

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 14, 2023

23-0760

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

PRESENT: [15] Johnson, Arnold, Narvaez (**9:27 a.m.), West, Moreno (**9:39 a.m.), Thomas, Resendez, Bazaldua, Atkins, Blackmon, McGough, Schultz, Mendelsohn, Willis, Ridley

ABSENT: [0]

The meeting was called to order at 9:22 a.m. with a quorum of the city council present.

The invocation was given by Chaplain Rayford Butler of DPD.

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 12:18 p.m. and reconvened to open session at 2:20 p.m.

After all business properly brought before the city council had been considered, the city council adjourned at 11:45 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, JUNE 14, 2023

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 14, 2023

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0761

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: William Hopkins, 1207 Hendricks Ave. (handout provided)
SUBJECT: Police pension

SPEAKER: Robert Oberhoff, 1818 Corsicana St.
SUBJECT: Homeless issues/The Bridge/Amazon

OPEN MICROPHONE – END OF MEETING:

There were no speakers under this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0762

Item 1: Approval of Minutes of the May 24, 2023 City Council Meeting

Councilmember Ridley moved to adopt the minutes as presented.

Motion seconded by Councilmember Schultz and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0763

CONSENT AGENDA

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

LaKisha Girder, 1001 Ross Ave. [Agenda Item 37]
Linda Newland, 2462 Dorrington Dr. [Agenda Item 56]
Regina Imburgia 5423 Goodwin Ave. [Agenda Item 56]

The consent agenda consisted of consent agenda items 2-56. Consent agenda items 13, 17 and 47 were corrected.

Councilmember McGough requested consent agenda item 14 be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Councilmember Mendelsohn requested consent agenda items 14, 25-30, 33 and 34 be considered as individual items later in the meeting; there was no objection voiced by the city council.

Mayor Pro Tem Arnold requested consent agenda item 26 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 2-13, 15-24, 31, 32 and 35-56 was presented for consideration.

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

Motion seconded by Councilmember Blackmon and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0764

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0765

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0766

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0767

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0768

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0769

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0770

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0771

Item 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)

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32467

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0772

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0773

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0774

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0775

Item 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

Corrected

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0776

Item 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)

Councilmember McGough and Councilmember Mendelsohn 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.

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

Philip Kingston, 5901 Palo Pinto Ave.
William Roth, 6921 Meadow Rd.
Garrett Sherman, 6219 Churchill Way
Woot Lervisit, 8319 Floyd Lake Dr.
Jenny Liu, Not Provided

Councilmember McGough moved to deny the item.

Motion seconded by Councilmember Mendelsohn.

After discussion, Mayor Pro Tem Arnold requested a record vote.

Mayor Johnson called a record vote on Councilmember McGough's motion to deny:

Voting Yes: [3] Thomas, McGough, Mendelsohn

Voting No: [12] Johnson, Arnold, Narvaez, West, Moreno,
Resendez, Bazaldua, Atkins, Blackmon,
Schultz, Willis, Ridley

The city secretary declared the motion failed.

Councilmember West moved to adopt the item.

Motion seconded by Councilmember Bazaldua.

Councilmember West requested a record vote.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-0776

Page 2

Mayor Johnson called a record vote on Councilmember West's motion to adopt the item:

Voting Yes: [12] Johnson, Arnold, Narvaez, West, Moreno,
Resendez, Bazaldua, Atkins, Blackmon,
Schultz, Willis, Ridley

Voting No: [3] Thomas, McGough, Mendelsohn

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0777

Item 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

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32468

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0778

Item 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

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32469

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0779

Item 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)

Corrected

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0780

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0781

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0782

Item 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)

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32470

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0783

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0784

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0785

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0786

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0787

Item 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

Councilmember Mendelsohn 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 West moved to adopt the item.

Motion seconded by Councilmember Blackmon.

Councilmember Mendelsohn moved to hold the item until later in the meeting.

Motion seconded by Councilmember McGough.

After discussion, Mayor Johnson called a vote and declared the item held until later in the meeting.

Later in the meeting, the item was presented consideration.

Councilmember West moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0788

Item 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

Mayor Pro Tem Arnold and Councilmember Mendelsohn 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.

Deputy Mayor Pro Tem Narvaez moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0789

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

Councilmember Mendelsohn 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.

Deputy Mayor Pro Tem Narvaez moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Moreno absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0790

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

Councilmember Mendelsohn 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 Thomas moved to adopt the item.

Motion seconded by Councilmember West and unanimously adopted. (Moreno absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0791

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

Councilmember Mendelsohn 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 Resendez moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Narvaez and unanimously adopted. (Moreno absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0792

Item 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

Councilmember Mendelsohn 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 Resendez moved to adopt the item.

Motion seconded by Deputy Mayor Pro Narvaez and unanimously adopted. (Moreno, Atkins absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0793

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

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0794

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0795

Item 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)

Councilmember Mendelsohn 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 adopt the item.

Motion seconded by Deputy Mayor Pro Tem Narvaez and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0796

Item 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

Councilmember Mendelsohn 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 Mendelsohn moved to adopt the item.

Motion seconded by Councilmember Thomas and unanimously adopted. (McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0797

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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0798

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0799

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0800

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0801

Item 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 Sourcewell cooperative agreement - Estimated amount of \$7,500,000 - Financing: Aviation Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0802

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0803

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0804

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0805

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0806

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0807

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0808

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0809

Item 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)

Corrected

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0810

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0811

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0812

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0813

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0814

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0815

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0816

Item 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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0817

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0818

Item 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0819

Item 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)

The city secretary distributed a report showing nominations were received and indicated the nominees met qualifications for service with the terms for appointment for the 2021-2023 term.

Councilmember West moved to appoint the following:

- Derrick Nutall to the Board of Adjustment;
- Brian Bah to the Community Police Oversight Board;
- Shan Y. Zaidi to the Housing Finance Corporation Board;
- Stan J. Aten to the Municipal Library Board; and
- Elizabeth Orton, Dallas County Resident, to the Reinvestment Zone Eighteen Board (Maple/Mockingbird)

Motion seconded by Councilmember Resendez and unanimously adopted.

Note: In accordance with Section 12A-40(f)(1)(G)(ii) of the Dallas City Code, the city secretary announced the following names of the board members who had failed to submit their financial disclosure reports:

- Cynthia Jaggi, RZ03 (Oak Cliff Gateway)
- Joshua Kumler, RZ15 (Ft. Worth Avenue)
- Raha Assadi, EAC
- Belinda Thomas, RZ04 (Cedars Area)
- Jessica De Paz, HFC

[Information on each newly-appointed member is located in the file shown next to the name of the board.]

| | | | | | |
|----------------|-------------|--|-----------------|--------------|--|
| 23-5832 | BOA | BOARD OF ADJUSTMENT | | | |
| 23-5833 | CPO | COMMUNITY POLICE OVERSIGHT BOARD | | | |
| 23-5834 | HFC | HOUSING FINANCE CORPORATION BOARD | | | |
| 23-5835 | MLB | MUNICIPAL LIBRARY BOARD | | | |
| 23-5836 | RZ18 | REINVESTMENT ZONE | EIGHTEEN | BOARD | |
| | | (MAPLE/MOCKINGBIRD) | | | |

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0820

Item 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

Deputy Mayor Pro Tem Narvaez moved to appoint the following individuals to the Dallas Area Rapid Transit (DART) Board of Directors Positions, 03, 04, 05, 06, 07 and 08 with the terms of all positions to begin July 1, 2023 and expire June 30, 2025:

- Jon-Bertrell Killen
- Flora Hernandez
- Michele Wong Krause
- Patrick Kennedy
- Enrique Macgregor
- D'Andrala Alexander

Motion seconded by Councilmember Atkins and unanimously adopted.

[Information on each newly-appointed member is located in the file shown next to the name of the board]

23-5837 DART DALLAS AREA RAPID TRANSIT

Note: Pursuant to the approved resolution, the city secretary assigned place numbers to the appointments as follows.

Upcoming 2023-2025 board term: Place 03, Flora Hernandez
Place 04, Jon-Bertrell Killen
Place 05, Michele Wong Krause
Place 06, D'Andrala Alexander
Place 07, Enrique Macgregor
Place 08, Patrick Kennedy

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0821

Item 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

Councilmember Willis moved to adopt the item with the following clarification:

- The ballot nomination procedure will follow the customary city of Dallas process.

Motion seconded by Councilmember Schultz.

After discussion, Mayor Johnson called a vote and declared the item amended on a divided vote with Mayor Pro Tem Arnold voting “No.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0822

Item 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

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

Maura Schreier Fleming, 7028 Judi St., representing Highlands of McKamy IV & V
Dane Cofer, 17103 Davenport Rd.
Sarah Weyandt, 17768 Agave Ln.

Deputy Mayor Pro Tem Narvaez moved to adopt the item.

Motion seconded by Councilmember Atkins.

During discussion and at the request of Mayor Pro Tem Arnold, the following individual addressed the city council on the item:

Michael Morris, representing NCTCOG

During further discussion, Councilmember Mendelsohn moved to suspend the City Council Rules of Procedure Section 6.1(c)(2) to allow her an additional 3 minutes to speak.

Motion seconded by Councilmember Blackmon.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-0822

Page 2

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

Voting Yes: [15] Johnson, Arnold, Narvaez, West, Moreno,
Thomas, Resendez, Bazaldua, Atkins,
Blackmon, McGough, Schultz,
Mendelsohn, Willis, Ridley

Voting No: [0]

The city secretary declared the motion adopted.

Councilmember Mendelsohn moved a subsidiary motion to defer the item to August 9, 2023 voting agenda meeting of the city council.

Subsidiary motion seconded by Councilmember Willis.

After discussion, Councilmember Mendelsohn requested a record vote.

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

Voting Yes: [4] Moreno, McGough, Mendelsohn, Willis

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

The city secretary declared the motion failed.

Mayor Johnson called a record vote on Deputy Mayor Pro Tem Narvaez's motion to adopt the item:

Voting Yes: [12] Johnson, Arnold, Narvaez, West, Moreno,
Thomas, Resendez, Bazaldua, Atkins,
Blackmon, Schultz, Ridley

Voting No: [3] McGough, Mendelsohn, Willis

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0823

Item 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

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

Judith, Tankel, Not Provided
Venton Jones Jr., 707 Vermont Ave.
Rhetta Bowers, Not Provided
Patti Fink, 324 Easton Rd., representing City of Dallas Mayor's LGBT Task Force
Benny Bruce Walker, 1614 E. Louisiana Ave.

Mayor Pro Tem Arnold moved to adopt the item.

Motion seconded by Councilmember Atkins.

After discussion, Deputy Mayor Pro Tem Narvaez requested a record vote.

Mayor Johnson called a record vote on Mayor Pro Tem Arnold's motion:

Voting Yes: [15] Johnson, Arnold, Narvaez, West, Moreno,
Thomas, Resendez, Bazaldua, Atkins,
Blackmon, McGough, Schultz,
Mendelsohn, Willis, Ridley

Voting No: [0]

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0824

Item 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

Deputy Mayor Pro Tem Narvaez moved to adopt the item.

Motion seconded by Councilmember West.

After discussion, Presiding Officer Arnold called a vote and declared the item unanimously adopted. (Johnson, Thomas, McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0825

Item 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

Deputy Mayor Pro Tem Narvaez moved to adopt the item.

Motion seconded by Councilmember Atkins.

After discussion, Presiding Officer Arnold called a vote and declared the item unanimously adopted. (Johnson, Thomas, Resendez, McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0826

Item 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)

Councilmember Bazaldua moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Narvaez.

After discussion, Mayor Johnson called a vote and declared the item unanimously adopted. (Thomas, McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0827

Item 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~~

Deleted

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0828

Item 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

The city secretary announced the item required a motion that the Council of the City of Dallas to adopt the item and 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.

The city secretary announced the item would require a record vote.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Ridley.

Mayor Johnson called a record vote on Councilmember Atkins' motion:

Voting Yes: [15] Johnson, Arnold, Narvaez, West, Moreno,
Thomas, Resendez, Bazaldua, Atkins,
Blackmon, McGough, Schultz,
Mendelsohn, Willis, Ridley

Voting No: [0]

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0829

Item 67: 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 (This item was deferred on May 24, 2023)

Councilmember Bazaldua moved to adopt the item.

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

Assigned ORDINANCE NO. 32471

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0830

Item 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)

Councilmember Blackmon moved to adopt the item with the following changes:

- That the campaign disclosure provisions in Section 12A-18(a)(4) also apply to campaign treasurers and apply at all public and private city meetings where at least one councilmember is present.
- That Section 12A-35(h) prohibiting campaign managers and campaign treasurers from lobbying councilmembers or city officials for one year after an election is deleted.

Motion seconded by Councilmember Mendelsohn.

During discussion, Councilmember Ridley moved a subsidiary motion to:

- That the standard of proof remains clear and convincing evidence.
- That the words ‘nor admonish’ are deleted from Section 12A-4(b)(4)

Motion seconded by Councilmember West.

During discussion, Councilmember Ridley moved to divide the subsidiary motion into two parts.

Motion seconded by Deputy Mayor Pro Tem Narvaez and unanimously adopted.

Councilmember Mendelsohn requested a record vote.

Mayor Johnson called a record vote on Councilmember Ridley’s subsidiary motion:

- That the standard of proof remains clear and convincing evidence.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-0830

Page 2

Voting Yes: [5] Arnold, Narvaez, West, Thomas, Ridley

Voting No: [10] Johnson, Moreno, Resendez, Bazaldua,
Atkins, Blackmon, McGough, Schultz,
Mendelsohn, Willis, Ridley

The city secretary declared the motion failed.

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

- That the words 'nor admonish' are deleted from Section 12A-4(b)(4)

Voting Yes: [10] Arnold, Narvaez, West, Moreno,
Resendez, Bazaldua, Atkins, Blackmon,
McGough, Ridley

Voting No: [5] Johnson, Blackmon, Schultz, Mendelsohn,
Willis

The city secretary declared the motion adopted.

Councilmember Blackmon requested a record vote.

Mayor Johnson called a record vote on Councilmember Blackmon's motion as amended:

Voting Yes: [15] Johnson, Arnold, Narvaez, West, Moreno,
Thomas, Resendez, Bazaldua, Atkins,
Blackmon, McGough, Schultz,
Mendelsohn, Willis, Ridley

Voting No: [0]

The city secretary declared the item amended.

Assigned ORDINANCE NO. 32472

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0831

Item 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)

Councilmember West moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0832

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 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.

At 12:18 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 matter:

(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 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.

The closed session ended and reconvened to open session at 2:26 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0833

Item 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)

Councilmember Bazaldua moved to adopt the item with the following changes:

- The director may revoke a short-term rental lodging registration if there have been two or more citations for violations of the Dallas City Code or State or Federal law within the presiding year;
- The director shall not issue or renew a short-term rental lodging registration on property if there have been two or more citations or violations of the Dallas City Code within the presiding year;
- A short-term rental lodging use in multi-family dwellings will have a cap on percentage of units that can obtain STR permits:
 - 3% in residential zones;
 - 20% in CBD and Commercial zones;
 - 0 units under buildings with 20 units or less.
- Parking placards are not required;
- Amend the definition of bedroom to be consistent with the amended definition of bedroom in Chapter 51A;
- A person other than a hosting platform commits an offense if the person advertises a short-term rental lodging use for rent without a valid short term rental registration issued under Chapter 42B of the Dallas City Code;
- A short-term rental lodging use may not be used as a commercial amusement, restaurant or similar business, unless the property has a valid certificate of occupancy for the use;
- The registration requirements of the ordinance take effect immediately.
- Enforcement of the ordinance will take effect immediately or as directed by staff; and
- City Council request that the city manager work to enter contracts with the short-term rental platforms for collection and remittance of Hotel Occupancy Taxes.

Motion seconded by Councilmember Schultz.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-0833

Page 2

During discussion, Councilmember Ridley moved a subsidiary motion that:

- Each short-term rental lodging use must be individually registered;
- Bedroom is defined as any room in a dwelling unit other than a kitchen, dining room, living room, bathroom or closet;
- Occupancy of short-term rental lodging use is limited to a maximum of three persons per bedroom with a total occupancy of 12.
- Chapter 42B must be reviewed by an appropriate city council committee by June 14, 2025.

Subsidiary motion seconded by Councilmember Mendelsohn.

Councilmember Bazaldua stated he would accept Councilmember Ridley's subsidiary motion as a friendly amendment.

By general consensus of the city council, Presiding Officer Arnold declared the subsidiary motion adopted.

After discussion, Presiding Officer Arnold called a record vote and declared the item amended. (Johnson, Thomas absent when vote taken)

Assigned ORDINANCE NO. 32473

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0734

Item 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)

No action taken; to be revised and returned at a later date.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0835

CONSENT ZONING DOCKET

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Moreno moved to defer agenda item Z3 to the August 9, 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 – Z5.

Agenda item Z1: Zoning Case Z212-316(MP)
Agenda item Z2: Zoning Case Z212-324(MP)
Agenda item Z3: Zoning Case Z223-103(RM)
Agenda item Z4: Zoning Case Z223-120(JM)
Agenda item Z5: Zoning Case Z223-207(AU)

Therefore, the consent zoning docket, consisting of agenda item Z1, Z2, Z4 and Z5 was presented for consideration.

Agenda item Z1: Zoning Case Z212-316(MP)
Agenda item Z2: Zoning Case Z212-324(MP)
Agenda item Z4: Zoning Case Z223-120(JM)
Agenda item Z5: Zoning Case Z223-207(AU)

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.

Deputy Mayor Pro Tem Narvaez moved to close the public hearings, accept the recommendations of the city plan commission and pass the ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0836

Item Z1: Zoning Case Z212-316(MP) [Consent Zoning Docket]

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

Adopted as part of the consent agenda

Assigned ORDINANCE NOS. 32474, 32475 and 32476

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0837

Item Z2: Zoning Case Z212-324(MP) [Consent Zoning Docket]

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

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32477

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0838

Item Z3: Zoning Case Z223-103(RM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an 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

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Moreno moved to defer agenda item Z3 to the August 9, 2023 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0839

Item Z4: Zoning Case Z223-120(JM) [Consent Zoning Docket]

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

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32478

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0840

Item Z5: Zoning Case Z223-207(AU) [Consent Zoning Docket]

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 32480

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0841

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item Z6: Zoning Case Z212-354(RM)

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

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.

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

No one addressed the city council on the item.

Councilmember Bazaldua moved to close the public hearing and remand the item to the city plan and zoning commission.

Motion seconded by Councilmember Blackmon and unanimously remanded. (McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0842

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item Z7: Zoning Case Z212-206(MP)

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

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.

The following individuals addressed the city council on the item:

Paul Carden, 2007 Harlandale Ave.
Andrew Ramler, 1923 N. Edgefield
Jiles King, 2819 Reed Ln., representing Urban Arts Center
Cecil Armstrong, 1309 Glidden

Mayor Pro Tem Arnold moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Schultz and unanimously adopted.

Assigned ORDINANCE NO. 32480

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0843

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

Item 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

No one addressed the city council on the item.

Councilmember Atkins moved to close the public hearing, accept the recommendation of staff and pass the ordinance.

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

Assigned ORDINANCE NO. 32481

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0844

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

Item 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

The following individuals addressed the city council on the item:

John Bryant, 5915 Swiss Ave.
Jessica Gonzalez, 501 E. 8th St.
Jon Goodman, 9153 Loma Vista Dr. (handout provided)
Olive Talley, 6133 Prospect Ave., representing Dallas Neighborhood Coalition
Delores Serroka, 4822 Swiss Ave.
Cheri Gambow, 4406 Northcrest Rd.
Bruce Richardson, 5607 Richmond Ave.
Raquel del Aguila Kull, 923 Zeb St.
Angela Medrano, 2331 Douglas Ave.
Liz Bruni, 6947 Bob O. Link Dr.
Cindy Hellstern, 10827 Crooked Creek Dr.
Timothy Sigler, 6553 Lake Circle Dr.
Anga Sanders, 3432 Spruce Valley Ln.
Matthew Bach, 145746 Coverwood Cir., representing Holiday Park Homeowner Association
Maura Schreier Fleming, 7028 Judi St., representing Highlands of McKamy IV & V
Jaya Bhakta, 7070 Briar Meadow Dr.
Cookie Peardon, 7111 Debbe Dr., representing North Dallas Neighborhood Association
Sharron Sadacca, 4806 Gaston Ave.
AJ Johnson, 3106 Pavonia Dr.
Kyle Kavanagh, 4024 Roswell St.
Ed Zahra, 1003 Valencia St., representing Dallas Neighborhood Coalition
Lisa Sievers, 8238 Barbaree Blvd.
John Morrow Jr., 8522 Stable Glen Dr.
Don Thomas Jr., 1439 Sereno Dr.
Marisol Timm, 814 Elsbeth St.
Amaica Sells, 511 N. Akard St.
Ellen Beadling, 7538 Marquette St.
Jay Narey, 4188 Wilada St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-0844

Page 2

The following individuals addressed the city council on the item:

(continued)

Linda Young, 1632 Rio Vista Dr.

Laura Wilson, 4216 Beaver Brook Pl.

Greg Estell, 411 Bondstone Dr.

Phillip Terry, 11028 Glen Echo Ct., representing Dallas Neighborhood Coalition

Karen Roberts, 502 Cameron Ave.

Ashley Martzen, 5111 Milam St.

Melanie Vanlandingham, 6311 Lakeshore Dr., representing Dallas Neighborhood Coalition

Emil Lippe, 6828 Gaston Ave.

Carol Considine, 7220 Westlake Ave.

Robb Stokes, 4 Stone Briar Ct.

Thomas Hitchcock, 3922 Valley Ridge Rd.

Palak Bhakta, 7068 Briar Meadow Dr.

Patrick Block, 5806 Victor St.

Federico Zimmerman, 5057 Le Chateaux Dr.

Shelby Fletcher, 6463 Trammel Dr.

Robert Oberhoff, 1818 Corsicana St.

Sonya Herbert, 3918 Valley Ridge Rd.

Jack Kocks, 7656 El Pensador

Sherri Mixon, 2526 Starks Ave.

Ben Ramsey, 9828 Williamsbury Rd.

Thomas DuPree, 5132 Bellerive Dr.

Elayna Saeed, 317 N. Montclair Ave.

Leslie Bills, 5907 Prospect Ave.

Councilmember West moved to close the public hearing, accept the recommendation of staff with the following change:

- with the effective date of December 14, 2023.

Motion seconded by Councilmember Bazaldua.

Councilmember Ridley moved a subsidiary motion to close the public hearing and accept the recommendation of the city plan commission with the following change:

- required parking is one off-street space per bedroom used as short-term rental lodging.

Subsidiary motion seconded by Councilmember Blackmon.

Councilmember Bazaldua moved a secondary subsidiary motion to include the following:

- A short-term rental lodging use, that is registered under Chapter 44 of the Dallas City Code are up to date on Hotel Occupancy Taxes as of June 14, 2023, may operate as long as the short-term rental lodging use stays current on hotel occupancy payments and its registration and renewal under Chapter 42B of the Dallas City Code;
- If a short-term rentals owner or host changes or if the registration under Chapter 42B is not timely renewed or if the short-term rental registration under Chapter 42B is revoked by the City. The short-term rental lodging use may no longer operate.

Mayor Johnson stated the subsidiary motion was out of order.

During discussion, Councilmember Bazaldua moved a secondary subsidiary motion:

- that short term rental lodging is permitted by right in all multi-family and multi-family districts.

Subsidiary motion seconded by Councilmember Blackmon.

After discussion, Councilmember West requested a record vote.

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

Voting Yes: [14] Johnson, Arnold, Narvaez, West, Moreno,
Thomas, Resendez, Bazaldua, Atkins,
Blackmon, Schultz, Mendelsohn, Willis,
Ridley

Voting No: [1] McGough

The city secretary declared the motion adopted.

Mayor Johnson called a vote on Councilmember Ridley's subsidiary motion as amended by Councilmember Bazaldua and declared the motion adopted on a divided vote with Councilmember West voting "No."

Councilmember Bazaldua moved another subsidiary motion to:

- A short-term rental lodging use, that is registered under Chapter 44 of the Dallas City Code are up to date on Hotel Occupancy Taxes as of June 14, 2023, may operate as long as the short-term rental lodging use stays current on hotel occupancy payments and its registration and renewal under Chapter 42 B of the Dallas City Code;
- If a short-term rentals owner or host changes or if the registration under Chapter 42B is not timely renewed or if the short-term rental registration under Chapter 42B is revoked by the City. The short-term rental lodging use may no longer operate.

Subsidiary motion seconded by Councilmember Blackmon.

Councilmember West requested a record vote.

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

Voting Yes: [7] Johnson, West, Thomas, Resendez,
Bazaldua, Blackmon, Schultz

Voting No: [8] Arnold, Narvaez, Moreno, Atkins,
McGough, Mendelsohn, Willis, Ridley

The city secretary declared the motion failed.

Councilmember Ridley moved a subsidiary motion to:

- Provide a current effective date but an enforcement date of 6 months from now.

Subsidiary motion seconded by Councilmember Mendelsohn and unanimously adopted.

Mayor Johnson called a record vote on Councilmember West's motion as amended:

Voting Yes: [12] Johnson, Arnold, Narvaez, Moreno,
Bazaldua, Atkins, Blackmon, McGough,
Schultz, Mendelsohn, Willis, Ridley

Voting No: [3] West, Thomas, Resendez

The city secretary declared the item amended.

Assigned ORDINANCE NO. 32482

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 14, 2023

23-0845

MISCELLANEOUS HEARINGS

Item 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

No one addressed the city council on the item.

Councilmember West moved to close the public hearing and adopt the item.

Motion seconded Deputy Mayor Pro Tem Narvaez and unanimously adopted.

Assigned ORDINANCE NO. 32483

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 14, 2023

EXHIBIT C