

City of Dallas

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



ANNOTATED COUNCIL AGENDA

May 24, 2023

9:19 A.M. – 3:21 P.M.

[23-0680; HELD]

Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers
[23-0681]

VOTING AGENDA

1. [23-1222](#) Approval of Minutes of the May 10, 2023 City Council Meeting
[23-0682; APPROVED]

CONSENT AGENDA **[23-0683; APPROVED]**

Budget and Management Services

2. [23-1306](#) An ordinance denying rates as requested by Atmos Energy Corp . Mid-Tex Division provided pursuant to its January 13, 2023, Dallas Annual Rate Review filing and setting rates as recommended by the City Manager - Financing: No cost consideration to the City
[23-0684; DEFERRED TO JUNE 14, 2023 BY COUNCILMEMBER MENDELSON]

Building Services Department

3. [23-928](#) Authorize a construction services contract for installation of solar photovoltaic and battery energy storage system at Bachman Recreation Center located at 2750 Bachman Drive - Ameresco, Inc., most advantageous proposer of three - Not to exceed \$975,000.00 - Financing: Capital Construction Fund
[23-0685; APPROVED]
4. [23-976](#) Authorize a two-year construction services contract, with three one-year renewal options, to perform job order contracting services for environmental remediation at City of Dallas buildings with Prism Response LLC, dba Alloy Group, and RNDI Companies, Inc., the most advantageous proposers of three - Not to exceed \$15,000,000.00 - Financing: General Fund (\$5,000,000.00) and Capital Construction Fund (\$10,000,000.00)
[23-0686; APPROVED]

City Attorney's Office

5. [23-1271](#) Authorize settlement of a claim filed by Ashley Boles, EEOC Charge No. 450-2022-07026 - Not to exceed \$70,000.00 - Financing: Liability Reserve Fund
[23-0687; APPROVED]

Department of Aviation

6. [23-926](#) Authorize an engineering services contract with O'Brien Engineering, Inc. to provide engineering services for the analysis of Garage A and B pedestrian concourse walkway roof and heating, ventilation, and air conditioning (HVAC) system as well as other HVAC system around the garage/terminal area, correct existing deficiencies, bid phase and construction administration services at Dallas Love Field - Not to exceed \$249,600.00 - Financing: Aviation Fund
[23-0688; APPROVED]

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

7. [23-983](#) Authorize (1) [the City Manager to negotiate and execute](#) a development loan agreement and security documents [covering a loan](#) with TX Ferguson 2022, Ltd., or affiliate(s) thereof (Applicant) in an amount not to exceed \$4,618,487.00 in HOME Investment Partnerships Program Funds, conditioned upon Applicant, [or the entity named by the award](#), receiving 2023 4% Housing Tax Credit award [or other funding source subject to approval of the City](#) for the development of [a](#) mixed-income affordable multi-family senior living community known as Estates at Ferguson, located at 9220 Ferguson Road, Dallas, Texas 75228 (Property); (2) [the City Manager to negotiate and execute](#) a development loan agreement and security documents with the Dallas Housing Finance Corporation (DHFC), or [an](#) affiliate(s) thereof in an amount not to exceed \$3,965,000.00 in Community Development Block Grant Disaster Recovery (CDBG-DR) Funds to purchase and own the Property; and (3) [approve](#) the DHFC [as long-term ground lessor of the property](#) to enter into a long-term ground lease with Applicant and/or its affiliate(s), for the development of the Property pursuant to 24 CFR 570.201(a) and (b), [subject to compliance with all funding source requirements](#) - Not to exceed \$8,583,487.00 - Financing: HOME Investment Partnerships Funds (\$4,618,487.00) and Community Development Block Grant Disaster Recovery Funds (\$3,965,000.00) **[23-0689; CORRECTED; APPROVED]**
8. [23-1265](#) Authorize the approval of the (1) 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 \$45,000,000.00; proceeds of the Bonds will be loaned to Ash Creek Housing, LLC to finance a portion of the cost for the acquisition and renovation of units for an affordable multifamily complex to be known as Rosemont at Ash Creek, located at 2605 John West Road, Dallas, Texas (Development); and (2) 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 acquire and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 10, 2023 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 **[23-0690; APPROVED]**

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

9. [23-1266](#) Authorize the approval of the **(1)** City Council, 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 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 Positano Acquisition, LLC to finance a portion of the cost for the acquisition and renovation of units for an affordable multifamily complex for seniors to be known as The Positano and located at 2519 John West Road, Dallas, Texas (Development); and **(2)** 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 April 10, 2023 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
[23-0691; APPROVED]
10. [23-1260](#) Authorize the Dallas Housing Finance Corporation to acquire and own Axis Kessler Park, a multifamily development located at 2400 Fort Worth Avenue - Estimated Revenue Foregone: General Funds \$7,880,155.00 (15 Years of Estimated Taxes)
[23-0692; DEFERRED TO JUNE 14, 2023 BY COUNCILMEMBER WEST]
11. [23-1261](#) Authorize the Dallas Housing Finance Corporation to acquire and own Domain at Midtown, a multifamily development located at 8169 Midtown Boulevard - Estimated Revenue Foregone: General Funds \$10,191,769.00 (15 Years of Estimated Taxes)
[23-0693; APPROVED]

Department of Public Works

12. [23-1199](#) An ordinance granting a revocable license to Oeste Tres, LLC dba Three Links Deep Ellum, for the use of a total of approximately 77 square feet of land to occupy, maintain, and utilize a sidewalk café and an A-frame sign on portions of Elm Street right-of-way located near its intersection with Crowds Street - Revenue: General Fund \$200 annually and \$100 one-time fee, plus the \$20.00 ordinance publication fee
[23-0694; APPROVED; ORDINANCE 32461]
13. [23-1200](#) An ordinance granting a revocable license to Big Outdoor Texas, LLC, for the use of a total of approximately 100 square feet of aerial space to install, maintain and utilize two videoboard signs over portions of Griffin and Elm Streets rights-of-way near its intersection with Griffin and Elm Streets - Revenue: General Fund \$2,000.00 annually, plus the \$20.00 ordinance publication fee
[23-0695; APPROVED; ORDINANCE 32462]

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

14. [23-1009](#) Authorize an increase in the construction services contract with Viking Construction, LLC f/k/a Viking Construction, Inc. for the 2022 Two-Year Term Agreement Slurry Seal and Polymer Modified Micro-Surfacing Contract - Not to exceed \$3,100,000.00, from \$12,423,914.65 to \$15,523,914.65 - Financing: General Fund
[23-0696; APPROVED]
15. [23-932](#) Authorize a construction services contract for the construction of the Jefferson/Twelfth Connector Lane Diet/Removal Project - Jeske Construction Co., lowest responsible bidder of two - Not to exceed \$4,661,560.00 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Funds) (\$3,811,812.00), Water Capital Improvement F Fund (\$679,654.00), and Wastewater Capital Improvement G Fund (\$126,394.00), Water Construction Fund (\$31,325.00) and Wastewater Construction Fund (\$12,375.00)
[23-0697; APPROVED]

Department of Transportation

16. [23-1048](#) Authorize **(1)** the acceptance of a grant from the United States Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Surface Transportation Block Grant Program (Agreement No. CSJ 0918-47-390, CFDA No. 20.205) as Federal share in the total project cost of \$2,406,614.00, which includes \$1,840,000.00 as Federal participation for environmental assessment, engineering, construction, and direct state costs, \$106,614.00 as State participation for indirect state costs, and \$460,000.00 as local participation for environmental assessment, engineering, construction, and direct state costs paid to TxDOT prior to construction for cost related to the preparation of preliminary engineering (schematic and environmental), final design, plans, specifications and estimates, and the reconstruction of Lake June Road from U.S. 175 to Gillette Street including rehabilitation of a 6 to 4 lane roadway including full depth pavement repair to include bike lanes, sidewalks, lighting, and traffic signal at Gillette Street and Lake June Road; **(2)** a local match in the amount of \$460,000.00; **(3)** the disbursement of funds in the amount of \$460,000.00 to TxDOT from the Coronavirus State and Local Fiscal Recovery Fund; and **(4)** execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the grant agreement - Total amount of \$460,000.00 - Financing: Coronavirus State and Local Fiscal Recovery Fund
[23-0698; APPROVED]
17. [23-1232](#) Authorize a resolution to support Dallas Area Rapid Transit's Detailed Application to the Texas Department of Transportation 2023 Transportation Alternatives Set-Aside Program Call for Projects which includes funding to construct segments of the Cotton Belt Trail in the City of Dallas - Financing: No cost consideration to the City
[23-0699; APPROVED]

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

18. [23-1046](#) Authorize a resolution to support Detailed Applications for funding for two planning projects: Project 1 - Skillman Bridge Connectivity and Safe Routes to Schools Planning Study and Project 2 - Esperanza District Neighborhood Planning Study for the Texas Department of Transportation Call for Projects to utilize funds for cost reimbursement through the Transportation Alternatives Set-Aside Program - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
[23-0700; APPROVED]
19. [23-1253](#) Authorize a resolution to support the “Refined Hybrid Option” as recommended by the Texas Department of Transportation for future redevelopment of Interstate Highway 345 and the accommodation of the interface with Dallas Area Rapid Transit’s D2 alignment - Financing: No cost consideration to the City
[23-0701; APPROVED AS AMENDED]
20. [23-765](#) Authorize a professional engineering services contract with Halff Associates, Inc. to provide engineering services for the Oak Farms Local Corridors conceptual engineering study in the area from Interstate Highway 30 to the north; Trinity River to the northeast; Beckley Avenue, Elsbeth Street, and Zang Boulevard to the west; Cumberland Street and Marsalis Avenue to the southwest; and DART Red Line to the southeast - Not to exceed \$1,078,824.36 - Financing: Oak Farms Project Fund
[23-0702; APPROVED]
21. [23-1045](#) Authorize a three-year professional design services contract for traffic signal design services for the following six intersections: Gaston Avenue and Haskell Avenue; Oates Drive and Peavy Road; Lake June Road and Pleasant Drive; Ledbetter Drive and Veterans Drive; Buckner Boulevard and Hume Drive; McKinney Avenue and Routh Street; and other related tasks - HDR Engineering Inc., most highly qualified proposer of five - Not to exceed \$290,868.75 - Financing: Coronavirus State and Local Fiscal Recovery Fund
[23-0703; APPROVED]

Office of Bond and Construction Management

22. [23-1186](#) Authorize ~~(4)~~ an increase in the construction services contracts for job order contract with Nouveau Construction and Technology Services, L.P. ~~to continue~~ to provide additional construction services at Stemmons Municipal Center located at 7800 North Stemmons Freeway ~~job order contacting services at City facilities; and (2) an increase in appropriations in an amount not to exceed \$124,420.78 in the Building Inspection Fund~~ - Not to exceed \$124,420.78, from \$456,586.99 to \$581,007.77 - Financing: Building Inspection Fund (subject to annual appropriations)
[23-0704; CORRECTED; APPROVED]

CONSENT AGENDA (continued)**Office of Economic Development**

23. [23-1225](#) Authorize a public hearing to be held on June 14, 2023 to receive comments on the proposed amendment to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Reinvestment Zone Number Three, the Oak Cliff Gateway Tax Increment Financing ("TIF") District (the "TIF District") to: **(1)** increase the geographic area of the Bishop/Jefferson Sub-District by approximately 7 acres to include properties at 1200 and 1400 East Jefferson Boulevard; **(2)** increase the geographic area of the Clarendon/Beckley/Kiest Sub-District by approximately 11 acres to include: **(a)** approximately 4 acres generally on the northeast and southeast corners of Grant Street and Ridge Street, west of the terminus of Grant Street and north of the terminus of Ridge Street, and **(b)** approximately 7 acres generally in the 900 and 1000 blocks of Morrell Avenue at Fernwood Avenue and the 1200 and 1300 blocks of Morrell Avenue at Denley Drive; and **(3)** make corresponding modifications to the TIF District's boundary and Plan; and, at the close of the public hearing on June 14, 2023, consider an ordinance amending Ordinance No. 21466, as amended, previously approved on November 11, 1992, and Ordinance No. 23033, as amended, previously approved on February 12, 1997, to reflect this amendment - Financing: No cost consideration to the City
[23-0705; APPROVED]

Office of Environmental Quality & Sustainability

24. [23-1269](#) Authorize a resolution of support for a Municipal Setting Designation application to the Texas Commission on Environmental Quality, provided by Hartman Promenade, LLC and approved by the City of Richardson, that prohibits the use of groundwater as potable water beneath property owned by Hartman Promenade, LLC, located near the intersection of Coit Road and Arapaho Road in Richardson, TX within a 0.5 mile radius of the City of Dallas Council Districts 11 and 12 - Financing: No cost consideration to the City
[23-0706; APPROVED]

Office of Procurement Services

25. [23-34](#) Authorize a three-year cooperative purchasing agreement for the acquisition and service maintenance and support of a web application firewall and distributed denial of service protective technologies for the Department of Information and Technology Services with ePlus Technology, Inc. through the Interlocal Purchasing System cooperative agreement - Not to exceed \$514,784.43 - Financing: Data Services Fund (subject to annual appropriations)
[23-0707; APPROVED]
26. [23-1206](#) Authorize a three-year master agreement for the purchase of janitorial supplies, trash bags, and liners for the Department of Aviation with M.A.N.S. Distributors, Inc. through The Local Government Purchasing Cooperative (BuyBoard) agreement - Estimated amount of \$18,133,470 - Financing: Aviation Fund
[23-0708; APPROVED]

CONSENT AGENDA (continued)

Office of Procurement Services (continued)

27. [23-1204](#) Authorize the purchase of automated chest compression systems for the Fire-Rescue Department with Stryker EMS through the National Association of State Procurement Officials cooperative agreement - Not to exceed \$344,455.02 - Financing: Coronavirus State and Local Fiscal Recovery Funds
[23-0709; APPROVED]
28. [23-1233](#) Authorize **(1)** service contracts for shelter capacity overflow services to increase sheltering capacity services for the homeless in the amount of \$375,000 for Austin Street Center; in the amount of \$375,000 for Bridge Steps dba The Bridge; and in the amount of \$250,000 for Family Gateway, Inc., most advantageous proposers of five for the period from January 19, 2023 through September 30, 2023; and **(2)** ratification(s) for the Office of Homeless Solutions to pay outstanding invoices for services provided from January 19, 2023 through May 1, 2023 in the amount of \$210,000 for Austin Street Center; in the amount of \$128,240 for Bridge Steps dba The Bridge; and in the amount of \$75,000 for Family Gateway, Inc. - Total not to exceed \$1,000,000 - Financing: U.S. Department of Housing and Urban Development Emergency Solutions Grant Funds
[23-0710; APPROVED AS AN INDIVIDUAL ITEM]
29. [23-1332](#) Authorize **(1)** a one-year service contract in the amount of \$1,150,000, with a one year renewal option in the amount of \$1,150,000 with Services of Hope & Financial Hope CCS; **(2)** a one-year service contract in the amount of \$536,581, with a one year renewal option in the amount of \$540,343 with Catholic Charities of Dallas, Inc.; and **(3)** a one-year service contract in the amount of \$150,000, with a one year renewal option in the amount of \$150,000 with Dallas Leadership Foundation, for the administration of food distribution and delivery programs to residents of Dallas that have been impacted and/or had their needs exacerbated by the COVID-19 pandemic for the Office of Community Care, most advantageous proposers of six - Total amount not to exceed \$3,676,924 - Financing: Coronavirus State and Local Fiscal Recovery Fund
[23-0711; APPROVED]
30. [23-1259](#) Authorize a three-year service contract, with two one-year renewal options, for wastewater flowmeter monitoring services for the Water Utilities Department - Hach Company, most advantageous proposer of four - Not to exceed \$1,898,075.00 - Financing: Wastewater Construction Fund (subject to annual appropriations)
[23-0712; APPROVED]
31. [23-1205](#) Authorize Supplemental Agreement No. 3 to increase to the service price agreement with Miner Ltd. dba Overhead Door Co. of Dallas for citywide overhead door repair, maintenance, parts, and labor - Not to exceed \$1,143,472.98, from \$4,573,891.92 to \$5,717,364.90 - Financing: General Fund (\$571,736.98), Capital Construction Fund (\$190,579.00), Aviation Fund (\$190,578.00), Dallas Water Utilities Fund (\$185,528.66), and Stormwater Drainage Management Operations Fund (\$5,050.34) (subject to annual appropriations)
[23-0713; APPROVED]

CONSENT AGENDA (continued)**Park & Recreation Department**

32. [23-1229](#) Authorize an application for the Texas Parks and Wildlife Department Local Parks Urban Outdoor Grant program up to an amount of \$1,500,000.00 for the Community Park at Fair Park Phase One Project located within Fair Park - Financing: No cost consideration to the City
[23-0714; APPROVED]
33. [23-1230](#) Authorize **(1)** an additional twelve-month extension to a management agreement with Dallas Heritage Society at Old City Park for the period May 26, 2023 through May 26, 2024; and **(2)** allocation of \$300,000.00 in funding to Dallas Heritage Society at Old City Park - Not to exceed \$300,000.00 - Financing: General Funds
[23-0715; APPROVED]
34. [23-1250](#) Authorize a three-year service price agreement for the rental, cleaning and delivery of spring drinking water and dispensers - Blue Triton Brands Inc., lowest responsible bidder of three - Not to exceed \$38,815.56 - Financing: General Fund (subject to annual appropriations)
[23-0716; APPROVED]
35. ~~[23-1296](#) 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
[23-0717; DELETED]~~
36. [23-1129](#) Authorize a construction services contract for the University Crossing Trail Lighting Project from Ellsworth Avenue to the Matilda Bridge - RoeschCo Construction, LLC, lowest responsible bidder of two - Not to exceed \$1,235,000.00 - Financing: University Crossing PID Trail Fund
[23-0718; APPROVED]

Water Utilities Department

37. [23-1166](#) Authorize acquisition of a wastewater easement from Alessandro Attura, of approximately 4,410 square feet of land located near the intersection of Harbor Town Drive and Hilton Head Drive in Dallas/Collin County for the Bent Tree Interceptor Project - Not to exceed \$72,058.00 (\$69,058.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Wastewater Construction Fund
[23-0719; APPROVED]
38. [23-891](#) Authorize a construction services contract for the installation of water and wastewater mains at 21 locations (list attached to the Agenda Information Sheet) - Muniz Construction, Inc., lowest responsible bidder of four - Not to exceed \$12,711,348.00 - Financing: Water (Drinking Water) - TWDB 2022 Fund (\$9,939,813.00) and Wastewater (Clean Water)-N2022 TWDB Fund (\$2,771,535.00)
[23-0720; APPROVED]

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

39. [23-736](#) 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)
[23-0721; NO APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]
40. [23-1279](#) ~~Consideration of appointment to the Dallas Area Rapid Transit Board of Directors for Positions 03, 04, 05, 06, 07, and 08 (Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Name of nominee in the City Secretary's Office) Financing: No cost consideration to the City~~
[23-0722; DELETED]

Mayor and City Council Office

41. [23-1350](#) A resolution directing the city manager to procure the services of an independent consultant to conduct a feasibility study of the various alternatives for the future of Interstate Highway (IH) 345, including the Removal Alternative (also known as the Boulevard Option), with such study to be completed within one year of the execution of the consulting services contract; postpone placing a resolution in support of the Hybrid Alternative recommended by the Texas Department of Transportation (TxDOT) for IH- 345 on a City Council agenda until after the consultant and/or City staff present their findings to the City Council; and investigate the availability of federal infrastructure funds for an event in which the City pursues an alternative not supported by TxDOT - including, but not limited to, the Removal Alternative (Boulevard Option) - for the future of IH-345 - Financing: No cost consideration to the City (see Fiscal Information) (via Councilmembers West, Willis, Blackmon, Moreno, and Ridley)
[23-0723; DENIED BY COUNCILMEMBER WEST]
42. [23-1381](#) A resolution of support for the adoption of Creating A Respectful And Open Workplace For Natural Hair (CROWN) standards which specifically link discrimination on hair texture and protective hairstyles, which include braids, locks, and twists, as well as dreadlocks and afros, to non-discrimination - Financing: No cost consideration to the City
[23-0724; APPROVED AS AMENDED]

ITEMS FOR FURTHER CONSIDERATION**Department of Public Works**

43. [23-1396](#) 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 (This item was deferred on May 10, 2023)
[23-0725; APPROVED]

ADDITIONS:

Closed Session
[23-0726; HELD]

(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.

OTHER ITEMS FOR INDIVIDUAL CONSIDERATION**City Attorney's Office**

44. [23-1417](#) An ordinance amending Chapter 12A, "Code of Ethics," of the Dallas City Code, **(1)** adding a substantial interest in business entity conflict of interest; **(2)** providing that the rules against impermissible financial interest in discretionary contracts or sales during service with the city do not apply to volunteers on a committee or task force formed by a board or commission; **(3)** requiring a disclosure for those who were paid to work on councilmember campaigns when representing interests before the city council; **(4)** creating an offense for disclosing confidential information; **(5)** prohibiting campaign/political consultants from lobbying councilmembers for one year following an election; **(6)** amending the standard of proof to be a preponderance of the evidence; **(7)** providing updated subpoena processes for the inspector general and ethics advisory commission and updated hearing procedures; and **(8)** updating definitions and simplifying and clarifying language - Financing: No cost consideration to the City
[23-0727; DEFERRED TO JUNE 14, 2023 BY DEPUTY MAYOR PRO TEM NARVAEZ PER SECTION 7.11 OF THE COUNCIL RULES OF PROCEDURE]

Department of Housing & Neighborhood Revitalization

45. [23-1449](#) Authorize the Dallas Public Facility Corporation to acquire, develop, and own The Elms, a mixed-income, multifamily development to be located at 1710 Morrell Avenue (Project) and enter into a seventy-five-year lease agreement with 1710 Morrell Avenue, LLC or its affiliate, for the development of the Project - Estimated Revenue Foregone: General Fund \$50,517.00 (15 Years of Estimated Taxes)
[23-0728; APPROVED AS AMENDED]

Office of Economic Development

46. [23-1448](#) Authorize the City Manager or designee to execute development agreements with the SoGood Cedars Municipal Management District and the NewPark Municipal Management Agreement -- Financing: No cost consideration to the City
[23-0729; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Planning and Urban Design****ZONING CASES – CONSENT****[23-0730]**

- Z1. [23-1268](#) A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a public school other than an open-enrollment charter school on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, in an area bounded by Warren Avenue, Wendelkin Street, Julius Schepps Freeway, Pennsylvania Avenue, and South Harwood Street
Recommendation of Staff: Approval, subject to a site plan, a landscape plan, a traffic management plan, and conditions
Recommendation of CPC: Approval, subject to a site plan, a landscape plan, a traffic management plan, and conditions
Z212-300(AU)
[23-0731; HEARING CLOSED; STAFF RECOMMENDATION FOLLOWED; ORDINANCE 32463]

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

- Z2. [23-1384](#) 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
Z223-131(AU)
Note: This item was held under advisement on May 10, 2023 and is scheduled for consideration on May 24, 2023.
[23-0732; HEARING CLOSED; REFERRED TO THE CITY PLAN AND ZONING COMMISSION BY COUNCILMEMBER BLACKMON]
- Z3. [23-1385](#) 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
Z212-185(OA/JM)
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, February 22, 2023, and May 10, 2023; and is scheduled for consideration on May 24, 2023.
[23-0733; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32464]

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL**Department of Urban and Planning Design**

- PH1. [23-1270](#) A public hearing to receive comments regarding consideration of amending Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.217(b)(20) and 51A-4.217(b)(11.1) “Temporary inclement weather shelter” and related sections with consideration being given to appropriate spacing requirements for temporary inclement weather shelters within a half-mile of the central business district and an ordinance granting the amendments
Recommendation of Staff: Approval
Recommendation of CPC: Approval
DCA223-004(MK)
[23-0734; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 32465]

MISCELLANEOUS HEARINGS**Budget and Management Services**

- PH2. [23-1015](#) A public hearing to receive comments on the FY 2023-24 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City
[23-0735; HEARING CLOSED]
- PH3. [23-1228](#) A public hearing to receive comments on the Proposed FY 2023-24 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds - Financing: No cost consideration to the City
[23-0736; HEARING CLOSED]

Department of Housing & Neighborhood Revitalization

- PH4. [23-1262](#) A public hearing to receive comments regarding an application by LDG The Crossing at Clear Creek, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Crossing at Clear Creek located at the Northeast Corner of Highway 175 and Woody Road, Dallas, TX 75253 (the “Development”); 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 The Crossing at Clear Creek and in accordance with 10 TAC §11.3(d) (the “Administrative Code”), specifically allow the construction of the development, as required by the Administrative Code, because the Development is within one linear mile or less of Meadowbrook (a 4% housing tax credit development located at 910 South Beltline Road), and is therefore subject to the One Mile Three Year Rule - Financing: No cost consideration to the City
[23-0737; HEARING CLOSED; APPROVED]

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

PH5. [23-1263](#) A public hearing to receive comments regarding an application by LDG The Ridge at Loop 12, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Ridge at Loop 12 located at 1200 North Walton Walker Boulevard, Dallas, TX 75211 (the "Development"); 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 The Ridge at Loop 12 and in accordance with 10 TAC §11.3(d) (the "Administrative Code"), specifically allow the construction of the development, as required by the Administrative Code, because the Development is within one linear mile or less of Meadowbrook (a 4% housing tax credit development located at 910 S. Beltline Road), and is therefore subject to the One Mile Three Year Rule - Financing: No cost consideration to the City
[23-0738; HEARING CLOSED; APPROVED AS AMENDED]

PH6. [23-1264](#) A public hearing to receive comments regarding an application by LDG The Terrace at Highland Hills, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241; and, at the close of the public hearing **(1)** adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Terrace at Highland Hills, a multifamily development (Development); **(2)** in accordance with 10 TAC §11.3(d) (Administrative Code) and the Qualified Allocation Plan (QAP), specifically allow the construction of the Development, as required by the Administrative Code, because the Development is within one linear mile or less of the Ridge at Lancaster and Palladium Simpson Stuart (recent 4% housing tax credit projects located at 5703 South Lancaster Road and 3380 Simpson Stuart Road, respectively), and is therefore subject to the One Mile Three Year Rule; **(3)** pursuant to 10 TAC §11.3(e) and §11.4(c)(1) and the QAP, specifically acknowledge that the Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing; and **(4)** pursuant to 10 TAC §11.101(a)(3) and the QAP, specifically acknowledge that the proposed Development is located in a census tract that has a poverty rate above 40 percent for individuals - Financing: No cost consideration to the City
[23-0739; HEARING CLOSED; APPROVED]

MISCELLANEOUS HEARINGS (continued)**Office of Economic Development**

PH7. [23-1226](#) A public hearing to receive comments concerning the Dallas Tourism Public Improvement District (the District) expansion in accordance with Chapter 372 of the Texas Local Government Code (the Act), allowing the City to include property in a hotel-public improvement district (hotel-PID) with the property owner's consent if such property could have been included in the District, when created, without violating the petition thresholds, to provide supplemental public services funded by assessments on Dallas hotels with 100 or more rooms (Qualifying hotels); and, at the close of the hearing, authorize a resolution approving District boundary expansion to include an estimated two additional Qualifying hotels in the District not described in the resolution or petition renewing the District in 2016 and the resolutions approving the 2020 or 2022 boundary expansions (District expansion) - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0740; HEARING CLOSED; APPROVED]

PH8. [23-1227](#) A public hearing to receive comments concerning the renewal of the Oak Lawn Hi-Line Public Improvement District (the District), in accordance with Chapter 372 of the Texas Local Government Code (the Act), for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: **(1)** approval of a resolution renewing the District for a period of 10 years, from 2024 to 2033; **(2)** approval of the District's Service Plan for 2024-2033 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Oak Lawn-Hi Line Improvement Corporation, a Texas nonprofit corporation as the management entity for the District - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0741; HEARING CLOSED; APPROVED]

Office of Environmental Quality & Sustainability

PH9. [23-1468](#) A public hearing to receive comments and to approve an ordinance amending Chapter 2, "Administration," of the Dallas City Code by amending Section 2-120; **(1)** extending the sunset date for the environmental commission; **(2)** providing a saving clause; **(3)** providing a severability clause; and **(4)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0742; HEARING CLOSED; ORDINANCE 32466]