

City of Dallas

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



ANNOTATED COUNCIL AGENDA

June 14, 2023

9:22 A.M. – 11:45 P.M.

[23-0760; HELD]

Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers
[23-0761]

VOTING AGENDA

1. Approval of Minutes of the May 24, 2023 City Council Meeting
[23-0762; HELD]

CONSENT AGENDA **[23-0763; APPROVED]**

Budget and Management Services

2. Authorize an increase in the homestead property tax exemption for persons who are disabled or 65 or older from \$115,500 to \$139,400 beginning with the 2023 tax year (fiscal year beginning October 1, 2023) - Estimated Annual Revenue Foregone: General Fund (\$9,245,184) and Debt Service Fund (\$3,516,353) totaling (\$12,761,537)
[23-0764; APPROVED]
3. Authorize final 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 - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0765; APPROVED]

City Attorney's Office

4. Authorize settlement of the lawsuit styled Latisha Blair v. Colin Armistead, David Poths, and City of Dallas, Cause No. DC-22-01533 - Not to exceed \$34,000.00 - Financing: Liability Reserve Fund
[23-0766; APPROVED]
5. Authorize partial settlement of the lawsuit styled Valeria Bollin and Deleona Buchanan, Individually and as Next Friend of J.B., a minor, v. City of Dallas, Cause No. DC-20-10296 - not to exceed \$32,000.00 - Financing: Liability Reserve Fund
[23-0767; APPROVED]
6. Authorize payment of judgment in the lawsuit styled 6101 Mockingbird, LLC v. City of Dallas, Cause No. CC-15-06071-E – Not to exceed \$850,000.00 - Financing: Liability Reserve Fund
[23-0768; APPROVED]

CONSENT AGENDA (continued)**City Controller's Office**

7. A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of **(1)** Special Tax and Revenue Bonds (Convention Center Venue Project), Series 2023 in a principal amount not to exceed \$172,000,000; and **(2)** Special Tax Bonds (Fair Park Venue Project), Series 2023 in a principal amount not to exceed \$51,000,000 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
[23-0769; APPROVED]

City Manager's Office

8. Authorize the **(1)** acceptance of a grant from the Federal Communications Commission for the Affordable Connectivity Program (ACP) Outreach Grant Program (Grant No. TBD, CFDA No. 32.011) in the amount of \$700,000.00 to facilitate the promotion, awareness, and participation in the Affordable Connectivity Program among eligible household for the period June 15, 2023 through June 14, 2025; **(2)** establishment of appropriations in an amount not to exceed \$ 700,000.00 in the ACP Outreach Grant Program Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$700,000.00 in the ACP Outreach Grant Program Fund; and **(4)** execution of the contract and all terms, conditions, and documents required by the agreement - Not to exceed \$700,000.00 - Financing: Federal Communications Commission Grant Funds
[23-0770; APPROVED]

Department of Aviation

9. An ordinance amending Chapter 47A, "Transportation for Hire," of the Dallas City Code by amending Sections 47A-2.3.3, 47A-2.4.8, and 47A-2.4.9; **(1)** updating transportation-for-hire vehicle quality standards; **(2)** amending certain transportation-for-hire rates and fares; **(3)** requiring the current fuel surcharge to be posted on hailable vehicles; **(4)** providing a penalty not to exceed \$500.00; **(5)** providing a saving clause; **(6)** providing a severability clause; and **(7)** providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
[23-0771; APPROVED; ORDINANCE 32467]
10. Authorize an Other Transaction Agreement with the Federal Aviation Administration to provide site visit, preliminary design, engineering, and construction/installation activities to construct a new Airfield Rescue and Fire Fighting Station - Not to exceed \$105,535.92 - Financing: Aviation Passenger Facility Charge - Near Term Projects Fund
[23-0772; APPROVED]

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

11. Authorize an Other Transaction Agreement with the Federal Aviation Administration to provide site visit, engineering, and construction activities to enhance the streetscape along Lemmon Avenue - Not to exceed \$156,777.87 - Financing: Aviation Passenger Facility Charge - Near Term Projects Fund
[23-0773; APPROVED]

Department of Convention and Event Services

12. Approve a resolution expressing official intent for the City to reimburse itself for costs and expenses incurred in connection with the Kay Bailey Hutchison Master Plan from obligations that will be issued after the expenditures - Financing: No cost consideration to the City
[23-0774; APPROVED]

Department of Housing & Neighborhood Revitalization

13. Authorize a one-year ~~professional—services~~ [consultant](#) contract, with two one-year renewals with United Way of Metropolitan Dallas, Inc. for the Emerging Developers Initiative for non-profit developer capacity-building services as described in Exhibit A and execution of the contract, approved as to form by the City Attorney - Not to exceed \$500,000.00 - Financing: Emerging Developers Fund
[23-0775; CORRECTED; APPROVED]
14. Authorize the City Manager to negotiate and execute a ground lease for a term of thirty-nine years with Cypress Creek Forest Lane, LP (Tax Credit Partnership/Tenant), approved as to form by the City Attorney, allowing the construction and operation of Cypress Creek at Forest Lane Apartments located at 11520 North Central Expressway, Dallas, Texas 75243; the lease will be prepared once lenders for the Project are identified and will include commercially reasonable provisions agreed to by the parties and approved as to form by the City Attorney - Estimated Revenue: Lease Revenues Fund \$2,153,042.00 (15 years of estimated fees and lease payments)
[23-0776; APPROVED AS AN INDIVIDUAL ITEM]

Department of Public Works

15. An ordinance abandoning a portion of a utility easement to BCIF Oakdale Logistics Center LLC, the abutting owner, containing approximately 157,176 square feet of land, located near the intersection of Singleton Boulevard and Weir Street - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee
[23-0777; APPROVED; ORDINANCE 32468]

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

16. An ordinance amending Ordinance No. 28714, previously approved on August 8, 2012, which licensed portions of Apple Street, Swiss Avenue, and St. Joseph Street rights-of-way to Dallas Theological Seminary, to alter Section 5 by adding a new use for the installation and maintenance of chilled water lines in St. Joseph Street right-of-way near its intersection with Live Oak Street - Revenue: General Fund \$1,000.00 annually, plus the \$20.00 ordinance publication fee
[23-0778; APPROVED; ORDINANCE 32469]
17. Authorize ~~(1) a correction to Resolution No. 23-0114, previously approved on January 11, 2023 with Texas Materials Group, Inc. dba TexasBit, a CRH Company, to adjust the appropriation in the General Fund by decreasing estimated receipts and appropriations in the amount up to \$2,465,842.65 for the construction services contract with Texas Materials Group, Inc. dba TexasBit, a CRH company, (2023 Annual Street Maintenance Improvement Contract); (2) an adjustment to the appropriation increase in receipts in the Equity Fund by increasing receipts and appropriations in the amount up to \$2,000,000.00; and (3) an increase in receipts adjusting the appropriation in the Street and Alley Improvement Fund by increasing receipts and appropriations in the amount up to \$465,842.65 for the construction services contract with Texas Materials Group, Inc. dba TexasBit, a CRH company (2023 Annual Street Maintenance Improvement Contract)~~ a correction to Resolution No. 23-0114, previously approved on January 11, 2023 with Texas Materials Group, Inc. dba TexasBit, a CRH Company to revise funding from the General Fund to the Equity Fund and Street and Alley Fund - Not to exceed \$48,906,741.15 - Financing: No cost consideration to the City General Fund (\$25,533,007.50), Equity Fund (\$2,000,000.00), and Street and Alley Fund (\$21,373,733.65)
[23-0779; CORRECTED; APPROVED]
18. Authorize an amendment to an existing lease agreement with Marcer Investments, LLC, to extend the lease agreement for an additional five years for approximately 4,272 square feet of office and clinic space located at 6012 Abrams Road, Suite 150, to be used as a Women, Infants, and Children Clinic for the period September 1, 2023 through August 31, 2028 - Not to exceed \$488,412.00 - Financing: Health and Human Services Commission Grant Funds (subject to annual appropriations)
[23-0780; APPROVED]

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

19. Authorize a construction services contract for Street Reconstruction Group 17-4009 (list attached to the Agenda Information Sheet) - HD Way Concrete Service, LLC, lowest responsible bidder of three - Not to exceed \$2,090,214.00 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Fund) (\$1,707,900.00), Water Capital Improvement F Fund (\$194,132.00), Wastewater Capital Improvement G Fund (\$161,232.00), Water Construction Fund (\$23,750.00), and Wastewater Construction Fund (\$3,200.00)
[23-0781; APPROVED]

Department of Transportation

20. An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-2, 28-4, 28-5.1, 28-19, 28-76.2, 28-81.1, and 28-129 **(1)** providing definitions; **(2)** creating an auxiliary division to the Department of Transportation known as Parking Enforcement and Management; **(3)** providing a penalty not to exceed \$500.00; **(4)** providing a saving clause; **(5)** providing a severability clause; and **(6)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)
[23-0782; APPROVED; ORDINANCE 32470]
21. Authorize **(1)** an agreement with CT Clean - Dallas, LLC, for contribution of funds towards the warranted traffic signal installation at the intersection of Bonnie View Road and Telephone Road in the City of Dallas; **(2)** the establishment of appropriations in an amount not to exceed \$ 55,000.00 in the Transportation Special Projects Fund; **(3)** the receipt and deposit of funds in an amount not to exceed \$55,000.00 in the Transportation Special Projects Fund; and **(4)** the disbursement of funds in an amount not to exceed \$55,000.00 from the Transportation Special Projects Fund - Not to exceed \$55,000.00 - Financing: Transportation Special Projects Fund (see Fiscal Information for potential future costs)
[23-0783; APPROVED]
22. Authorize the City Manager to provide the Notice of Intent to establish a Quiet Zone along the Kansas City Southern Railway corridor encompassing nine railroad crossings on the following streets in East Dallas: Santa Anna Avenue, Barnes Bridge Road, Centerville Road, Gus Thomasson Road, Peavy Road, Mariposa Drive, St. Francis Avenue, and Highland Road as provided for in the Federal Railroad Administration's Final Train Horn Rule - Financing: No cost consideration to the City
[23-0784; APPROVED]

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

23. Authorize the City Manager to provide the Notice of Intent to establish a Quiet Zone along the Union Pacific Railroad corridor encompassing the railroad crossings at Prairie Creek Road and Sam Houston Road as provided for in the Federal Railroad Administration's Final Train Horn Rule - Financing: No cost consideration to the City
[23-0785; APPROVED]

Office of Community Care

24. Authorize the **(1)** application for and acceptance of additional grant funds from the U.S. Department of the Treasury ("Treasury") for the American Recovery Plan Act ("ARPA") Emergency Rental Assistance Round 2 Program (CFDA No. 21.023) in the amount of \$2,391,688.48 increasing the appropriations from \$51,762,890.47 to \$54,154,578.95 to provide emergency rental assistance services for individuals directly and indirectly impacted by and/or during the COVID-19 pandemic; **(2)** establishment of appropriations in an amount not to exceed \$2,391,688.48 in the ARPA Emergency Rental Assistance Program Round 2 Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$2,391,688.48 in the ARPA Emergency Rental Assistance Program Round 2 Fund; **(4)** disbursement of funds in an amount not to exceed \$2,391,688.48 from the ARPA Emergency Rental Assistance Program Round 2 Fund; and **(5)** execution of any documents necessary with the Treasury to accept and/or spend the funds - Not to exceed \$2,391,688.48, from \$51,762,890.47 to \$54,154,578.95 - Financing: U.S. Department of the Treasury Emergency Rental Assistance Program Grant Fund
[23-0786; APPROVED]

Office of Economic Development

25. Authorize **(1)** selection of the recommended most advantageous proposal submitted by Brinshore Development, LLC for City Solicitation BVZ22-00020234 (Request for Proposals for Transit-Oriented Development of Property Owned by Dallas Area Rapid Transit at the Hampton Station), most advantageous proposer of three; and **(2)** the City Manager or designee to execute an exclusive negotiation agreement, approved as to form by the City Attorney, with Brinshore Development, LLC or an affiliate - Financing: No cost consideration to the City
[23-0787; APPROVED AS AN INDIVIDUAL ITEM]

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

26. Authorize **(1)** selection of the recommended most advantageous proposal submitted by The John Trube Corporation for City Solicitation BVZ22-00020444 (Request for Proposals for Transit-Oriented Development of Property Owned by Dallas Area Rapid Transit at the 8th & Corinth Station), most advantageous proposer of 1, and **(2)** the City Manager or designee to execute exclusive negotiation agreement, approved as to form by the City Attorney, with The John Trube Corporation or an affiliate - Financing: No cost consideration to the City
[23-0788; APPROVED AS AN INDIVIDUAL ITEM]
27. Authorize **(1)** selection of the recommended most advantageous proposal submitted by Servitas, LLC for City Solicitation BVZ22- 00020446 (Request for Proposals for Transit-Oriented Development of Property Owned by Dallas Area Rapid Transit at the Royal Lane Station), most advantageous proposer of 1, and **(2)** the City Manager or designee to execute an exclusive negotiation agreement, approved as to form by the City Attorney, with Servitas, LLC, or an affiliate - Financing: No cost consideration to the City
[23-0789; APPROVED AS AN INDIVIDUAL ITEM]
28. Authorize **(1)** selection of the recommended most advantageous proposal submitted by the John Trube Corporation for City Solicitation BVZ22-00020447 (Request for Proposals for Transit-Oriented Development of Property Owned by Dallas Area Rapid Transit at the Westmoreland Station), most advantageous proposer of 2, and **(2)** the City Manager or designee to execute an exclusive negotiation agreement, approved as to form by the City Attorney, with John Trube Corporation, or an affiliate - Financing: No cost consideration to the City
[23-0790; APPROVED AS AN INDIVIDUAL ITEM]
29. Authorize **(1)** selection of the recommended most advantageous proposal submitted by JPI Multifamily Development, LLC for City Solicitation BVZ22-00020448 (Request for Proposals for Transit-Oriented Development of Property Owned by Dallas Area Rapid Transit at the Lake June Station), most advantageous proposer of three; and **(2)** the City Manager or designee to execute an exclusive negotiation agreement, approved as to form by the City Attorney, with JPI Multifamily Development, LLC, or an affiliate - Financing: No cost consideration to the City
[23-0791; APPROVED AS AN INDIVIDUAL ITEM]

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

30. Authorize **(1)** selection of the recommended most advantageous proposal submitted by Palladium USA International, Inc for City Solicitation BVZ22-00020443 (Request for Proposals for Transit-Oriented Development of Property Owned by Dallas Area Rapid Transit at the Buckner Station), most advantageous proposer of 2, and **(2)** the City Manager or designee to execute an exclusive negotiation agreement, approved as to form by the City Attorney, with Palladium USA International, Inc. or an affiliate -- Financing: No cost consideration to the City
[23-0792; APPROVED AS AN INDIVIDUAL ITEM]
31. Authorize a New Markets Tax Credit transaction between the Dallas Development Fund and its subsidiaries, JPMorgan Chase and its subsidiaries, and Vogel Alcove, and its affiliates for interior construction of a new childcare facility at 3662 Camp Wisdom Road - Financing: No cost consideration to the City
[23-0793; APPROVED]
32. Authorize an amendment to the Chapter 380 Economic Development Grant Agreement and all other necessary documents with 1632 MLK LLC, previously authorized on October 28, 2020, by Resolution No. 20-1731 to extend all material dates and deadlines by twelve months due to force majeure as the result of environmental remediation related to the redevelopment of a commercial building located at 1632 Martin Luther King Boulevard, Dallas, Texas 75215 - Financing: No cost consideration to the City
[23-0794; APPROVED]

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

33. Authorize the City Manager or his or her designee to **(1)** execute a Forbearance and Loan Modification Agreement, approved as to form by the City Attorney, with TEOF Hotel LP, a Texas limited partnership (Borrower) and Lawrence E. Hamilton, III, as trustee of the Lawrence E. Hamilton Living Trust (Guarantor) related to City's loan of Section 108 funds for rehabilitation of a blighted and vacant hotel structure known as the Hotel Project; **(2)** execute an Amended and Restated Promissory Note with Borrower, approved as to form by the City Attorney; **(3)** execute a Guaranty Agreement with Guarantor, approved as to form by the City Attorney; **(4)** amend the existing Section 108 loan agreement between the City and the U.S. Department of Housing and Urban Development for the Hotel Project (B-12-MC-48-0009) to incorporate a new Collateral Assignment Agreement, each approved as to form by the City Attorney; **(5)** execute any other documents deemed necessary by HUD or the City Attorney's Office and that the execution of all such and aforementioned loan documents shall be contingent on HUD's final approval of terms; and **(6)** deposit \$1,732,047.00 into CDBG Program Income Fund as the City receives repayments from TEOF Hotel LP according to the proposed amended amortization schedule to repay the CARES Act Funds used by the City to make principal and interest payments to HUD between January 1, 2021 and August 1, 2022 - Financing: No cost consideration to the City (see Fiscal Information)

[23-0795; APPROVED AS AN INDIVIDUAL ITEM]

Office of Homeless Solutions

34. Authorize the **(1)** ratification in the amount of \$545,116.43 to pay outstanding invoices due to Family Endeavors, Inc. dba Endeavors for encampment sheltering services from January 27, 2023 through May 26, 2023; and **(2)** execution of a contract with Family Endeavors, Inc. dba Endeavors for services in the amount of \$1,090,232.86 for encampment sheltering services due to the closure and decommission of a homeless encampment - Total not to exceed \$1,635,349.29 - Financing: General Fund

[23-0796; APPROVED AS AN INDIVIDUAL ITEM]

35. Authorize the ratification in the amount of \$115,310.70 to pay outstanding invoices due to Family Endeavors, Inc. dba Endeavors for emergency inclement weather site management and operational support services located at the Dallas Library from January 31, 2023 to February 8, 2023 - Not to exceed \$115,310.70 - Financing: U.S. Department of Housing and Urban Development Emergency Solutions Grant Funds

[23-0797; APPROVED]

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

36. Authorize a one-year consultant contract for a solar siting study for the Office of Environmental Quality & Sustainability - Ameresco, Inc., most advantageous proposer of two - Not to exceed \$249,652 - Financing: General Fund (subject to annual appropriations)
[23-0798; APPROVED]
37. Authorize a two-year consultant contract, with two one-year renewal options for the comprehensive reform of the Dallas development codes, Chapters 51, 51A, and 51P for the Department of Planning and Urban Design - Camiros, Ltd, most advantageous proposer of four - Not to exceed \$2,015,660 - Financing: Operating Carryover Fund (subject to annual appropriations)
[23-0799; APPROVED]
38. Authorize a six-month cooperative purchasing agreement for **(1)** elevator maintenance, inspection and repair services in the estimated amount of \$162,114.12 with Otis Elevator; and **(2)** escalator and moving sidewalk maintenance, inspection and repair services in the estimated amount of \$413,305 with Oracle Elevator Holdco, Inc. dba EMR Elevator for the Department of Aviation through The Local Government Purchasing Cooperative (BuyBoard) agreement - Total amount of \$575,419.12 - Financing: Aviation Fund
[23-0800; APPROVED]
39. Authorize a five-year cooperative purchasing agreement for airfield paint removal, striping, and painting services at Dallas Love Field for the Department of Aviation with Hi-Lite Airfield Services LLC through the Sourcwell cooperative agreement - Estimated amount of \$7,500,000 - Financing: Aviation Fund (subject to annual appropriations)
[23-0801; APPROVED]
40. Authorize a three-year master agreement for the purchase of personal protective equipment for citywide use with Safeware, Inc. through the Omnia Partners cooperative agreement - Estimated amount of \$2,486,677.80 - Financing: Coronavirus State and Local Fiscal Recovery Funds
[23-0802; APPROVED]

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

41. Authorize a three-year master agreement for hand and power tools to be used citywide - Sid Tool Co., Inc. dba MSC Industrial Supply Co. in an estimated amount of \$5,520,015.33, Nationwide Supplies dba USA Supply in an estimated amount of \$3,589,480.68, Colonial Hardware Corporation in an estimated amount of \$2,006,625.73, Elliot Electric Supply in an estimated amount of \$663,155.10, Ewing Irrigation Products, Inc. in an estimated amount of \$409,500.00, Snap-On Tools dba Snap-On Industrial in an estimated amount of \$317,300.00, and Hilti Inc. in an estimated amount of \$156,800.00, lowest responsible bidders of nine - Total estimated amount of \$12,662,876.84 - Financing: General Fund (\$8,206,468.14), Dallas Water Utilities Fund (\$3,649,589.00), Equipment and Fleet Management Fund (\$416,600.00), Aviation Fund (\$337,680.00), and Sanitation Operation Fund (\$52,539.70)
[23-0803; APPROVED]
42. Authorize a three-year master agreement for the purchase of laboratory equipment and supplies for the Water Utilities Department - Taylor Distribution Group, LLC dba TDG Scientific in an estimated amount of \$3,371,448.64, Hach Company in an estimated amount of \$1,212,513.21, and Fox Scientific, Inc. in an estimated amount of \$146,237.16, lowest responsible bidders of six - Total estimated amount of \$4,730,199.01 - Financing: Dallas Water Utilities Fund (\$4,680,166.91) and Stormwater Drainage Management Fund (\$50,032.10)
[23-0804; APPROVED]
43. Authorize a three-year service contract in the amount of \$1,833,750, with two one-year renewal options in a total amount of \$1,302,995, as detailed in the Fiscal Information Section for traffic counting services for the Department of Transportation - National Data and Surveying Services, Inc., most advantageous proposer of five - Not to exceed \$3,136,745 - Financing: General Fund (subject to annual appropriations)
[23-0805; APPROVED]
44. Authorize a three-year service price agreement for sewer and storm drain camera repair services, parts, and accessories for the Water Utilities Department - Green Equipment Company in an estimated amount of \$677,500, CLS Sewer Equipment Co., Inc. in an estimated amount of \$392,500, and Reliability Point LLC in an estimated amount of \$359,300, most advantageous proposers of three - Total estimated amount of \$1,429,300 - Financing: Dallas Water Utilities Fund (\$1,141,600) and Stormwater Drainage Management Fund (\$287,700) (subject to annual appropriations)
[23-0806; APPROVED]

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

45. Authorize a five-year service price agreement for polygraph testing and examination services for the Police Department - Ruiz Protective Service, Inc., only bidder - Estimated amount of \$743,860 - Financing: General Fund (subject to annual appropriations)
[23-0807; APPROVED]
46. Authorize Supplemental Agreement No. 4 to exercise the second of three, one-year renewal options, to the service contract with Incapsulate, LLC, for maintenance and support to host a customer relationship management software for the Department of Information and Technology Services - Not to exceed \$424,360 - Financing: Data Services Fund (subject to annual appropriations)
[23-0808; APPROVED]
47. Authorize Supplemental Agreement No. 8 to increase the service contract with Paymetric, Inc. for the XiTransfer one-time conversion, the continuation of credit card payment processing services for various departments managed by the Water Utilities Department and to extend the term from April 10, 2023 to April 9, 2024 - Not to exceed \$160,100.00, from ~~\$1,629,014.87~~ \$1,663,014.87 to ~~\$1,789,114.87~~ \$1,823,114.87 - Financing: Data Services (subject to annual appropriations)
[23-0809; CORRECTED; APPROVED]
48. Authorize Supplemental Agreement No. 16 to increase the service contract with Tritech Software Systems, for continued maintenance and support of the existing computer aided dispatch system, disaster recovery synchronization, and a computer aided dispatch routing server for the Department of Information and Technology Services - Not to exceed \$205,382.69, from \$21,069,435.14 to \$21,274,817.83 - Financing: 9-1-1 System Operations Fund (subject to annual appropriations)
[23-0810; APPROVED]

Park & Recreation Department

49. Authorize **(1)** a Multiple Use Agreement with Texas Department of Transportation for the Southern Gateway Public Green located between South Marsalis Avenue and South Ewing Avenue to permit the City to construct, maintain, and operate a Public Green over Texas Department of Transportation right-of-way; and **(2)** execution of the Multiple Use Agreement including all terms, conditions, and documents required by the agreement - Financing: No cost consideration to the City
[23-0811; APPROVED]

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

50. Authorize a public hearing to be held on August 9, 2023, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments on the proposed use of a portion of Reverchon Park, totaling approximately 41,500 square feet (0.95 acres) of land, located at 3505 Maple Avenue, by Texas Scottish Rite Hospital for Children for access and construction staging by Texas Scottish Rite Hospital for Children for the construction of an addition to the hospital adjacent to the park; and, at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland and the grant of a six-month Temporary License Agreement to Texas Scottish Rite Hospital for Children pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City
[23-0812; APPROVED]
51. Authorize a ten-year license use agreement with White Rock Boat Club, for the purpose of maintaining a marina with pier facilities, davits, boat slips and attached clubhouse for the benefits of its members and the public at White Rock Lake located at 8300 East Lawther Drive - Estimated Revenue: Outdoor Programs Fund \$47,400.00
[23-0813; APPROVED]
52. Authorize a ten-year license use agreement with Corinthian Sailing Club for the purpose of maintaining a marina with pier facilities, davits, boat slips and an attached clubhouse for the benefits of its members and the public located at White Rock Lake located at 441 East Lawther Drive - Total Estimated Revenue: Outdoor Programs Fund \$109,800.00
[23-0814; APPROVED]
53. Authorize **(1)** acquisition of approximately 12,313,671 square feet (282.68 acres) of land located at 8600 Clark Road from the Trust for Public Land for development of a future park; and **(2)** an increase in appropriations in an amount not to exceed \$600,000.00 in the Reforestation Fund - Not to exceed \$2,550,000.00 (\$2,500,000.00, plus closing costs and title expenses not to exceed \$50,000.00) - Financing: Reforestation Fund (see Fiscal Information)
[23-0815; APPROVED]
54. Authorize a construction services contract for the Crawford Memorial Artwork Installation Phase 1A Project located at 8700 Elam Road - A S Con. Inc., lowest responsible bidder of four - Not to exceed \$205,325.00 - Financing: Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Funds)
[23-0816; APPROVED]

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

55. Authorize the ratification to pay outstanding invoices to the Hach Company for wastewater flowmeter monitoring services within the wastewater collection system for the effective management of the collection system which is extremely instrumental during rain events - Not to exceed \$123,282.88 - Financing: Dallas Water Utilities Fund
[23-0817; APPROVED]
56. Authorize the ratification to pay outstanding invoices due to **(1)** Lhoist North American of Texas, Ltd. in the amount of \$1,730,017.82; **(2)** Solvay Fluorides, LLC in the amount of \$105,699.60; **(3)** Brenntag Southwest, Inc. in the amount of \$5,584,286.89; **(4)** INEOS Calabrian Corp. in the amount of \$149,543.76; **(5)** Carbon Activated Corp. in the amount of \$386,280.00; **(6)** Polydyne Inc. in the amount of \$62,812.80; **(7)** Chameleon Industries, Inc. in the amount of \$558,435.52; and **(8)** Shrieve Chemical Company in the amount of \$536,388.08; for the uninterrupted provision of goods needed to sustain the utility's drinking water and wastewater treatment operations and protect the public health and safety until a new chemical contract was awarded - Total not to exceed \$9,113,464.47 - Financing: Dallas Water Utilities Fund
[23-0818; APPROVED]

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

57. 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)
[23-0819; INDIVIDUAL AND FULL COUNCIL APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]
58. 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
[23-0820; APPOINTMENTS MADE TO BOARD]

City Attorney's Office

59. A resolution amending Section 5 of the City Council Rules of Procedure for electing the mayor pro tem and deputy mayor pro tem for one-year terms and codifying the ballot process - Financing: No cost consideration to the City
[23-0821; APPROVED AS AMENDED]

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)**Department of Transportation**

60. Authorize **(1)** an Interlocal Agreement (ILA) with Dallas Area Rapid Transit (DART) for the distribution of up to \$80,000,000.00 in funding from DART which consists of the City's portion of (i) excess sales tax funds from DART of approximately \$72,000,000.00 and (ii) additional RTC funds of approximately \$8,000,000.00, (with approximately \$50,000,000.00 being made immediately available to the City and approximately \$30,000,000.00 to be made available to the City upon completion of certain milestones), all the funds received are to be used to complete projects eligible for this funding that will benefit DART's Public Transportation System or provide Complementary Transportation Services located in Dallas; **(2)** the establishment of appropriations in an amount not to exceed \$80,000,000.00 in DART Public Transportation System Projects Fund **(3)** the receipt and deposit in an amount not to exceed \$80,000,000.00 in DART Public Transportation System Projects Fund; and **(4)** approval of the proposed use of funds for various projects eligible for funding in accordance with the ILA - Estimated Revenue: DART Public Transportation System Projects Fund \$80,000,000.00
[23-0822; CORRECTED; APPROVED]

Mayor and City Council Office

61. A resolution amending Resolution No. 21-0777 to direct the City Manager to fly the Juneteenth Flag on the flagpole at City Hall (1500 Marilla) and other City operated facilities in place of the City of Dallas Official Flag from June 16 to June 19, 2023 and annually thereafter on June 19, to celebrate Juneteenth Month - Financing: No cost consideration to the City
[23-0823; APPROVED]

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

62. Authorize **(1)** designating approximately 7.6 acres of property currently addressed as 2534 Royal Lane as City of Dallas Neighborhood Empowerment Zone No. 22 (“NEZ No. 22”), pursuant to Chapter 378 of the Texas Local Government Code, to promote an increase in economic development in the zone, establish boundaries for the zone, and provide for an effective date for the zone; and **(2)** an economic development incentive agreement with IYK Texas Corporation or an affiliate thereof (“Developer”) to include: **(a)** a real property tax abatement for a period of ten years in an amount equal to the City taxes assessed on ninety percent (90%) of the added taxable value of the Property; **(b)** a Chapter 380 economic development grant in an amount not to exceed \$2,500,000.00; and **(c)** a Chapter 380 sales tax grant in an amount not to exceed \$1,000,000.00 over ten years, all in consideration of the H MART Redevelopment and Supermarket Project (“Project”) to be situated on approximately 7.6 acres at 2534 Royal Lane (“Property”) in NEZ No. 22, in accordance with the City’s Economic Development Incentive Policy - Total not to exceed \$3,500,000.00 - Financing: Public/Private Partnership Fund (\$2,500,000.00) and Project Sales Tax Agreement Fund (\$1,000,000.00); Estimated Revenue Foregone: \$510,128.00 over a ten-year period
[23-0824; APPROVED]
63. Authorize an economic development incentive agreement with Pegasus Park, LLC and/or an affiliate thereof (“Developer”) to include: **(1)** a real property tax abatement for a period of ten (10) years in an amount equal to: **(a)** from year (1) through year seven (7), the City’s taxes assessed on ninety percent (90%) of the added taxable value of Property; and **(b)** from year eight (8) through year ten (10), the City’s taxes assessed on seventy percent (70%) of the added taxable value of the Property; and **(2)** a Chapter 380 economic development grant in an amount not to exceed \$3,000,000.00, in consideration of the Bridge Labs project at Pegasus Park (“Project”) to be situated on approximately 1.8 acres addressed as 3000 Pegasus Park Drive (“Property”) in City of Dallas Neighborhood Empowerment Zone No. 21, in accordance with the City’s Economic Development Incentive Policy - Financing: Public/Private Partnership Fund (\$3,000,000.00); Estimated Revenue Foregone \$4,777,716.00 over a ten-year period
[23-0825; APPROVED]

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

64. Authorize a development agreement and all other necessary documents with Vector Studies LLC and/or its affiliates in an amount not to exceed \$2,308,210.00, payable from current and future Grand Park South TIF District funds, in consideration of the Legacy of Hope DFW redevelopment project on property currently addressed at 2516 Martin Luther King Jr. Boulevard in Tax Increment Financing Reinvestment Zone Number Thirteen (Grand Park South TIF District) - Not to exceed \$2,308,210.00 - Financing: Grand Park South TIF District Fund (subject to annual appropriations from tax increments)
[23-0826; APPROVED]

Office of Equity and Inclusion

65. ~~Authorize the (1) acceptance of the Municipal Bond Markets & Racial Equity Technical Assistance and Grant from the Public Finance Initiative, in partnership with PFM Financial Advisors, PFM Consulting Group LLC, The Government Alliance on Race & Equity, and other national partners, which was launched with the support of the Robert Wood Johnson Foundation in partnership with Third Sector New England, a 501c3 organization, in the amount of \$50,000.00 to develop an equity-driven selection framework to recommend an increase of future bonds allocations in the following grant payment structure: 50% of the grant will be paid immediately upon execution of the grant agreement, expected to be no later than July 15, 2023; and 50% will be paid no later than October 30, 2023; (2) receipt and deposit of funds in an amount not to exceed \$50,000.00 in the Municipal Bond Markets & Racial Equity Grant Fund; (3) establishment of appropriations in amount not to exceed \$50,000.00 in the Municipal Bond Markets & Racial Equity Grant Fund; and (4) execution of the grant agreement with Public Finance Initiative, in partnership with PFM Financial Advisors, PFM Consulting Group LLC, The Government Alliance on Race & Equity, and other national partners, and all terms, conditions, and documents required by the grant agreement - Not to exceed \$50,000.00 - Financing: Robert Wood Johnson Foundation Grant Funds~~
[23-0827; DELETED]

Water Utilities Department

66. Authorize the second step of acquisition for condemnation by eminent domain to acquire approximately 7,158 square feet of land improved with a manufactured dwelling located in Van Zandt County from Computer Science Innovations LLC Series 12, for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$78,000.00 (\$75,000.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Water Construction Fund
[23-0828; APPROVED]

ITEMS FOR FURTHER CONSIDERATION**Budget & Management Services**

67. An ordinance denying rates as requested by Atmos Energy Corp . Mid-Tex Division 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 (This item was deferred on May 24, 2023)
[23-0829; APPROVED; ORDINANCE 32471]

City Attorney's Office

68. 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 (This item was deferred on May 24, 2023)
[23-0830; APPROVED AS AMENDED; ORDINANCE 32472]

Department of Housing & Neighborhood Revitalization

69. 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) (This item was deferred on May 24, 2023)
[23-0831; APPROVED]

ADDITIONS:

Closed Session
[23-0832; HELD]

-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 ransomware attack security incident relating to the City's information resources technology. (Sec. 551.076 and Sec. 551.089 T.O.M.A.)

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

- Seeking the advice of the city attorney regarding the ransomware attack.

OTHER ITEMS FOR INDIVIDUAL CONSIDERATION**Department of Code Compliance**

70. An ordinance amending Chapter 27, "Minimum Property Standards," by amending Section 27-30; **(1)** adding Chapter 42B, "Short-Term Rentals," to the Dallas City Code; **(2)** providing (description of amendment); **(3)** providing a penalty not to exceed \$500.00; **(4)** providing a saving clause; **(5)** providing a severability clause; and **(6)** providing an effective date - Estimated Revenue: General Fund \$48,001.00 or \$1,562,631.00 annually (see Fiscal Information)
[23-0833; APPROVED AS AMENDED; ORDINANCE 32473]
71. Authorize a resolution that the City Council will select one of the two options to **(1)** accept CPC recommendation in an amount not to exceed \$991,095.00, authorize an increase in appropriations in an amount not to exceed \$991,095.00 in the General Fund and a transfer in an amount not to exceed \$991,095.00 from General Fund Contingency Reserve to the General Fund; or **(2)** reject CPC recommendation in an amount not to exceed \$1,652,712.00, authorize an increase in appropriations in an amount not to exceed \$1,652,712.00 in the General Fund and a transfer in an amount not to exceed \$1,652,712.00 from General Fund Contingency Reserve to the General Fund approved as to form by the City Attorney - Financing: General Fund and General Fund Contingency Reserve \$991,095.00 or \$1,652,712.00 (see Fiscal Information)
[23-0834; NO ACTION TAKEN; TO BE REVISED AND RETURN AT LATER DATE]

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Planning and Urban Design****ZONING CASES – CONSENT**
[23-0835; APPROVED]

- Z1. A public hearing to receive comments regarding an application for and (1) an ordinance granting an amendment to Planned Development Subdistrict No. 82 within Planned Development District No. 193, the Oak Lawn Special Purpose District; (2) an ordinance granting a D-1 Liquor Control Overlay; and (3) an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with an assisted living facility on property zoned Planned Development Subdistrict No. 82 within Planned Development District No. 193, the Oak Lawn Special Purpose District, with a D Liquor Control Overlay, on the northeast line of Fairmount Street, between Turtle Creek Boulevard and Enid Street
Recommendation of Staff: Approval of an amendment to Planned Development Subdistrict No. 82 within Planned Development District No. 193, the Oak Lawn Special Purpose District, subject to a revised development plan, a revised landscape plan, and revised conditions; approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with an assisted living facility for a five-year period, subject to a site plan and staff's recommended conditions
Recommendation of CPC: Approval of an amendment to Planned Development Subdistrict No. 82 within Planned Development District No. 193, the Oak Lawn Special Purpose District, subject to a revised development plan, a revised landscape plan, and revised conditions; approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with an assisted living facility for a five-year period, subject to a site plan and staff's recommended conditions
Z212-316(MP)
[23-0836; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 32474, 32475 AND 32476]
- Z2. A public hearing to receive comments regarding an application for and an ordinance granting a new subarea on property zoned Subarea 5 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the north corner of North Good Latimer Expressway and Swiss Avenue
Recommendation of Staff: Approval, subject to a development plan, a landscape plan, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a development plan, a landscape plan, and conditions
Z212-324(MP)
[23-0837; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32477]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Department of Planning and Urban Design** (continued)**ZONING CASES – CONSENT** (continued)

- Z3. A public hearing to receive comments regarding an application for and an ordinance granting a WMU-5 Walkable Urban Mixed-Use District in lieu of an MU-2 Mixed Use District on property zoned an IR Industrial/Research District, on the southeast line of Empire Central Drive, northeast of Harry Hines Boulevard
Recommendation of Staff: Approval of a WMU-5 Walkable Urban Mixed Use District, in lieu of an MU-2 Mixed Use District
Recommendation of CPC: Approval of a WMU-5 Walkable Urban Mixed Use District, in lieu of an MU-2 Mixed Use District
Z223-103(RM)
[23-0838; HEARING OPEN; DEFERRED TO AUGUST 9, 2023 BY COUNCILMEMBER MORENO]
- Z4. A public hearing to receive comments regarding an application for and an ordinance granting a new subarea on property zoned Subarea B within Planned Development District No. 758, on the south side of Whistle Stop Place, east of Wildcat Way
Recommendation of Staff: Approval, subject to a revised conceptual plan and conditions
Recommendation of CPC: Approval, subject to a revised conceptual plan and conditions
Z223-120(JM)
[23-0839; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32478]
- Z5. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private school on property within an R-7.5(A) Single Family District, on the south corner of Easton Road and East Lake Highlands Drive
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan, a traffic management plan, and conditions
Recommendation of CPC: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan, a traffic management plan, and conditions
Z223-207(AU)
[23-0840; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32479]

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

Z6. A public hearing to receive comments regarding an application for a D (A) Duplex Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southeast line of Sidney Street, northeast of 2nd Avenue

Recommendation of Staff: Denial

Recommendation of CPC: Denial

Z212-354(RM)

Note: This item was deferred by the City Council before opening the public hearing on April 26, 2023 and is scheduled for consideration on June 14, 2023.

[23-0841; HEARING CLOSED; REMANDED TO THE CITY PLAN AND ZONING COMMISSION BY COUNCILMEMBER BAZALDUA]

Z7. 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

Z212-206(MP)

Note: This item was deferred by the City Council before opening the public hearing on May 10, 2023 and is scheduled for consideration on June 14, 2023.

[23-0842; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32480]

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

PH1 A public hearing to receive comments regarding consideration of amending Chapter 51A of the Dallas Development Code, Section 51A-4.701(d), "Two year limitation," to revise the applicability of the two-year limitation, standards to grant a waiver, and related regulations and an ordinance granting the amendments

Recommendation of Staff: Approval of staff's recommendations

Recommendation of CPC: Approval of City Plan Commission's recommendations

DCA212-007(LL)

[23-0843; HEARING CLOSED; STAFF RECOMMENDATION FOLLOWED; ORDINANCE 32481]

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

- PH2. A public hearing to receive comments regarding consideration of amending Chapters 51 and 51A of the Dallas Development Code, with consideration to be given to amending Section 51-4.216.1, "Lodging Uses" and Section 51A-4.205 "Lodging Uses" to define a new use called "Short-term rental lodging" and related regulations and an ordinance granting the amendments
Recommendation of Staff: Approval
Recommendation of CPC: Approval
DCA212-002(SD)
[23-0844; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 32482]

MISCELLANEOUS HEARINGS**Office of Economic Development**

- PH3. A public hearing 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, 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 these amendments - Financing: No cost consideration to the City
[23-0845; HEARING CLOSED; APPROVED; ORDINANCE 32483]