

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 10, 2023

23-0600

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

PRESENT: [15] Johnson, Arnold, Narvaez (\*\*10:25 a.m.), West, Moreno, Thomas (\*\*9:56 a.m.), Resendez, Bazaldua, Atkins, Blackmon (\*\*9:19 a.m.), McGough, Schultz, Mendelsohn, Willis, Ridley (\*\*9:19 a.m.)

ABSENT: [0]

The meeting was called to order at 9:16 a.m. with a quorum of the city council present.

The invocation was given by DPD Chaplain Phyllis Williams.

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 to closed session at 10:32 a.m. and reconvened to open session at 1:19 p.m.

After all business properly brought before the city council had been considered, the city council adjourned at 3:26 p.m.

ATTEST: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Secretary Date Approved

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.

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.**

**\*\*Note: Indicates arrival time after meeting called to order/reconvened**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 10, 2023

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 10, 2023

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0601

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: Joe Dillard III, 2020 W. Wheatland Rd.  
SUBJECT: Wheatland development

SPEAKER: James Allen, 2020 W. Wheatland Rd.  
SUBJECT: Wheatland development

SPEAKER: Debra Peek-Haynes, 2020 W. Wheatland Rd.  
SUBJECT: Wheatland development

SPEAKER: David Malcolm McGruder, 2020 Wheatland Rd.  
SUBJECT: Wheatland development

SPEAKER: Lori Blair, 2010 Autumn Meadow Trl. (handout provided)  
SUBJECT: Wheatland development

Councilmember Blackmon moved to suspend the City Council Rules of Procedure [Sec. 6.3(f)] to allow the following registered individual an opportunity to address the city council.

Motion seconded by Councilmember Ridley and unanimously adopted.

SPEAKER: Chris Heinbaugh, 1801 Annex Ave. (handout provided)  
SUBJECT: 2024 Bond Program

**OPEN MICROPHONE – END OF MEETING:**

There were no speakers under this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0602

Item 1: Approval of Minutes of the April 26, 2023 City Council Meeting

No action taken

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0603

CONSENT AGENDA

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

Philip Hiatt-Haigh, 3000 Pegasus Park Dr., representing The Loop Dallas [Agenda Item 25]

The consent agenda consisted of consent agenda items 2-34. Consent agenda item 29 was deleted.

Councilmember Moreno requested consent agenda item 13 be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Therefore, the consent agenda, consisting of consent agenda items 2-12, 14-28 and 30-34 was presented for consideration.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0604

Item 2: Authorize **(1)** preliminary adoption of the FY 2023-24 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$32,788,405 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,809,603; **(b)** HOME Investment Partnerships Program in the amount of \$6,433,179; **(c)** Emergency Solutions Grant in the amount of \$1,241,010; **(d)** Housing Opportunities for Persons with AIDS in the amount of \$9,604,613; and **(e)** estimated Program Income and One-Time Revenue in the amount of \$1,700,000; and **(2)** a public hearing to be held on May 24, 2023 to receive comments on the proposed use of funds - Financing: This action has no cost consideration to the City (see Fiscal Information)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0605

Item 3: Authorize **(1)** acceptance of funds from the Statewide Opioid Settlement Agreement; and **(2)** establishment of appropriations in an amount not to exceed \$941,732.69 in the Opioid Settlement Fund - Not to exceed \$941,732.69 - Financing: Opioid Settlement Fund

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0606

Item 4: Authorize settlement of the lawsuit styled Allison Pinkard v. City of Dallas, Cause No. DC-21-12076 - Not to exceed \$67,500.00 - Financing: Liability Reserve Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0607

Item 5: Authorize a professional consulting contract with TDA Consulting, Inc. for community engagement and implementation of the Dallas Housing Policy 2033 and the Dallas Housing Resource Catalog for a term through December 30, 2024 for the attached scope of work in Exhibit A - Not to exceed \$612,118.00 - Financing: General Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0608

Item 6: An ordinance abandoning portions of two fire lane easements and a sanitary sewer easement with temporary working space easement to CSH Skyline at Cedar Crest, Ltd., the abutting owner, containing a total of approximately 26,534 square feet of land, located near the intersection of Kiest Boulevard and Van Cleave Drive; and providing for the dedication of a total of approximately 51,520 square feet of land needed for water, drainage, wastewater and emergency access easements - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32450

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0609

Item 7: An ordinance abandoning portions of two sanitary sewer easements with temporary working space easements and two fire lane easements to CSH Skyline at Cedar Crest, Ltd., the abutting owner, containing a total of approximately 20,509 square feet of land, located near the intersection of Kiest Boulevard and Magna Vista Drive; and providing for the dedication of a total of approximately 40,732 square feet of land needed for water, drainage, wastewater, and emergency access easements - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32451

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0610

Item 8: An ordinance abandoning a portion of a private plumbing easement to American Board of OBGYN Educational Foundation, Inc., the abutting owner, containing approximately 839 square feet of land, located near the intersection of Cole Avenue and Vine Street - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32452

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0611

Item 9: An ordinance abandoning a portion of an alley to Patrick Michael Floeck and Caroline Hickey Floeck, the abutting owners, containing approximately 2,338 square feet of land, located near the intersection of Preston Park Drive and Purdue Avenue; and authorizing the quitclaim - Revenue: General Capital Reserve Fund (\$139,000.00) and General Fund (\$20,000.00), plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32453

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0612

Item 10: An ordinance granting a private license to 23 Springs, LP for the use of approximately 453 square feet of land to occupy, maintain and utilize a subsurface electrical utility vault under a portion of Bookhout Street right-of-way located near its intersection with Cedar Springs Road - Revenue: General Fund \$2,446.00 annually, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32454

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0613

Item 11: An ordinance granting a private license to QT South, LLC for the use of approximately 100 square feet of land to occupy, maintain, and utilize two benches and two trash receptacles on portions of Knoll Trail Drive right-of-way located near its intersection with Arapaho Road - Revenue: General Fund \$200.00 one-time fee, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32455



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0614

Item 12: Authorize **(1)** the quitclaim of 81 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and **(2)** the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached to the Agenda Information Sheet) - Estimated Revenue: \$2,118,200.00 (see Fiscal Information)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0615

Item 13: Authorize a five-year lease agreement, with two five-year renewal options, with New Cingular Wireless PCS, LLC, for approximately 528 square feet of City-owned land located at 500 North Malcolm X Boulevard to be used as a cellular transmission and receiving facility for the period March 1, 2023 through February 29, 2028 - Estimated Revenue: General Fund \$460,356.00

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 defer the item to the May 24, 2023 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins and unanimously deferred. (Narvaez, Thomas, Resendez absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0616

Item 14: Authorize acquisition from Heather McClure and Dane Cofer, of approximately 49,355 square feet of land improved with a single-family dwelling located near the intersection of Davenport Road and Duffield Drive for the Cotton Belt Trailhead Project - Not to exceed \$1,513,000.00 (\$1,500,000.00, plus closing costs and title expenses not to exceed \$13,000.00) - Financing: Capital Gifts Donation and Development Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0617

Item 15: Authorize an increase in the purchase amount of acquisition from Light Economic & Development, Inc., of approximately 4,140 square feet of land improved with a single-family dwelling located near the intersection of Dolphin Road and Detonte Street for the Dolphin Road from Spring Avenue to North Haskell Avenue Project - Not to exceed \$82,047.00, increased from \$140,000.00 (\$136,124.00, plus closing costs and title expenses not to exceed \$3,876.00) to \$225,000.00 (\$218,171.00, plus closing costs and title expenses not to exceed \$6,829.00) - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Fund) (\$16,409.40) and Capital Projects Reimbursement Fund (\$65,637.60)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0618

Item 16: Authorize Supplemental Agreement No. 2 to the professional services contract with Lina T. Ramey and Associates, Inc. for additional engineering design services on Wheatland Road from the city limits to University Hills Boulevard - Not to exceed \$162,245.18, from \$655,815.79 to \$818,060.97 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Fund) (\$116,135.18), Water Capital Improvement F Fund (\$22,225.02) and Wastewater Capital Improvement G Fund (\$23,884.98)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0619

Item 17: Authorize **(1)** the acceptance of a grant from the United States (U.S.) Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Congestion Mitigation and Air Quality Improvement (CMAQ) Program (Agreement No. CSJ 0918-47-372, CFDA No. 20.205) as Federal share in the total project cost of \$941,293.00, which includes \$698,400.00 in Federal reimbursement, \$21,600.00 as Federal participation for direct state costs, \$41,293.00 as State participation for indirect state cost, and \$180,000.00 (\$174,600.00 for environmental assessment, engineering, and construction costs and \$5,400.00 for direct state costs paid to TxDOT prior to construction) as local participation for cost related to the construction of sidewalks, crosswalks, and signal improvements along Pine Street from U.S. 175 to Malcolm X Boulevard to along Elsie Faye Heggins Street (Previously Hatcher Road) from U.S. 175 to 2nd Avenue in the City of Dallas; **(2)** the receipt and deposit of funds in the amount of \$698,400.00 in the Pine Street & Malcolm X Boulevard Bicycle and Pedestrian Improvements - CMAQ Grant Fund; **(3)** the establishment of appropriations in the amount of \$698,400.00 in the Pine Street & Malcolm X Boulevard Bicycle and Pedestrian Improvements - CMAQ Grant Fund; **(4)** the disbursement of funds in the amount of \$698,400.00 from the Pine Street & Malcolm X Boulevard Bicycle and Pedestrian Improvements - CMAQ Grant Fund; **(5)** a required local match in the amount of \$180,000.00; **(6)** the disbursement of a portion of local match funds in the amount of \$5,400.00 as initial payment to TxDOT prior to construction from the Coronavirus State and Local Fiscal Recovery Fund; **(7)** the disbursement of the remaining portion of local match funds in the amount of \$174,600.00 from the Coronavirus State and Local Fiscal Recovery Fund; and **(8)** execution of the Advanced Funding Agreement with TxDOT and all terms, conditions, and documents required by the grant agreement - Total amount of \$878,400.00 - Financing: Texas Department of Transportation Grant Funds (\$698,400.00) and Coronavirus State and Local Fiscal Recovery Fund (\$180,000.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0620

Item 18: Authorize the **(1)** acceptance of Regional Toll Revenue (RTR) Funds from the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for engineering to reroute the truck traffic and create a context sensitive design/road diet on Martin Luther King Jr. (MLK) Boulevard (Blvd) from State Highway 352 to Botham Jean Boulevard (Agreement No. CSJ 0918-47-375) in the amount of \$500,000.00 as State participation from the State Highway 121 Subaccount for 100 percent of the project costs (no local participation required); **(2)** receipt and deposit of funds in the amount of \$500,000.00 in the MLK Blvd TREC Project from SH352 - RTR Fund; **(3)** establishment of appropriations in the amount of \$500,000.00 in the MLK Blvd TREC Project from SH352 - RTR Fund; **(4)** disbursement of funds in the amount of \$500,000.00 from the MLK Blvd TREC Project from SH352 - RTR Fund; and **(5)** execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the agreement - Total amount of \$500,000.00 - Financing: Texas Department of Transportation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0621

Item 19: A resolution designating the West Dallas Gateway Pecan tree as a historic tree, as required by Section 51A-10.133 of Article X in the Dallas Development Code, and to classify the 41 ½ inch diameter pecan tree at the southeast corner of North Beckley Avenue and West Commerce Street with historic tree status - HT22-0007- Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0622

Item 20: Authorize a five-year service contract, with one five-year renewal option, for the operational management of the greenhouse and nursery for the Park & Recreation Department - Southwest Perennials, Inc., only proposer - Estimated Total Net Revenue: General Fund \$300,000 (Estimated Annual Gross Revenue: \$60,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0623

Item 21: Authorize a five-year service price agreement for human resources digital temporary workforce staffing system for Citywide use - Smith Temporaries, Inc. dba Cornerstone Staffing, most advantageous proposer of four - Estimated amount of \$40,617,200.53 - Financing: General Fund (\$14,484,828.82), Grant, Trust and Other Funds (\$13,323,684.35), Enterprise Funds (\$10,527,032.13), and Internal Service and Other Funds (\$2,281,655.23) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0624

Item 22: Authorize the City Manager to execute, for family violence intervention programs to eligible residents of the City of Dallas, a one-year subrecipient contract with a one year renewal option in a total amount not to exceed \$1,200,000, with Jewish Family Service dba Jewish Family Service, the most advantageous proposer of four - Total not to exceed \$1,200,000 - Financing: Coronavirus State and Local Fiscal Recovery Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0625

Item 23: Authorize the City Manager to execute, for mental health support programs to eligible residents of the City of Dallas, a **(1)** one-year contract, with a one-year renewal option with Harmony Community Development Corporation in the amount of \$1,000,000 per year; **(2)** one-year interlocal agreement, with a one-year renewal option with Dallas County Mental Health and Mental Retardation Center dba Metrocare Services in the amount of \$200,000 per year; **(3)** one-year contract, with a one-year renewal option with Big Thought in the amount of \$120,000 per year; and **(4)** one-year contract, with a one-year renewal option with Senior Citizens of Greater Dallas, Inc. in the amount of \$55,000; for a total of three service contracts and one interlocal agreement - Total not to exceed \$2,750,000 - Financing: Coronavirus State and Local Fiscal Recovery Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0626

Item 24: Authorize the City Manager to execute, for positive youth development services, including built-in academic support, to eligible residents of the City of Dallas, three one-year subrecipient contracts with one-year renewal options with: **(1)** The K16 Ready Society, Inc. dba Texas Initiative Programs, Inc. in the amount of \$450,000 per year; **(2)** Big Thought in the amount of \$225,000 per year; and **(3)** After-School All-Stars in the amount of \$155,000 per year, the most advantageous proposers of seven, for a total amount not to exceed of \$1,660,000 - Total not to exceed \$1,660,000 - Financing: Coronavirus State and Local Fiscal Recovery Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0627

Item 25: Authorize a ten-year term, with two five-year extension options, for development, operation, and maintenance with the Dallas Off-Road Bicycle Association for the purpose of providing off-road bicycle trail improvements and soft-surface trail improvements on a portion of L.B. Houston Park, Boulder Park, Emerald Lake, Harry S. Moss Park, Ash Creek Greenbelt (also referred to as CreekSide Park), for the benefit of Dallas residents - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0628

Item 26: Authorize a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with CityMark 3100 McKinnon SPE, LLC, a Delaware limited liability company for the development, operation, and maintenance of pedestrian sidewalks, bike racks, grading, and landscape improvements for the purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 3100 McKinnon Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0629

Item 27: Authorize the **(1)** acceptance of a grant award from the Texas Parks and Wildlife Department's (TPWD) Community Outdoor Outreach Program (CO-OP) (Grant No. COOP-2023-Dallas-00066) in the amount of \$55,497.00 for the Dallas State Parks Camping and Outdoor Archery Program at Samuell (East) Farm for the period March 1, 2023 through September 1, 2024; **(2)** establishment of appropriations in an amount not to exceed \$55,497.00 in the TPWD Community Outdoor Outreach Program Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$55,497.00 in the TPWD Community Outdoor Outreach Program Fund; and **(4)** execution of the grant agreement with TPWD and all terms, conditions, and documents required by the agreement - Not to exceed \$55,497.00 - Financing: Texas Parks and Wildlife Program Grant Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0630

Item 28: Authorize the **(1)** name change of Betty B. Marcus Park located at 2301 Flora Street adjacent to the Meyerson Symphony Center to Shirley and Bill McIntyre Park; and **(2)** ten-year maintenance and operations agreement, with a five-year renewal option, with the Dallas Symphony Orchestra to fund the park improvements as well as provide operations, maintenance, and programming for Betty B. Marcus Park at Flora and Pearl Street at the Myerson Symphony - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0631

Item 29: ~~Authorize a decrease to the construction services contract with the Fain Group, Inc. for a reduced scope of work to delete accent lighting and underground electrical service rerouting and adjust for construction material cost increased due to delays postponing the project start date by nine months on the Hi Line Connector Trail along Victory Avenue and Hi Line Drive between the Katy Trail and the Trinity Strand Trail. Not to exceed (\$96,486.41), from \$11,531,424.84 to \$11,434,938.43. Financing: Circuit Trail Conservancy Fund~~

Deleted

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0632

Item 30: Authorize a construction services contract for the Cadillac Heights Park Demolition and Reestablishment Project located at 2924 Cedar Crest Boulevard - Texas Standard Construction Ltd., lowest responsible bidder of six - Not to exceed \$748,177.40 - Financing: Park and Recreation Facilities Fund (2006 General Obligation Bond Fund)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0633

Item 31: Authorize a construction services contract for the construction of the Fair Park Tower Building Rehabilitation located at 3809 Grand Avenue - Phoenix I Restoration and Construction, Ltd., best value proposer of one - Not to exceed \$4,208,000.00 - Financing: Fair Park Capital Reserve Fund (\$452,000.00), Fair Park Improvements (C) Fund (2017 General Obligation Bond Fund) (\$2,975,722.23), and Fair Park Improvements (C) Fund (2017 General Obligation Bond Fund) (\$780,277.77)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0634

Item 32: Authorize **(1)** the application for and acceptance of the "Click It Or Ticket" Mobilization Grant (Grant No. 2023-Dallas-CIOT-00007, CFDA No. 20.616) in the amount of \$49,962.00 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 19, 2023 through June 7, 2023; **(2)** the establishment of appropriations in the amount of \$49,962.00 in the FY23 STEP - Click It Or Ticket Mobilization Fund; **(3)** the receipt and deposit of grant funds in the amount of \$49,962.00 in the FY23 STEP - Click It Or Ticket Mobilization Fund; **(4)** a local cash match in the amount of \$12,946.51; and **(5)** execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount of \$62,908.51 - Financing: General Fund (\$12,946.51) and Texas Department of Transportation Grant Funds (\$49,962.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0635

Item 33: Authorize **(1)** an increase in appropriations in an amount not to exceed \$6,435,219.45 in the Water Revenue Bonds - Series 2009-B Fund; and **(2)** a construction services contract for Water Delivery SCADA, Frankford Pump Station, Abrams Pump Station, and pump station electrical improvements - Archer Western Contractors, lowest responsible bidder of two - Not to exceed \$30,158,400.00 - Financing: Water Capital Improvement F Fund (\$14,223,180.55), Water Construction Fund (\$9,500,000.00), and Water Revenue Bonds - Series 2009-B Fund (\$6,435,219.45)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0636

Item 34: Authorize a construction services contract for headworks and primary clarifiers improvements at Central Wastewater Treatment Plant - BAR Constructors, Inc., lowest responsible bidder of four - Not to exceed \$48,559,500.00 - Financing: Wastewater Capital Improvement G Fund (\$27,231,000.00), Wastewater Capital Improvement F Fund (\$20,000,000.00), and Wastewater Construction Fund (\$1,328,500.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0637

Item 35: 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)

There were no appointments made to boards and commissions.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0638

Item 36: A resolution reappointing Mark S. Swann, as City Auditor for a two-year term, effective May 1, 2023 - Not to exceed \$511,596.00 - Financing: General Fund

Councilmember Mendelsohn moved to appoint Mark S. Swann, as City Auditor for a two-year term.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0639

Item 37: An ordinance amending Ordinance No. 32308, previously approved on September 28, 2022, authorizing certain transfers and appropriation adjustments for FY 2022-23 for the maintenance and operation of various departments, activities, and amending the capital budget; and authorize the City Manager to implement those adjustments - Not to exceed \$4,651,236,410 - Financing: General Fund (\$1,727,562,642), Enterprise Funds, Internal Service, and Other Funds (\$1,639,630,557), Capital Funds (\$1,121,157,386), and Grants, Trust, and Other Funds (\$162,885,825) (This item was deferred on April 26, 2023)

Councilmember Blackmon moved to adopt the item.

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

Assigned ORDINANCE NO. 32456

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0640

CLOSED SESSION

(Sec. 551.076 and Sec. 551.089 T.O.M.A.)

- Deliberation regarding security devices or security audits including: (1) security assessments or deployments relating to information resources technology; (2) network security information (3); the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices; or (4) a security audit regarding a recent security incident relating to the City's information resources technology.

At 10:32 p.m., Mayor Johnson announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

(Sec. 551.076 and Sec. 551.089 T.O.M.A.)

- Deliberation regarding security devices or security audits including: (1) security assessments or deployments relating to information resources technology; (2) network security information (3); the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices; or (4) a security audit regarding a recent security incident relating to the City's information resources technology.

ADDITION:

Item 38 - Authorize the **(1)** City Manager to accept conveyance of the Premises in an amount not to exceed \$6,000,000.00 in the name of the City utilizing financing to be secured by Cypress Creek Forest Lane, LP (Tax Credit Partnership) including Low Income Housing Tax credits provided by Texas Department of Housing and Community Affairs (TDHCA) commercial debt, and soft debt approved by the City and secured by the Tax Credit Partnership; and **(2)** negotiation and execution of a lease for a term of at least five years and not longer than 39 years and development agreement with Cypress Creek Forest Lane, LP (Tenant/Tax Credit Partnership) allowing construction and operation of the project called Cypress Creek at Forest Lane Apartments located at 11520 North Central Expressway, Dallas, Texas 75243 – Estimated Revenue: \$2,153,042.00 (15 years of estimated fees and lease payments)

The closed session ended and reconvened to open session at 1:19 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0641

Item 38: Authorize the **(1)** City Manager to accept conveyance of the Premises in an amount not to exceed \$6,000,000.00 in the name of the City utilizing financing to be secured by Cypress Creek Forest Lane, LP (Tax Credit Partnership) including Low Income Housing Tax credits provided by Texas Department of Housing and Community Affairs (TDHCA) commercial debt, and soft debt approved by the City and secured by the Tax Credit Partnership; and **(2)** negotiation and execution of a lease for a term of at least five years and not longer than 39 years and development agreement with Cypress Creek Forest Lane, LP (Tenant/Tax Credit Partnership) allowing construction and operation of the project called Cypress Creek at Forest Lane Apartments located at 11520 North Central Expressway, Dallas, Texas 75243 – Estimated Revenue: \$2,153,042.00 (15 years of estimated fees and lease payments)

The following registered speakers addressed the city council on the item:

William Roth, 6921 Meadow Rd.

Zachary Krochtengel, 17014 Preston Bend Dr., representing Sycamore Strategies, LLC

Ann Lott, 3301 Elm St.

Brittney Jones, 1802 Lakeland Dr., representing Client Advisory Board

Robb Stewart, 9509 Shady Valley Dr.

Woot Lervisit, 8319 Floyd Lake Dr.

Rachel McGown, 9417 Pinewood Dr.

Philip Kingston, 1701 N. Collins Blvd., Richardson, TX, representing Shells Winnubst PC

Councilmember McGough moved to deny the item.

Motion seconded by Councilmember Thomas.

During discussion, Councilmember Bazaldua requested to go into executive session to discuss the item.

At 10:32 a.m., Mayor Johnson announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the item.

The closed session ended and reconvened to open session at 1:19 p.m.

During discussion, Councilmember McGough withdrew his motion to deny the item; there was no objection voiced by the city council.

Councilmember McGough moved to refer the item to the Housing and Homelessness Council Committee.

Motion seconded by Councilmember Thomas.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-0641

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Councilmember Bazaldua moved a subsidiary motion to:

- authorize the city manager to move forward with the closing and acquisition, while remanding the lease agreement to the Housing [and Homelessness Council] Committee on May 22, 2023 and return for authorization of the lease to the council to be considered on June 14, 2023 [voting agenda meeting of the city council].

Subsidiary motion seconded by Councilmember West.

At the request of Mayor Johnson, the city attorney's office stated Councilmember Bazaldua's subsidiary motion was out of order.

During further discussion, Mayor Pro Tem Arnold requested a record vote.

Mayor Johnson called a record vote on Councilmember McGough's motion to refer the item to the Housing and Homelessness Council Committee:

Voting Yes: [3] Thomas, McGough, Mendelsohn

Voting No: [11] Johnson, Arnold, Narvaez, West,  
Moreno, Resendez, Bazaldua, Atkins,  
Blackmon, Willis, Ridley

Absent When Vote Taken: [1] Schultz

The city secretary declared the motion failed.

Councilmember Bazaldua moved to:

- authorize the city manager to move forward with the closing and acquisition, while remanding the lease agreement to the Housing [and Homelessness Council] Committee on May 22, 2023 and return for authorization of the lease to the council to be considered on June 14, 2023 [voting agenda meeting of the city council].

Motion seconded by Councilmember West.

Councilmember McGough requested a record vote.

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

Voting Yes: [11] Johnson, Arnold, Narvaez, West,  
Moreno, Resendez, Bazaldua, Atkins,  
Blackmon, Willis, Ridley

Voting No: [3] Thomas, McGough, Mendelsohn

Absent When Vote Taken: [1] Schultz

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0642

CONSENT ZONING DOCKET

Prior to consideration of the consent zoning docket and the item being read into the record, Mayor Pro Tem Arnold moved to defer agenda item Z1 to the June 14, 2023 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

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

Agenda item Z1: Zoning Case Z212-206(MP)

Agenda item Z2: Zoning Case Z212-350(RM)

Therefore, the consent zoning docket, consisting of agenda item Z2 was presented for consideration.

Agenda item Z2: Zoning Case Z212-350(RM)

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

No one addressed the city council on the consent zoning docket.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0643

Item Z1: Zoning Case Z212-206(MP) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a TH-3(A) Townhouse District with H/118 Zion Hill Missionary Baptist Church Historic Overlay and an R-5(A) Single Family District, on the northwest and northeast corners of Morrell Avenue and Fernwood Avenue

Recommendation of Staff: Approval, subject to deed restrictions volunteered by the applicant

Recommendation of CPC: Approval, subject to amended deed restrictions volunteered by the applicant

Prior to consideration of the consent zoning docket and the item being read into the record, Mayor Pro Tem Arnold moved to defer the item to the June 14, 2023 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Narvaez and unanimously deferred. (Moreno, McGough, Schultz absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0644

Item Z2: Zoning Case Z212-350(RM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 6A within Planned Development District No. 830, the Davis Street Special Purpose District, at the northeast corner of North Hampton Road and West Jefferson Boulevard

Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions

Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site/landscape plan and conditions

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 32457



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0645

ZONING CASES - INDIVIDUAL

Item Z3: Zoning Case Z212-280(JM)

A public hearing to receive comments regarding an application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District, at the southwest corner of North Jim Miller Road and Elam Road

Recommendation of Staff: Approval

Recommendation of CPC: Denial without prejudice

Prior to the item being read into the record, Councilmember Atkins moved to defer the item to the August 9, 2023 voting agenda meeting of the city council.

Motion seconded by Councilmember Ridley and unanimously deferred. (Moreno, McGough, Schultz absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0646

ZONING CASES - INDIVIDUAL

Item Z4: Zoning Case Z212-306(MP)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 597 on property zoned an NC Neighborhood Commercial Subdistrict and an MF-2(A) Multifamily Subdistrict with deed restrictions [Z078-207] within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Pennsylvania Avenue and Holmes Street

Recommendation of Staff: Approval, subject to a revised conceptual plan, a development plan, and conditions

Recommendation of CPC: Approval, subject to a revised conceptual plan, a development plan, and conditions

The following individual addressed the city council on the item:

David Martin, 2728 N. Harwood St., representing Winstead PC

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

Motion seconded by Councilmember Blackmon and unanimously adopted. (McGough, Schultz absent when vote taken)

Assigned ORDINANCE NO. 32458

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0647

ZONING CASES - INDIVIDUAL

Item Z5: Zoning Case Z223-115(RM)

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District on the northwest line of Empire Central Drive, northeast of Harry Hines Boulevard

Recommendation of Staff: Approval

Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant

No one addressed the city council on the item.

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

Motion seconded by Councilmember Bazaldua and unanimously adopted. (McGough, Schultz absent when vote taken)

Assigned ORDINANCE NO. 32459

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0648

ZONING CASES - INDIVIDUAL

Item Z6: Zoning Case Z223-131(AU)

A public hearing to receive comments regarding an application for a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the west corner of Lemmon Avenue and Herschel Avenue

Recommendation of Staff: Approval for a five-year period, subject to a site plan and conditions

Recommendation of CPC: Denial without prejudice

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

The following individuals addressed the city council on the item:

Matt Copenhaver, 14800 Landmark Blvd., Addison, TX, representing Salad and Go  
Leland Burk, 8215 Westchester Dr., representing Salad and Go  
Charlie Corson, 8333 Douglas Ave., representing Salad and Go  
Elias Bahar, 3100 McKinnon St., representing Oak Lawn Committee

Councilmember Ridley moved to follow the city plan commission's recommendation and deny the item without prejudice.

Motion seconded by Councilmember Resendez.

After discussion, Mayor Johnson called a record vote on Councilmember Ridley's motion to deny without prejudice:

Voting Yes: [6] Narvaez, West, Moreno, Resendez,  
Atkins, Ridley

Voting No: [6] Johnson, Arnold, Blackmon, McGough,  
Mendelsohn, Willis

Absent When Vote Taken: [3] Thomas, Bazaldua, Schultz

The city secretary declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-0648

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Councilmember Blackmon moved to defer the item to the May 24, 2023 voting agenda meeting of the city council.

Motion seconded by Councilmember Moreno.

After discussion, Mayor Johnson called a vote and declared the item deferred on a divided vote with Mayor Pro Tem Narvaez and Councilmember Ridley voting “No.” (Thomas, Bazaldua, Schultz absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0649

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item Z7: Zoning Case Z212-185(OA/JM)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an MC-4 Multiple Commercial District, on the north side of Vantage Point, west of Greenville Avenue

Recommendation of Staff: Approval

Recommendation of CPC: Approval

Note: This item was deferred by the City Council before opening the public hearings on August 10, 2022, and September 14, 2022, and was held under advisement on December 14, 2022 and February 22, 2023, and is scheduled for consideration on May 10, 2023.

Prior to the item being read into the record, Councilmember Thomas moved to defer the item to the May 24, 2023 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Narvaez and unanimously deferred. (Moreno, McGough, Schultz absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 10, 2023

23-0650

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item Z8: Zoning Case Z212-334(JM)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north side of Main Street at the terminus of Pryor Street, between North Good Latimer Expressway and North Crowds Street

Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions

Note: This item was deferred by the City Council before opening the public hearing on April 12, 2023, and is scheduled for consideration on May 10, 2023.

No one addressed the city council on the item.

Councilmember Moreno moved to close the public hearing and deny the item without prejudice.

Motion seconded by Councilmember Blackmon and unanimously denied without prejudice. (Thomas, Bazaldua, McGough, Schultz absent when vote taken)

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 10, 2023

EXHIBIT C