

City of Dallas

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



ANNOTATED COUNCIL AGENDA

February 8, 2023

9:03 A.M. – 3:02 P.M.

[23-0230; HELD]

Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers
[23-0231]

VOTING AGENDA

1. Approval of Minutes of the January 25, 2023 City Council Meeting
[23-0232; APPROVED]

CONSENT AGENDA **[23-0233; APPROVED]**

City Attorney's Office

2. Authorize settlement of the lawsuit styled CLH20, LLC v. The City of Dallas, The City of Dallas Building Inspection Advisory Examining and Appeals Board, and 1529 Sullivan Street Condo Owners Association, Cause No. DC-22-05368 - Not to exceed \$60,000.00 - Financing: Dallas Water Utilities
[23-0234; APPROVED]
3. Authorize settlement of the lawsuit styled Hamilton Atmos LP and CitySquare Housing v. City of Dallas, Cause No. CC-19-05721-A - Not to exceed \$300,000.00 - Financing: Liability Reserve Fund
[23-0235; APPROVED]
4. Authorize settlement of the lawsuit styled Paul Baldwin v. City of Dallas, Cause No. DC-20-16051 - Not to exceed \$125,000.00 - Financing: Liability Reserve Fund
[23-0236; APPROVED]

City Controller's Office

5. A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuances of **(1)** General Obligation Refunding and Improvement Bonds, Series 2023A in an amount not to exceed \$455,880,000; and **(2)** Combination Tax and Revenue Certificates of Obligation, Series 2023 in an amount not to exceed \$61,500,000 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
[23-0237; APPROVED]
6. A resolution of the City Council of the City of Dallas, Texas **(1)** authorizing the publication of Notice of Intention to Issue Certificates of Obligation; **(2)** approving the preparation of a preliminary official statement and a Notice of Sale; and **(3)** providing for the effective date thereof - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0238; APPROVED]

CONSENT AGENDA (continued)**Department of Housing & Neighborhood Revitalization**

7. Authorize the Dallas Public Facility Corporation to acquire, develop, and own Singleton Highline, a mixed-income, multifamily development to be located at 2901 Borger (Project) and enter into a seventy-five-year lease agreement with Urban Genesis, LLC, or its affiliate, for the development of the Project - Estimated Revenue Foregone: General Funds \$300,623.00 (15 Years of Estimated Taxes)
[23-0239; APPROVED AS AN INDIVIDUAL ITEM]

Department of Public Works

8. Authorize a construction services contract for the construction of Routh Street Gateway Sidewalk Improvements Project - Thomas 11 Development LLC, lowest responsible bidder of one - Not to exceed \$299,968.00 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Funds)
[23-0240; APPROVED]

Department of Transportation

9. 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 the Congestion Mitigation and Air Quality Improvement Program (Agreement No. CSJ 0918-47-362, CFDA No. 20.205) in the amount of \$5,500,000.00 as federal share in the total project cost of \$5,518,541.60, which includes \$5,390,000.00 in Federal reimbursement, \$110,000.00 in Direct State Cost, \$18,541.60 in Indirect State Cost, and the City of Dallas' portion covered by the use of 1,100,000 Transportation Development Credits in lieu of a local cash match, for cost related to the construction of new sidewalks, Americans with Disabilities Act ramps, curb extensions, pedestrian lighting, and upgrades to traffic signals from Live Oak Street to the North to Hall Street to the East, Interstate Highway 30 to the South and Cesar Chavez Boulevard to the West in the City of Dallas; **(2)** establishment of appropriations in the amount of \$5,390,000.00 in the Deep Ellum Area PEDS & Traffic Signal Fund; **(3)** receipt and deposit of funds in the amount of \$5,390,000.00 in the Deep Ellum Area PEDS & Traffic Signal Fund; **(4)** disbursement of funds in the amount of \$5,390,000.00 from the Deep Ellum Area PEDS & Traffic Signal Fund; and **(5)** execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the grant agreement - Total amount of \$5,390,000.00 - Financing: Texas Department of Transportation Grant Funds
[23-0241; APPROVED]
10. Authorize a construction services contract for Warranted Traffic Signal Installations - October 2022 to reconstruct traffic signals at the intersections of Midway Road at Merrell Road and Arapaho Road at Golden Creek Road - Texas Standard Construction, Ltd., lowest responsible bidder of three - Not to exceed \$826,160.07 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Fund) (\$445,160.07), Capital Projects Reimbursement Fund (\$200,000.00) and Transportation Special Projects Fund (\$181,000.00)
[23-0242; APPROVED]

CONSENT AGENDA (continued)**Fire-Rescue Department**

11. Authorize Supplemental Agreement No.1 to the service price agreement with Medical Priority Consultants, Inc. dba Priority Dispatch Corp. to add: **(1)** Spanish language version of ProQA protocols to the current medical priority dispatch system software in the amount of \$22,000.00; and **(2)** the fire priority dispatch system component in the amount of \$ 221,338.50 for the period February 8, 2023 through October 12, 2024 - Amount not to exceed \$243,398.50, from \$110,091 to \$353,489.50 - Financing: Coronavirus State and Local Fiscal Recovery Funds
[23-0243; APPROVED]

Office of Procurement Services

12. Authorize a one-year cooperative purchasing agreement for the purchase and installation of a friction tester for the Department of Aviation with Halliday Technologies, Inc. through the General Services Administration cooperative agreement - Not to exceed \$117,349.67 - Financing: Aviation Fund
[23-0244; APPROVED]
13. Authorize a three-year cooperative purchasing agreement, with two one-year renewal options, for hardware, software maintenance, and support for the City's electronic data discovery system for the Department of Information and Technology Services with TEQSYS, Inc. through the Texas Department of Information Resources cooperative agreement - Not to exceed \$794,683.46 - Financing: Data Services Fund (subject to annual appropriations)
[23-0245; APPROVED]
14. Authorize a four-year master agreement for the purchase of aeration and ozone basin diffusers and parts for the Water Utilities Department - Hartwell Environmental Corp. in the estimated amount of \$1,820,000, Evoqua Water Technologies LLC in the estimated amount of \$1,440,000, and Environmental Dynamics International, Inc. in the estimated amount of \$5,000.00, lowest responsible bidders of three - Total estimated amount of \$3,265,000 - Financing: Dallas Water Utilities Fund
[23-0246; APPROVED]
15. Authorize a five-year service contract for marketing and selling, through public auction, of City owned land and facilities that have been declared surplus property for the Department of Public Works - Hudson & Marshall LLC dba Hudson & Marshall, most advantageous proposer of four - Financing: No cost consideration to the City (commissions to be paid by a buyer's premium)
[23-0247; APPROVED]

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

16. Authorize **(1)** a three-year service price agreement for door hardware, key blanks, and locksmith services for all City facilities - Joe East Enterprises, Inc. dba A-1 Locksmith in the estimated amount of \$618,931.25; and **(2)** a three-year master agreement for the purchase of door hardware and key blanks for all City facilities - Independent Hardware, Inc. in the estimated amount of \$201,909.74, lowest responsible bidders of two - Total estimated amount of \$820,840.99 - Financing: General Fund (\$433,190.53), Dallas Water Utilities Fund (\$267,000.00), and Aviation Fund (\$120,650.46) (subject to annual appropriations)
[23-0248; APPROVED]
17. Authorize Supplemental Agreement No. 4 to extend a service contract with HLP, Inc. for continuous maintenance and support for the service request and work order management software for the Department of Dallas Animal Services for the period February 2, 2023 through February 1, 2026 - HLP, Inc., sole source - Not to exceed \$190,560 - Financing: General Fund (subject to annual appropriations)
[23-0249; APPROVED]

Park & Recreation Department

18. Authorize a design-build services contract with Azteca Enterprises, ~~Inc.~~ LLC to provide ~~pre-design,~~ pre-construction services, architectural, and engineering design, and construction services for the Reverchon Ballpark Restoration and Improvements Project located at 3505 Maple Avenue - Not to exceed \$4,964,832.00 - Financing: Capital Gifts, Donation, and Development Fund
[23-0250; CORRECTED; APPROVED AS AN INDIVIDUAL ITEM]
19. Authorize a development, operation, and maintenance agreement with MQMF Dallas Carlisle Street LLC, a Delaware Limited Liability Company ("MQMF"), for certain landscape, pedestrian sidewalk and other improvements, including drainage, on a portion of the Katy Trail for the purpose of connecting and providing public access to the Katy Trail from an adjacent property located at 3215 Carlisle Street ("Adjacent Property") to that portion of the Katy Trail, that will bind MQMF, its successors, and assigns for as long as the landscape and other improvements serve the purpose for the benefit of Dallas residents - Financing: No cost consideration to the City
[23-0251; APPROVED]

Water Utilities Department

20. Authorize Supplemental Agreement No. 2 to the professional services contract with Half Associates, Inc. for additional engineering services related to storm drainage improvements at three locations (list attached to the Agenda Information Sheet) - Not to exceed \$955,776.65, from \$462,327.00 to \$1,418,103.65 - Financing: Flood Control (D) Fund (2017 General Obligation Bond Funds)
[23-0252; APPROVED]

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

21. 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)
[23-0253; INDIVIDUAL AND FULL COUNCIL APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]
22. An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 6, 2023, for the purpose of electing 15 members to the City Council of the City of Dallas to represent Places 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 (Mayor) for the term beginning June 19, 2023 - Financing: No cost consideration to the City
[23-0254; APPROVED; ORDINANCE 32394]

ADDITIONS:

Closed Session
[23-0255; HELD]

Personnel (Sec. 551.074 T.O.M.A.)
Consideration of appointment to boards and commissions:
~~-Oliver Victor Black, Animal Services Commission~~
-Amanda Benavides, North Oak Cliff Municipal Management District

OTHER ITEMS FOR INDIVIDUAL CONSIDERATION**Department of Public Works**

23. Authorize a correction to Resolution No. 23-0201, previously approved on January 25, 2023 with Johnson Bros. Corporation, a Southland Company to revise the funding from 2023 Certificates of Obligation to 2017 General Obligation Bond Fund - Not to exceed \$49,982,822.75 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Fund)
[23-0256; APPROVED]

Mayor and City Council Office

24. A resolution commemorating the 50th anniversary of *Roe v. Wade* and affirming the city's support for abortion rights - Financing: No cost consideration to the City (via Councilmembers Bazaldua, Blackmon, Deputy Mayor Pro Tem Narvaez, Ridley, West)
[23-0257; APPROVED]

OTHER ITEMS FOR INDIVIDUAL CONSIDERATION (continued)**Office of Economic Development**

25. Authorize Supplemental Agreement No. 1, approved as to form by the City Attorney, to the service agreement with HR&A Advisors, Inc. for analytical, strategic and community planning consultant services to: **(1)** update the Scope of Services to include matters related to the implementation of the City of Dallas Economic Development Policy; **(2)** extend the term from January 1, 2023 to December 31, 2023; and **(3)** increase the overall contract amount by \$1,022,000.00, from \$1,296,000.00 to \$2,318,000.00 - Not to exceed \$1,022,000.00 - Financing: Public/Private Partnership Fund (\$114,800.00) and General Fund (\$907,200.00)
[23-0258; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Planning and Urban Design****ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL**

- Z1. A public hearing to receive comments regarding an application 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 property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north corner of Kleberg Road and Carleta Street
Recommendation of Staff: Denial
Recommendation of CPC: Denial without prejudice Z212-283(JM)
Note: This item was deferred by the City Council before opening the public hearings on December 14, 2022 and was held under advisement on January 25, 2023, and is scheduled for consideration on February 8, 2023.
[23-0259; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 32395]
- Z2. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication use on property zoned a CR Community Retail District, on the southeast corner of Walnut Hill Lane and Audelia Road
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions
Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions
Z212-295(JM)
Note: This item was deferred by the City Council before opening the public hearing on January 25, 2023 and is scheduled for consideration on February 8, 2023.
[23-0260; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32396]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Department of Planning and Urban Design** (continued)**ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL** (continued)

- Z3. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 2189 for a recycling buyback center on property zoned an IM Industrial Manufacturing District, on the northeast line of Barry Avenue, between Upshur Street and East Grand Avenue
Recommendation of Staff: Approval for a two-year period, subject to conditions
Recommendation of CPC: Approval for a two-year period, subject to conditions
Z212-296(MP)
Note: This item was deferred by the City Council before opening the public hearing on January 25, 2023 and is scheduled for consideration on February 8, 2023.
[23-0261; HEARING CLOSED; DEFERRED TO MARCH 8, 2023 BY COUNCILMEMBER MORENO]