement No. 1 to the consultant contract with AECOM/AZTECA Joint Venture to provide additional program management and staff augmentation services to complete the 2017 Bond Program horizontal projects for Streets and Transportation - Not to exceed \$430,580.31 from \$7,514,491.04, to \$7,945,071.35 - Financing: Bond Program Administration Fund

MAY 25, 2022

22-0800

Item 18:

Authorize a development agreement and all other necessary documents with FM City Park, LLC ("Adjacent Owner") and/or its affiliates in an amount not to exceed \$285,650.00 for the design and construction of the Pearl Improvement Project ("Project"), located in the Pearl Expressway public right-of-way between Taylor Street and Marilla Street, in Tax Increment Financing Reinvestment Zone Number Six ("Farmers Market TIF District"), approved as to form by the City Attorney, payable from Farmers Market Tax Increment Financing District funds, such improvements being necessary and convenient to the implementation of the Farmers Market TIF District Amended Project Plan and Reinvestment Zone Financing Plan - Not to exceed \$285,650.00 - Financing: Farmers Market TIF District Fund (subject to annual appropriations from tax increments)

Councilmember Moreno requested the item be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Later in the meeting, the item was presented for consideration.

Councilmember Moreno moved to hold the item under advisement until the June 22, 2022 voting agenda meeting of the city council.

Motion seconded by Councilmember Narvaez.

During discussion and at the request of Councilmember Blackmon, the following individual addressed the city council on the item:

Brian Bergersen, 4308 Beechwood Ln.

After discussion, Mayor Johnson called a record vote on Councilmember Moreno's motion:

Voting Yes: [4] Resendez, Moreno, Narvaez, Ridley

Voting No: [10] Johnson, West, Thomas, Arnold,

Bazaldua, Atkins, Blackmon, McGough,

Schultz, Willis

Absent When Vote Taken: [1] Mendelsohn

The city secretary declared the motion failed.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Schultz.

Mayor Johnson called a vote and declared the item adopted on a divided vote with Councilmembers Moreno and Narvaez voting "No." (Mendelsohn absent when vote taken)

MAY 25, 2022

22-0801

Item 19:

Authorize a development agreement and an amendment to the Master Agreement, as amended, along with other documents the City deems necessary with 1100 Pearl Street, Inc. ("Developer") and/or its affiliates in an amount not to exceed \$6,544,249.00 payable from future Farmers Market TIF District Funds, in consideration for the design, funding, and construction of the Pearl Lofts Project ("Project") located on property currently addressed as 2100 Jan Pruitt Way ("Project site") in Tax Increment Financing Reinvestment Zone Number Six ("Farmers Market TIF District"), approved as to form by the City Attorney, with such improvements being necessary and convenient to the implementation of the Farmers Market TIF District Project Plan and Reinvestment Zone Financing plan, as amended - Not to exceed \$6,544,249.00 - Financing: Farmers Market TIF District Fund (subject to future appropriations from tax increments)

Councilmember Moreno requested the item be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Later in the meeting, the item was presented for consideration.

Councilmember Moreno moved to deny the item.

Motion seconded by Councilmember Narvaez.

After discussion, Mayor Johnson called a record vote on Councilmember Moreno's motion:

Voting Yes: [3] Moreno, Narvaez, Ridley

Voting No: [11] Johnson, West, Resendez Thomas,

Arnold, Bazaldua, Atkins, Blackmon,

McGough, Schultz, Willis

Absent When Vote Taken: [1] Mendelsohn

The city secretary declared the motion failed.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Blackmon.

Mayor Johnson called a vote and declared the item adopted on a divided vote with Councilmember Moreno voting "No." (Mendelsohn absent when vote taken)

MAY 25, 2022

22-0802

Item 20:

Authorize a twenty-year facility use agreement, with two ten-year renewal options with Family Gateway, Inc for approximately 72,032 square feet of land improved with a 34,109 square foot former hotel located at 19373 Preston Road, to be used as a facility to promote and address the needs for families and individuals experiencing homelessness for the period July 1, 2023 through June 30, 2043 - Financing: No cost consideration to the City

MAY 25, 2022

22-0803

Item 21:

Authorize the first of two twelve-month renewal options to the contract for emergency shelter services for the homeless with Family Gateway, Inc. in the amount of \$135,000.00, The Salvation Army, a Georgia Corporation in the amount of \$175,000.00, and Austin Street Center, formerly known as Shelter Ministries of Dallas dba Austin Street Center, in the amount of \$155,000.00, for the period July 1, 2022 through June 30, 2023 - Not to exceed \$465,000.00 - Financing: U.S. Department of Housing and Urban Development Emergency Solutions Grant Funds

MAY 25, 2022

22-0804

Item 22:

Authorize a five-year cooperative purchasing agreement for a technology financial management software subscription, implementation services, and support for the Department of Information and Technology Services with Carahsoft Technology Corp. through the Omnia Partners Cooperative Agreement - Not to exceed \$1,350,366.97 - Financing: Data Services Fund (\$807,018.14) and Coronavirus State and Local Fiscal Recovery Funds (\$543,348.83) (subject to annual appropriations)

MAY 25, 2022

22-0805

Item 23:

Authorize a three-year master agreement for the purchase of valves, valve parts, and accessories for the Water Utilities Department - Mueller Co., LLC. in the estimated amount of \$1,203,722, Municipal Valve & Equipment Company, Inc. in the estimated amount of \$310,814, and Valve & Equipment Consultants, Inc in the estimated amount of \$5,000, lowest responsible bidders of three - Total estimated amount of \$1,519,536 - Financing: Dallas Water Utilities Fund

MAY 25, 2022

22-0806

Item 24:

Authorize a five-year service contract for the collection and recycling of scrap metal materials for City departments - Okon Metals, Inc., most advantageous proposer of three - Estimated annual revenue: \$202,606.64 - Express Business Center Fund (\$81,042.65), Dallas Water Utilities Fund (\$81,042.65), Sanitation Operation Fund (\$20,260.66), Convention and Event Services Fund (\$14,182.46), and Aviation Fund (\$6,078.22)

MAY 25, 2022

22-0807

Item 25:

Authorize a three-year service price agreement in the estimated amount of \$819,650, with one two-year renewal option in a total estimated amount of \$300,982.50, as detailed in the Fiscal Information section, for an executive and professional search firm for multiple areas of expertise for the Department of Human Resources - GovHR USA LLC, most advantageous proposer of nineteen - Total estimated amount of \$1,120,632.50. Financing: General Fund

MAY 25, 2022

22-0808

Item 26:

Authorize (1) a three-year service price agreement for the maintenance and repair of butterfly valve actuators for the Water Utilities Department - Machining and Valve Automation dba MVA Services in the estimated amount of \$1,413,250; and (2) a three-year master agreement for the purchase of butterfly valves, parts, and actuators for the Water Utilities Department - Municipal Valve & Equipment Company, Inc. in the estimated amount of \$1,631,000, Mueller Co., LLC in the estimated amount of \$436,000, and Macaulay Controls Company in the estimated amount of \$40,000, lowest responsible bidders of seven - Total estimated amount of \$3,520,250 - Financing: Dallas Water Utilities Fund (\$3,292,125) and Stormwater Drainage Management Fund (\$228,125)

MAY 25, 2022

22-0809

Item 27:

Authorize (1) a three-year service price agreement for the maintenance and repair of fitness equipment for various City departments - Calinmackbeau, LLC dba Service First in the estimated amount of \$93,800.00 and Assembly Unlimited, Inc. in the estimated amount of \$11,440.00; and (2) a three-year master agreement for the purchase of fitness and exercise equipment for various City departments - Advanced Healthstyles Fitness Equipment Inc in the estimated amount of \$98,926.25, Comm - Fit Holdings, LLC in the estimated amount of \$418,316.00, Team Marathon Fitness, Inc dba Marathon Fitness in the estimated amount of \$165,356.48, White Phoenix LLC dba Tuff Tread in the estimated amount of \$100,000.00, Calinmackbeau, LLC dba Service First in the estimated amount of \$92,750.00, and Assembly Unlimited Inc. in the estimated amount of \$7,800.00, lowest responsible bidders of eight - Total estimated amount of \$1,682,984.17 - Financing: General Fund

MAY 25, 2022

22-0810

Item 28: Authorize the purchase of traffic monitoring cameras and related equipment

for the Department of Transportation with AM Signal, LLC through The Local Government Purchasing Cooperative (BuyBoard) agreement - Not to

exceed \$588,139.50 - Financing: Traffic Signal Retiming Grant Fund

MAY 25, 2022

22-0811

Item 29:

Authorize (1) the purchase of twenty-five ballistic shields for the Police Department with Galls, LLC dba Red the Uniform Tailor through The Local Government Purchasing Cooperative (BuyBoard) agreement in the amount of \$166,880.00; and (2) a two-year master agreement for the purchase of protective gas masks and related parts for the Police Department with Safeware, Inc. through the Omnia Partners cooperative agreement in an estimated amount of \$1,176,873.75 – Total not to exceed \$1,343,753.75 - Financing: General Fund (\$771,809.92), 2020 Homeland Security-Urban Area Security Initiative 20-22 (\$384,656.25), 2021 Homeland Security-Urban Area Security Initiative 21-23 (\$100,177.08) and Coronavirus State and Local Fiscal Recovery Funds (\$87,110.50)

MAY 25, 2022

22-0812

Item 30:

Authorize Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options, to the service contract with Standard Insurance Company to provide voluntary insurance benefits to employees and eligible retirees, a self-funded vendor-administered Employee Benefits Program - No cost consideration to the City (to be funded by employee and retiree premiums through payroll deductions)

MAY 25, 2022

22-0813

Item 31:

Authorize Supplemental Agreement No. 2 to increase the service contract with Mission Critical Partners, LLC. for professional radio engineering services to assist in the installation of a replacement P25 compliant radio system for the Department of Information and Technology Services - Not to exceed \$380,800, from \$2,874,101.73 to \$3,254,901.73 - Financing:

Communication Service Fund

Adopted as part of the consent agenda.

MAY 25, 2022

22-0814

Item 32:

Authorize Supplemental Agreement No. 3 to exercise the second of three, one year renewal options to the service contract with GTS Technology Services, Inc. for desktop support services for the Department of Information and Technology Services - Not to exceed \$3,649.371.48 - Financing: Data Services fund (subject to annual appropriations)

Adopted as part of the consent agenda.

MAY 25, 2022

22-0815

Item 33:

Authorize (1) a thirty-year Interlocal Agreement with the Dallas Independent School District for the joint development, operation, and use of Reverchon Park Baseball Field; (2) the establishment of appropriations in an amount not to exceed \$5,000,000.00 in the Capital Gifts Donation & Develop Fund and (3) the receipt and deposit of Dallas Independent School District funds in an amount not to exceed \$5,000,000.00 in the Capital Gifts Donation & Develop Fund - Financing: Capital Gifts Donation & Develop Fund \$5,000,000.00 (See Fiscal Information for future costs)

Councilmember Moreno requested the item be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Later in the meeting, the item was presented for consideration.

Councilmember Moreno moved to adopt the item.

Motion seconded by Councilmember Narvaez.

During discussion and at the request of Councilmember Moreno, the following individual addressed the city council on the item:

Darlene Williams, representing DISD [Dallas Independent School District]

After discussion, Mayor Johnson called a vote and declared the item unanimously adopted. (Mendelsohn absent when vote taken)

MAY 25, 2022

22-0816

Item 34:

Authorize a construction services contract for the installation and rehabilitation of water and wastewater mains and appurtenances at 13 locations (list attached to the Agenda Information Sheet) - Douglas Dailey Construction, LLC, lowest responsible bidder of four - Not to exceed \$13,921,735.00 - Financing: Water (Drinking Water) - TWDB 2020 Fund (\$8,678,086.34), Wastewater (Clean Water) - TWDB 2021 Fund (\$4,000,900.57), Water (Drinking Water) - TWDB 2021 Fund (\$1,242,748.09)

Adopted as part of the consent agenda.

MAY 25, 2022

22-0817

Item 35:

Authorize (1) a construction services contract for the installation of erosion control improvements at 8 locations (list attached to the Agenda Information Sheet) and (2) an increase in appropriations in an amount not to exceed \$1,316,901.00 in the Storm Drainage Management Capital Construction Fund - Austin Filter Systems, Inc., lowest responsible bidder of four - Not to exceed \$5,886,800.00 - Financing: Storm Drainage Management Capital Construction Fund (\$2,896,706.00), Flood Control (D) Fund (2017 General Obligation Bond Funds) (\$2,525,019.00), Wastewater Capital Improvement G Fund (\$328,075.00), and Street and Alley Improvement Fund (\$137,000.00)

Adopted as part of the consent agenda.

MAY 25, 2022

22-0818

Item 36:

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)

The city secretary distributed a report showing nominations were received and indicated the nominees met qualifications for service with the term for appointment for the 2021-2023 term.

Councilmember Ridley moved to appoint the following:

- Jonathan D. Saxer, General Public, to the Animal Advisory Commission;
- Priscilla Rice to the Park and Recreation Board;
- Beth Mond, 55+ years of age, to the Senior Affairs Commission;
- Stephani Kyle, Meets NOC Residency Requirement, to the North Oak Cliff Municipal Management District;
- Angela Downes, Dallas County Resident, to the Reinvestment Zone Six Board (Farmers Market); and
- James Alvin Armstrong III, Dallas County Resident, to the Reinvestment Zone Seven Board (Sports Arena)

Motion seconded by Deputy Mayor Pro Tem Resendez and unanimously adopted. (Thomas, Arnold, Mendelsohn absent when vote taken)

Councilmember Atkins moved to appoint the following:

- James Armstrong III, Chair, to the Reinvestment Zone Seven Board (Sports Arena); and
- Angela Downes, Chair, to the Reinvestment Zone Six Board (Farmers Market)

Motion seconded by Deputy Mayor Pro Tem Resendez and unanimously adopted. (*Johnson abstain; Thomas, Arnold, Mendelsohn, Schultz absent when vote taken)

*Note: Per the Dallas City Charter, Ch III, Sec. 2, The Mayor shall have a vote on all matters coming before the city council, other than confirmation of appointments by the mayor, unless otherwise disqualified, but no power to veto.

Note: In accordance with Section 12A-19(G)(ii) of the Dallas City Code, the city secretary announced the following names of the board members who had failed to submit their financial disclosure reports:

Joel Ocanas, RZ18 (Maple/Mockingbird) Chris Housewright, Cypress Waters MMD Shoncy Raspberry, RZ08 (Design District) Andrew Ramler, RZ15 (Fort Worth Avenue) Herlinda Resendiz, Board of Adjustment Ronald Corcoran, RZ21 (University) Anachrista Robles, RZ12 (Deep Ellum) Page 2

[Information on each newly-appointed member is located in the file shown next to the name of the board.]

22-5827	ASC	ANIMAL ADVISORY COMMISSION
22-5828	PAR	PARK AND RECREATION BOARD
22-5829	SAC	SENIOR AFFAIRS COMMISSION
22-5830	NOC	NORTH OAK CLIFF MUNICIPAL MANAGEMENT COMMISSION
22-5831	RZ06	REINVESTMENT ZONE SIX BOARD (FARMERS MARKET)
22-5832	RZ07	REINVESTMENT ZONE SEVEN BOARD (SPORTS ARENA)
22-5833		BOARD OFFICERS

MAY 25, 2022

22-0819

Item 37:

An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Street Seats; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code for the purpose of (1) addition of language to 42A-22 Location of a Neighborhood Market; and (2) extension of the Dallas Street Seats Pilot Program provisions from July 31, 2022 to July 31, 2023 in 42A-28.2 - Financing: No cost consideration to the City (see Fiscal Information)

The following individuals addressed the city council on the item:

Julianna Bradley YeeFoon, 907 Ledbetter Dr., representing For Oak Cliff Alaska Quinones, Not Provided, representing For Oak Cliff

Councilmember Moreno moved to adopt the item with the following change:

• The director may grant a waiver to the prohibition on conducting neighborhood markets in residentially zoned areas if the director finds that there will be no adverse impact on the surrounding neighborhood.

Motion seconded by Councilmember Narvaez.

After discussion, Mayor Johnson called a vote and declared the item unanimously amended.

MAY 25, 2022

22-0820

Item 38:

Authorize an increase to the construction services contract with J.C. Commercial Inc. for Change Order No. 15 for additional work at the Willie B. Johnson Recreation Center in Hamilton Park, located at 12225 Willowdell Drive – Not to exceed \$560,431.54, from \$8,010,089.79 to \$8,570,521.33 - Financing: Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Fund)

Councilmember McGough moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Narvaez absent when vote taken)

MAY 25, 2022

22-0821

Item 39: A resolution suspending the effective date of the rate filing made by

Oncor Electric Delivery Company LLC on May 13, 2022, for an additional

90 days - Financing: No cost consideration to the City

Councilmember Ridley moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Narvaez absent when vote taken)

MAY 25, 2022

22-0822

Item 40: An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division

(Atmos) provided pursuant to its January 15, 2022 Dallas Annual Rate Review (DARR) filing and setting rates as recommended by the City Manager - Financing:

No cost consideration to the City

Councilmember Mendelsohn moved to adopt the item.

Motion seconded by Councilmember Willis and unanimously adopted. (Narvaez absent when vote taken)

MAY 25, 2022

22-0823

Item 41:

Authorize a Chapter 380 Economic Development Grant Agreement (Agreement) for up to \$5,250,000.00 as follows (1) in an amount not to exceed \$5,000,000.00 for job retention and creation; and (2) in an amount up to exceed \$250,000.00 for expedited permitting and soft cost expenditures; with NMG Holding Company, Inc. dba The Neiman Marcus Group LLC or an affiliate thereof for jobs created and retained related to a new office headquarters in accordance with the City's Public/Private Partnership Program - Not to exceed \$5,250,000.00 - Financing: Public/Private Partnership Fund (subject to current and annual appropriations)

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Narvaez.

During discussion, Councilmember Ridley moved to amend the motion of adoption to:

• Delete Section 4D of the Resolution to keep the repayment obligation amount unchanged until the end of the compliance period.

Amending motion seconded by Councilmember Moreno.

Mayor Johnson called a record vote on Councilmember Ridley's amended motion:

Voting Yes: [9] Johnson, West, Resendez, Moreno, Thomas, Narvaez, Bazaldua, Mendelsohn, Ridley

Voting No: [6] Arnold, Atkins, Blackmon, McGough, Schultz, Willis

The city secretary declared the amended motion adopted.

Mayor Johnson called a vote on Councilmember Atkins' motion as amended by Councilmember Ridley and declared the item amended on a divided vote with Councilmember Bazaldua voting "No."

MAY 25, 2022

22-0824

CONSENT ZONING DOCKET

The consent zoning docket consisted of agenda items Z1 and Z2.

Agenda item Z1: Zoning Case Z201-301(OA) Agenda item Z2: Zoning Case Z212-162(OA)

Therefore, the consent zoning docket, consisting of agenda items Z1 and Z2 was presented for consideration.

Agenda item Z1: Zoning Case Z201-301(OA) Agenda item Z2: Zoning Case Z212-162(OA)

In the zoning cases on the consent zoning docket, the city plan commission recommended approval of the proposed changes in zoning.

The following individuals addressed the city council on the consent zoning docket:

Kendra Larach, 3904 Elm St., representing Jiffy Properties L.P. [Agenda Item Z2] Alaska Quinones, Not Provided

Councilmember Narvaez moved to close the public hearings, accept the recommendations of the city plan commission and pass the ordinances.

Motion seconded by Councilmember Ridley and unanimously adopted. (Johnson, Atkins absent when vote taken)

MAY 25, 2022

22-0825

Item Z1: Zoning Case Z201-301(OA) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for an ordinance granting a Planned Development District for MC-1 Multiple Commercial District and warehouse uses on a property zoned an MC-1 Multiple Commercial District on the west line of North Walton Walker Road, north of West Davis Street

<u>Recommendation of Staff</u>: <u>Approval</u> subject to a development plan and conditions.

<u>Recommendation of CPC</u>: <u>Approval</u> subject to a development plan and conditions.

Adopted as part of the consent zoning docket.

MAY 25, 2022

22-0826

Item Z2: Zoning Case Z212-162(OA) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for an amendment to and renewal of Specific Use Permit No. 1831 for a bail bonds office on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the Southeast corner of Reunion Boulevard and Riverfront Boulevard

<u>Recommendation of Staff</u>: <u>Approval</u> for a four-year period subject to revised site plan and conditions.

<u>Recommendation of CPC</u>: <u>Approval</u> for a four-year period subject to revised site plan and conditions

Adopted as part of the consent zoning docket.

MAY 25, 2022

22-0827

ZONING CASES – INDIVIDUAL

Item Z3: Zoning Case Z212-125(MP)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses and multifamily, retail, and lodging uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the Southwest of the intersection of Knox Street and Travis Street with frontage along Buena Vista Street to the west and Armstrong Avenue to the south

Recommendation of Staff: Approval subject to a development plan and conditions.

<u>Recommendation of CPC</u>: <u>Approval</u> subject to a development plan and conditions.

The following individuals addressed the city council on the item:

Anthony Page, 3210 Carlisle St., representing The Uptown Neighborhood Association Joel Behrens, Not Provided Tommy Mann, 500 Winstead Bldg. Shenita Cleveland, 365 Uptown Blvd.

Councilmember Ridley moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

• On Armstrong Avenue and Travis Street, the front yard setback is measured from the property line instead of the right-of-way line.

and pass the ordinance.

Motion seconded by Councilmember Narvaez.

After discussion, Presiding Officer Resendez called a vote and declared the item unanimously amended. (Johnson, Thomas absent when vote taken)

MAY 25, 2022

22-0828

ZONING CASES – INDIVIDUAL

Item Z4: Zoning Case Z212-156(OA)

A public hearing to receive comments regarding an application for and an ordinance granting for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on a property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay, on the Southeast corner of South Belt Line Road and C.F. Hawn Expressway

<u>Recommendation of Staff</u>: <u>Approval</u> 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: Denial without prejudice

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Atkins moved to defer the item to the June 8, 2022 voting agenda meeting of the city council.

Motion seconded by Councilmember Narvaez and unanimously deferred.

MAY 25, 2022

22-0829

ZONING CASES – UNDER ADVISEMENT – INDIVIDUAL

Item Z5: Zoning Case Z201-326(MP)

A public hearing to receive comments regarding an application for an ordinance granting a NS Neighborhood Service District with deed restrictions volunteered by the applicant, and a Specific Use Permit for a private recreation center, club, or area use, on property zoned an R-7.5(A) Single Family District on the south line of East Camp Wisdom Road, west of University Hills Boulevard

<u>Recommendation of CPC</u>: <u>Approval</u> of an NS(A) Neighborhood Service District subject to deed restrictions volunteered by the applicant; and <u>approval</u> of a Specific Use Permit for a four-year period, subject to a site plan, landscape plan, and conditions.

<u>Recommendation of Staff</u>: <u>Approval</u> of an NS(A) Neighborhood Service District; and <u>approval</u> of a Specific Use Permit for a four-year period, subject to a site plan, landscape plan, and conditions.

Note: This item was deferred by the City Council before opening public hearings on May 11, 2022, and is scheduled for consideration on May 25, 2022.

The following individuals addressed the city council on the item:

Heath Voyles, 1719 Angel Pkwy., Allen, TX, representing 3Hunnid Fitness David Hargrove, 1450 Harrington Rd., Waxahachie, TX, representing 3Hunnid Fitness

Councilmember Atkins moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Narvaez and unanimously adopted. (Johnson, Thomas absent when vote taken)

Assigned ORDINANCE NOS. 32218 AND 32219

MAY 25, 2022

22-0830

ZONING CASES – UNDER ADVISEMENT – INDIVIDUAL

Item Z6: Zoning Case Z201-239(RM)

A public hearing to receive comments regarding an application for (1) a CS Commercial Service District on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, partially within a D-1 Liquor Control Overlay, and an R-7.5(A) Single Family District; and (2) the termination of deed restrictions [Z889-170] on property zoned a CS Commercial Service District, on the southwest line of C.F. Hawn Frontage Road, east of Dowdy Ferry Road

Recommendation of Staff: Approval of the portion of the area of request currently zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay; and denial of the termination of deed restrictions [Z889-170] on property zoned a CS Commercial Service District

Recommendation of CPC: (1) Denial without prejudice of a CS Commercial Service District; and (2) denial without prejudice of the termination of deed restrictions [Z889-170]

<u>Note</u>: This item was deferred by the City Council before opening public hearings on January 26, 2022, February 9, 2022, March 9, 2022, and May 11, 2022 and is scheduled for consideration on May 25, 2022

The city secretary stated the item required a three-fourths vote for adoption.

The following individuals addressed the city council on the item:

Peter Kavanagh, 1620 Handley Dr., representing Progreso Farms LLC Shenita Cleveland, 365 Uptown Blvd.

Councilmember Atkins moved to close the public hearing, accept the recommendation of the city plan commission and deny the item without prejudice.

Motion seconded by Councilmember Narvaez.

After discussion, Presiding Officer Resendez called a vote and declared the item unanimously denied. (Johnson, Thomas absent when vote taken)

MAY 25, 2022

22-0831

THOROUGHFARE PLAN AMENDMENTS

Item PH1: A public hearing to receive comments to amend the City of Dallas Thoroughfare

Plan to delete Amonette Street between West Commerce Street and Singleton Boulevard from the Thoroughfare Plan; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the

City

No one addressed the city council on the item.

Councilmember Narvaez moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Ridley and unanimously adopted. (Johnson, Thomas absent when vote taken)

MAY 25, 2022

22-0832

THOROUGHFARE PLAN AMENDMENTS

Item PH2:

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Herbert Street between West Commerce Street and Muncie Avenue from a special two-lane undivided roadway (SPCL 2U) in 56 feet of right-of-way to a special four-lane undivided roadway (SPCL 4U) in 90 feet of right-of-way with bicycle facilities; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

No one addressed the city council on the item.

Councilmember Narvaez moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Ridley and unanimously adopted. (Johnson, Thomas absent when vote taken)

MAY 25, 2022

22-0833

MISCELLANEOUS HEARINGS

Item PH3: A public hearing to receive comments on the Proposed FY 2022-23 HUD

Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds - Financing: No cost consideration to

the City

No one addressed the city council on the item.

Councilmember Narvaez moved to continue the public hearing and hold the item under advisement until the June 22, 2022 voting agenda meeting of the city council.

Motion seconded by Councilmember Ridley and unanimously held. (Johnson, Thomas absent when vote taken)

MAY 25, 2022

22-0834

MISCELLANEOUS HEARINGS

Item PH4: A public hearing to receive comments on the FY 2022-23 Operating,

Capital, and Grant & Trust Budgets - Financing: No cost consideration to

the City

The following individuals addressed the city council on the item:

Stephen Moitz, 3626 N. Hall St. Alaska Quinones, Not Provided

No action taken.

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, MAY 25, 2022

EXHIBIT C