

City of Dallas

*1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201*



ANNOTATED COUNCIL AGENDA

January 11, 2023

9:18 A.M. – 1:48 P.M.

[23-0100; HELD]

Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers
[23-0101]

VOTING AGENDA

1. [23-17](#) Approval of Minutes of the December 14, 2022 City Council Meeting
[23-0102; APPROVED]

CONSENT AGENDA **[23-0103; APPROVED]**

Building Services Department

2. [23-5](#) Authorize a one-year service contract, with a one-year renewal option for emergency plumbing repairs and other services at City facilities with TDIndustries, Inc. through The National Cooperative Purchasing Alliance Contract No. 02-54 - Not to exceed \$500,000.00 - Financing: General Fund (\$400,000.00) and Capital Construction Fund (\$100,000.00) (subject to annual appropriations)
[23-0104; APPROVED]

City Attorney's Office

3. [23-117](#) Authorize settlement of the lawsuit styled Southwestern Bell Telephone Company d/b/a AT&T Texas v. City of Dallas, Cause No. DC-22-05352 - Not to exceed \$29,500.00 for the settlement of the property damage claims of Southwestern Bell Telephone Company d/b/a AT&T Texas - Financing: Liability Reserve Fund
[23-0105; APPROVED]

City Secretary's Office

4. [23-109](#) A resolution authorizing **(1)** an increase in the joint election agreement and election services contract between the City of Dallas and Collin County for the November 8, 2022 special election in an amount not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41; and **(2)** a reimbursement of funding in an amount not to exceed \$5,047.47 from the Convention center Capital Construction Fund to the General Fund - Not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41 - Financing: Convention Center Capital Construction Fund (see Fiscal Information)
[23-0106; APPROVED]

CONSENT AGENDA (continued)**Department of Planning and Urban Design**

5. [23-100](#) An ordinance correcting **(1)** Specific Use Permit No. 472, amended by Ordinance No. 32030; **(2)** Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, amended by Ordinance No. 32104; and **(3)** Chapter 51A Dallas Development Code, Division 51A-4.1100 Mixed-Income Housing, amended by Ordinance No. 32210 - Financing: No cost consideration to the City
[23-0107; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE NOS. 32377, 32378 AND 32379]

Department of Public Works

6. [23-1](#) An ordinance granting a private license to NTHP Manderville, Inc. for the use of a total of approximately 7,162 square feet of land to install, maintain, and utilize an electrical conduit, thirteen trees, seven light fixtures, five benches, and landscape and irrigation on a portion of Manderville Lane right-of-way located near its intersection with Blair Road - Revenue: General Fund \$9,939.00 annually, and \$400.00 one-time fee, plus the \$20.00 ordinance publication fee
[23-0108; APPROVED; ORDINANCE 32380]
7. [23-14](#) Authorize an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) (CSJ No. 0261-03-070, CFDA No. 20.205) for the TxDOT Green Ribbon Program Project to provide landscape planting and irrigation improvements on U.S. Highway 67 at Camp Wisdom Road - Financing: No cost consideration to the City
[23-0109; APPROVED]
8. [23-6](#) Authorize **(1)** a construction services contract for the Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four; and **(2)** an increase in appropriations in an amount not to exceed \$6,400,000.00 in the Street and Alley Improvement Fund - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
[23-0110; APPROVED]
9. [23-7](#) Authorize a construction services contract for the Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
[23-0111; APPROVED]
10. [23-8](#) Authorize a construction services contract for the Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
[23-0112; APPROVED]

CONSENT AGENDA (continued)**Department of Public Works** (continued)

11. [23-9](#) Authorize a construction services contract for the Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
[23-0113; APPROVED]
12. [23-13](#) Authorize a construction services contract for the 2023 Annual Street Maintenance Contract (list attached to the Agenda Information Sheet) - Texas Materials Group Inc., dba Texas Bit, a CRH company, lowest responsible bidder of two - Not to exceed \$48,906,741.15 - Financing: General Fund (\$27,998,850.15) and Street and Alley Improvement Fund (\$20,907,891.00) (subject to annual appropriations)
[23-0114; APPROVED]
13. [23-15](#) ~~Authorize a construction services contract for the 2023 Annual Street Resurfacing Contract - Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of two - Not to exceed \$49,982,822.75 - Financing: 2023 Certificate of Obligation Bond Fund (subject to annual appropriations)~~
[23-0115; DELETED]

Department of Sanitation Services

14. [23-3](#) Ordinances granting the transfer of two franchises to Warner Alan/Waste Advantage Partners, LLC and PC Hart Waste, LLC for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code - Estimated Annual Revenue: General Fund \$76,800.00 annually (see Fiscal Information)
[23-0116; APPROVED]

CONSENT AGENDA (continued)**Department of Transportation**

15. [23-16](#) Authorize the **(1)** acceptance of Regional Toll Revenue funds from the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for the Incident Management Freeway Blocking Equipment within the North Central Texas Council of Governments (NCTCOG) Metropolitan Planning Area Project (Agreement No. CSJ 0918-47-207) under the Incident Management and Safety Pilot Program in the amount of \$300,000.00 as state contribution to the total project cost of \$375,000.00 (State contribution from State Highway 121 Subaccount of \$300,000.00 and City of Dallas local match of \$75,000.00 totaling \$375,000.00) for three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas; **(2)** receipt and deposit of funds in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; **(3)** establishment of appropriations in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; **(4)** local cash match of \$75,000.00; **(5)** disbursement of funds in the amount of \$375,000.00 from the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund (\$300,000.00) and the General Fund (\$75,000.00); and **(6)** execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the agreement - Total amount of \$375,000.00 - Financing: Texas Department of Transportation Grant Funds (\$300,000.00) and General Fund (\$75,000.00)
[23-0117; APPROVED]

Fire-Rescue Department

16. [23-29](#) An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code by: **(1)** adopting with certain changes the 2021 Edition of the International Fire Code published by the International Code Council; **(2)** providing a penalty not to exceed \$2,000.00; **(3)** providing a saving clause; **(4)** providing a severability clause; and **(5)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0118; APPROVED; ORDINANCE 32381]

Office of Community Care

17. [23-21](#) Authorize a letter amendment to the Lease between the City of Dallas ("City") and Foremost Family Health Centers ("Foremost") to allow Foremost to accept grant funding from the Health Resources and Services Administration ("HRSA") American Rescue Plan to renovate Building B of the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Blvd. ("the premises") in accordance with grant requirements, including a City grant of federal interest in the improvements to HRSA - Financing: No cost consideration to the City
[23-0119; APPROVED]

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

18. [23-2](#) Authorize a three-year consultant contract for asset marketing and sponsorship consulting services for the Park & Recreation Department - The Superlative Group, Inc., most advantageous proposer of three - Estimated amount of \$249,650 - Financing: General Fund (subject to annual appropriations)
[23-0120; APPROVED]
19. [23-11](#) Authorize a two-year cooperative purchasing agreement for the purchase of network cabling installation services and equipment for the Department of Information and Technology Services with Shelby Communications, LLC through the Texas Department of Information Resources cooperative agreement - Not to exceed \$7,213,690 - Financing: Coronavirus State and Local Fiscal Recovery Fund (\$3,506,845), Data Services Fund (\$100,000), and Information Technology Equipment (\$3,606,845) (subject to annual appropriations)
[23-0121; APPROVED]
20. [23-27](#) Authorize a three-year master agreement for the purchase of traffic cones, delineators, and barrels for citywide departments - Dallas Lite & Barricade, lowest responsible bidder of seven - Estimated amount of \$511,130 - Financing: General Fund (\$81,130), Dallas Water Utilities Fund (\$409,000), Aviation Fund (\$20,000) and Stormwater Drainage Management Fund (\$1,000)
[23-0122; APPROVED]
21. [23-24](#) Authorize a three-year master agreement for the purchase of fire hydrant backflow preventers and parts for the Water Utilities Department - Test Gauge & Backflow Supply, Inc. in the estimated amount of \$212,000 and Fortiline, Inc. dba Fortiline Waterworks in the estimated amount of \$57,000, lowest responsible bidders of three - Total estimated amount of \$269,000 - Financing: Dallas Water Utilities Fund
[23-0123; APPROVED]
22. [23-22](#) Authorize a two-year service price agreement for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department - Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central in the estimated amount of \$440,045.56 and Restoration Specialists, LLC in the estimated amount of \$74,714.30, lowest responsible bidders of five - Total estimated amount of \$514,759.86 - Financing: General Fund (subject to annual appropriations)
[23-0124; APPROVED]

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

23. [23-28](#) Authorize a three-year service price agreement for the purchase and installation, monitoring, and maintenance of citywide alarms systems and annual fire alarm inspections - Communicon, Inc. dba Communication Concepts, only proposer - Estimated amount of \$1,820,547 - Financing: General Fund (~~\$1,475,181~~ [\\$1,468,181](#)), Dallas Water Utilities Fund (\$163,018) Aviation Fund (\$140,206), Sanitation Operation Fund (\$22,142), ~~and~~ [Equipment and Fleet Management Fund \(\\$20,000\)](#), [and WIC Program-Women, Infants, and Children Grant Fund \(\\$7,000\)](#) (subject to annual appropriations)
[23-0125; CORRECTED; APPROVED]
24. [23-26](#) Authorize a five-year service price agreement for hot water and steam boilers maintenance and parts for the Water Utilities Department - Denali Construction Services, most advantageous proposer of three - Estimated amount of \$137,755 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)
[23-0126; APPROVED]
25. [23-25](#) Authorize the purchase of one clarifier drive unit for the Water Utilities Department - Rebuild-it Services Group, LLC, only bidder - Not to exceed \$114,862 - Financing: Water Construction Fund
[23-0127; APPROVED]
26. [23-10](#) Authorize Supplemental Agreement No. 3 to exercise the first of three one-year renewal options to the service contract with Incapsulate, LLC for maintenance and support to host a customer relationship management software for the Department of Information and Technology Services - Not to exceed \$412,000 - Financing: Data Services Fund
[23-0128; APPROVED]

Park & Recreation Department

27. [23-30](#) Authorize a three-year service price agreement for the provision of an annual subscription, maintenance and support service to the CivicEngage system software application for the Park & Recreation Department in the estimated amount of \$69,939.93 - CIVICPLUS dba CivicPlus, sole source - Total estimated amount of \$69,939.93 - Financing: Recreation Program Fund (subject to annual appropriations)
[23-0129; APPROVED]

CONSENT AGENDA (continued)**Police Department**

28. [23-19](#) Authorize the **(1)** application for and acceptance of a grant from the U.S. Department of Justice for the 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Grant (Federal/State Award ID. No. 15JCOPS-22-GG-04555-PPSE, CFDA No. 16.710) in the amount of \$250,000.00 passed through the Dallas Police Department for the purpose of funding two staff members dedicated to proving compliance with 168 Texas law enforcement best practices for two years for the period September 1, 2022 through August 31, 2024; **(2)** establishment of appropriations in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(4)** addition of one Administrative Specialist and Supervisor; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the agreement - Not to exceed \$250,000.00 - Financing: U.S. Department of Justice Grant Funds4
[23-0130; APPROVED]
29. [23-20](#) Authorize the **(1)** application for and acceptance of a grant from the Office of the Governor, Criminal Justice Division for the Digital Forensic Lab Grant (Grant No. 4536301, CFDA No. 16.738) in the amount of \$99,998.08 to provide more modern crime fighting response with respect to data and digital currency for the period October 1, 2021 through June 30, 2023; **(2)** establishment of appropriations in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement with the Office of the Governor, Criminal Justice Division - Not to exceed \$99,998.08 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds
[23-0131; APPROVED]

Small Business Center Department

30. [23-98](#) Authorize the amendment of the South Dallas/Fair Park Opportunity Fund Program to increase the not to exceed grant amount for human development contracts from \$100,000.00 to \$200,000.00 and update to 2020 Census Tract - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0132; APPROVED]

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

31. [23-23](#) Authorize acquisition from heirs of Byrd B. Fisher and husband W.W. Fisher, Ballard Y. Burgher, W.L. Burgher, Cedric Burgher, Laura B. Atwell and husband Webster Atwell, and Robert S. Burgher, for the purpose of acquiring sand and gravel rights to approximately 43 acres of land for the Dallas Floodway Project - Not to exceed \$4,311.00 - Financing: Flood Protection and Storm Drainage Facilities (2006 General Obligation Bond Funds)
[23-0133; APPROVED]
32. [23-4](#) Authorize Supplemental Agreement No. 5 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. to provide additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant - Not to exceed \$5,784,047.00, from \$28,279,359.00 to \$34,063,406.00 - Financing: Water Capital Improvement F Fund
[23-0134; APPROVED]

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

33. [23-31](#) 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)
[23-0135; INDIVIDUAL AND FULL COUNCIL APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]
34. [23-108](#) A resolution authorizing the submission by the Records Management Officer of the City of Dallas Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act form (Form SLR 508) to the director and librarian of the Texas State Library and Archives Commission on behalf of the City of Dallas; with the following exceptions for longer retention periods for: **(1)** Dallas 3-1-1 Service Requests Complaints; **(2)** Dallas Police Department Communication Tapes and Printouts; and **(3)** Election Campaign Contributions reports - Financing: No cost consideration to the City
[23-0136; APPROVED]

ADDITIONS:

Closed Session
[23-0137; HELD]

Attorney Briefings (Sec. 551.071 T.O.M.A)

-Legal issues related to overdose mapping, data sharing, and a public health authority's response to drug overdoses.

ADDITION:

Item 35 - Discuss, consider, and take all appropriate actions pursuant to the performance review and evaluation of City Attorney Chris Caso (This item was deferred on August 23, 2022)

ITEMS FOR FURTHER CONSIDERATION**Mayor and City Council**

35. [23-239](#) Discuss, consider, and take all appropriate actions pursuant to the performance review and evaluation of City Attorney Chris Caso (This item was deferred on August 23, 2022)
[23-0138; HELD UNDER ADVISEMENT UNTIL JANUARY 25, 2023 BY COUNCILMEMBER WILLIS]

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Planning and Urban Design****ZONING CASES – CONSENT****[23-0139; APPROVED]**

- Z1. [23-92](#) A public hearing to receive comments regarding an application for and an ordinance granting a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northwest of the intersection of Kimsey Drive and Maple Avenue
Recommendation of Staff: Approval
Recommendation of CPC: Approval
Z212-231(MP)
[23-0140; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32382]

STREET NAME CHANGE**Development Services**

- PH1. [23-93](#) A public hearing to receive comments and to approve an ordinance granting a request to change the name of Audrey Street, between Agnes Street and Greenbay Street, to “Dimple Jackson Street” - NC212-008 - Financing: New street blades to be prepared and paid for by the City of Dallas (see Fiscal Information for potential future costs)
[23-0141; HEARING CLOSED; APPROVED; ORDINANCE 32383]

MISCELLANEOUS HEARINGS**Department of Housing & Neighborhood Revitalization**

- PH2. [23-99](#) A public hearing to receive comments regarding an application by Mondello Apartments, LLC, an affiliate of DevCo, Inc., (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Mondello Apartments located at 2000 Highland Road, Dallas, Texas 75228; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Mondello Apartments - Financing: No cost consideration to the City
[23-0142; HEARING CLOSED; APPROVED]

MISCELLANEOUS HEARINGS (continued)**Department of Housing & Neighborhood Revitalization** (continued)

PH3. [23-69](#) A public hearing to receive comments regarding an application by Positano Apartments, LLC, an affiliate of DevCo, Inc. (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Positano Apartments located at 2519 John West Road, Dallas, Texas 75228;, and at the close of the public hearing adopt of a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Positano Apartments - Financing: No cost consideration to the City

[23-0143; HEARING CLOSED; APPROVED]

PH4. [23-70](#) A public hearing to receive comments regarding an application by Rosemont Meadow Lane Apartments, LLC, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Rosemont at Meadow Lane located at 4722 Meadow Street, Dallas, Texas 75215; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Rosemont at Meadow Lane - Financing: No cost consideration to the City

[23-0144; HEARING CLOSED; APPROVED]

Office of Economic Development

~~PH5. [23-132](#) A public hearing to receive comments regarding the fourth extension of the Public/Private Partnership Program Guidelines and Criteria (PPP Guidelines), for the period January 1, 2023 through June 30, 2023 and upon closure of the public hearing authorize approval of the PPP Guidelines (**Exhibit A**) for the period January 1, 2023 through June 30, 2023 - Financing: No cost consideration to the City~~

~~**[23-0145; DELETED]**~~