

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 11, 2023

23-1380

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

PRESENT: [14] Johnson, Atkins, Arnold, West, Moreno, Gracey, Narvaez (**10:55 a.m.),
Bazaldua, Blackmon, Stewart, Schultz, Mendelsohn, Willis, Ridley

ABSENT: [1] Resendez

The meeting was called to order at 9:23 a.m. with a quorum of the city council present.

The invocation was given by Rabbi Andrew Paley with the Dallas Police Department.

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 12:08 p.m. and reconvened to open session at 1:21 p.m.

After all business properly brought before the city council had been considered, the city council adjourned at 1:49 p.m.

Mayor

ATTEST:

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, OCTOBER 11, 2023

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 11, 2023

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1381

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: Henre Davis, 3019 South Blvd.
SUBJECT: Criminal background

SPEAKER: Bodean Slaughter, 2759 Meadow Dawn Ln.
SUBJECT: Show gratitude to City Council

SPEAKER: Benny Walker, 1239 Hutchins Ave.
SUBJECT: I didn't know

OPEN MICROPHONE – END OF MEETING:

There were no speakers under this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1382

Item 1: Approval of Minutes of the September 27, 2023 City Council Meeting

Councilmember West moved to adopt the minutes as presented.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1383

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-33. Consent agenda items 2, 16, 17 and 27 were corrected.

Councilmember Bazaldua requested consent agenda item 27 be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Councilmember Mendelsohn requested consent agenda item 33 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 2-26 and 28-32 was presented for consideration.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1384

Item 2: Authorize payment of **(1)** annual membership fees and continuation of arrangements for providing specialized municipal-related services to Forrester Research, Inc. in an amount not to exceed \$1,232,014.25; **(2)** annual membership fees and continuation of arrangements for providing specialized municipal-related services to Water Research Foundation in an amount not to exceed \$413,381.00; **(3)** annual membership fees and continuation of arrangements for providing specialized municipal-related services to Oncor Cities Steering Committee in an amount not to exceed \$147,955.00; **(4)** annual membership fees and continuation of arrangements for providing specialized municipal-related services to North Central Texas Council of Governments in an amount not to exceed \$132,627.80; **(5)** annual membership fees and continuation of arrangements for the Texas Municipal League in an amount not to exceed \$63,731.00; and **(6)** Supplemental Agreement No. 1 to increase the three year annual membership fees and continuation of arrangements for providing specialized municipal-related services to Gartner, Inc. in an amount not to exceed ~~\$871,890~~ ~~\$892,850.00~~, from \$4,097,985.00 to ~~\$4,969,875~~ ~~\$4,990,835.00~~ - Total not to exceed ~~\$2,861,599~~ ~~\$2,882,559.05~~ - Financing: General Fund (~~\$1,001,189~~ ~~\$1,016,774.80~~) (~~\$656,876~~ ~~\$344,023.00~~ of the ~~\$1,001,189~~ ~~\$1,016,774.80~~ is subject to ~~annual~~ appropriations), Data Services Fund (~~\$1,447,028~~ ~~\$1,452,403.25~~) (~~\$215,014~~ ~~\$112,882.00~~ out of the ~~\$1,447,028~~ ~~\$1,452,403.25~~ is subject to annual appropriations), and Dallas Water Utilities Fund (\$413,381.00)

Corrected

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1385

Item 3: Authorize a two-year personal services contract with Burklund Consulting, LLC for state legislative and information services for the period November 1, 2023 through October 31, 2025 - Not to exceed \$120,000.00 - Financing: Dallas Water Utilities Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1386

Item 4: Authorize a two-year personal services contract with Campos Consulting Group for state legislative and information services for the period November 1, 2023 through October 31, 2025 - Not to exceed \$186,000.00 - Financing: General Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1387

- Item 5: Authorize a two-year personal services contract with Kwame Walker & Associates for state legislative and information services for the period November 1, 2023 through October 31, 2025 - Not to exceed \$240,000.00
- Financing: General Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1388

Item 6: Authorize a two-year personal services contract with Randy C. Cain, Attorney at Law, for state legislative and information services for the period November 1, 2023 through October 31, 2025 - Not to exceed \$252,000.00 - Financing: General Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1389

Item 7: A resolution amending existing deed restrictions on a property located at 1502 Pennsylvania Avenue to allow a new approved use for social and community services - Revenue: General Fund \$1,000.00

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1390

Item 8: A resolution authorizing the execution of a mutual termination of lease agreement between the City of Dallas and Family Gateway, Inc. operating as Family Gateway Center for approximately 17,646 square feet of land and 22,500 square feet of building and improvements, located at 711 South Saint Paul Street, also known as 1722 Marilla Street, to be effective upon the execution of the mutual termination of lease agreement between the City and Family Gateway, Inc. - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1391

Item 9: Authorize **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceedings styled City of Dallas v. Wilburn Alexander Jr., et al., Cause No. CC-22-00758-C, pending in Dallas County Court at Law No. 3, to acquire fee simple title of approximately 4,280 square feet of land located near the intersection of Dolphin Road and Detonte Street for the Dolphin Road from Spring Avenue to North Haskell Avenue Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the awarded amount - Not to exceed \$54,903.00, increased from \$22,000.00 (\$18,828.00, plus closing costs and title expenses not to exceed \$3,172.00) to \$54,903.00 (\$51,731.00 being the award, plus closing costs and title expenses not to exceed \$3,172.00) - Financing: Capital Projects Reimbursement Fund (\$43,922.40) and Street and Transportation (A) Fund (2017 General Obligation Bond Fund) (\$10,980.60)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1392

Item 10: Authorize an amendment to an existing lease agreement with Ricchi Towers, LLC, to exercise a one-time renewal option to extend the lease agreement for an additional five years for approximately 1,950 square feet of office space located at 8585 North Stemmons Freeway, Suite S-525, to be used by the Dallas Police Department's Psychological Services Unit for the period November 1, 2023 through October 31, 2028 - Not to exceed \$185,250.00 - Financing: General Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1393

Item 11: Authorize an increase in the construction services contract with Johnson Bros. Corporation, a Southland Company, to add funding for the 2023 Annual Street Resurfacing Contract - Not to exceed \$12,490,707.00, from \$49,982,822.75 to \$62,473,529.75 - Financing: General Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1394

Item 12: Authorize the ratification to pay outstanding invoices due to Austin Asphalt, Inc., in the amount of \$106,247.70, for the uninterrupted provision of goods needed to sustain the streets' hot mix asphalt and cold patch materials until a new contract was awarded - Not to exceed \$106,247.70 - Financing: General Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1395

Item 13: Authorize the City Manager to provide a Notice of Establishment for a Quiet Zone along the Kansas City Southern Railway corridor encompassing the railroad crossings at 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

OCTOBER 11, 2023

23-1396

Item 14: Authorize the **(1)** acceptance of two grants from the Institute of Museum and Library Service through the Texas State Library and Archives Commission (TSLAC) for the State Fiscal Year (SFY) 2024 TSLAC Special Projects 2024 (Grant No. SPP-24007/Federal ID No. LS-253655-OLS-23, CFDA No. 45.310) in the amount of \$67,627.00 for the period July 1, 2023 to June 30, 2024 and an Interlibrary Loan (ILL) reimbursement (Grant No. 903762/FAIN No. LS-252486-OLS-22, CFDA No. 45.310) in the amount of \$20,203.65 for library lends made between August 1, 2022 through July 31, 2023; **(2)** establishment of appropriations in an amount not to exceed \$67,627.00 in the TSLAC Special Projects 2024 Grant Fund and \$20,203.65 in the ILL 22-23 Reimbursement Grant Fund; **(3)** receipt and deposit of funds from the Texas State Library and Archives Commission in an amount not to exceed \$67,627.00 in the TSLAC Special Projects 2024 Grant Fund and \$20,203.65 in the ILL 22-23 Reimbursement Grant Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed \$87,830.65 - Financing: Texas State Library and Archives Commission Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1397

Item 15: A resolution to authorize payment of annual membership fees to **(1)** Dallas Regional Mobility Coalition in an amount not to exceed \$37,500.00; **(2)** North Texas Commission in an amount not to exceed \$60,000.00; **(3)** TEX-21 in an amount not to exceed \$25,000.00; **(4)** the Texas Association of Black City Councilmembers in an amount not to exceed \$1,800.00; **(5)** the National Association of Latino Elected and Appointed Officials in an amount not to exceed \$1,800.00; and **(6)** Metroplex Mayors in an amount not to exceed \$900.00 - Total not to exceed \$127,000.00 - Financing: General Fund (\$67,000.00) and Convention and Event Services Fund (\$60,000.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1398

Item 16: Authorize a two-year ~~personal~~ professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 31, 2023 through September 30, 2025 - Not to exceed \$336,000.00 - Financing: General Fund (subject to annual appropriations)

Corrected

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1399

Item 17: Authorize a two-year ~~personal~~ professional services contract with Thorn Run Partners, LLC for federal legislative services for the period October 31, 2023 through September 30, 2025 - Not to exceed \$170,000.00 - Financing: General Fund (subject to annual appropriations)

Corrected

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1400

Item 18: Authorize a three-year service price agreement for farrier services for the Police Department - Frank Schweighart, only bidder - Estimated amount of \$296,890 - Financing: General Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1401

Item 19: Authorize a three-year master agreement for the purchase of street de-icing products for the Department of Public Works - NSG Logistics, LLC dba Nebraska Salt & Grain, lowest responsible bidder two - Estimated amount of \$364,840.08 - Financing: General Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1402

Item 20: Authorize a professional services contract with JBI Partners, Inc. (Contract No. PKR-2023-00023152) for design development, construction documents, and construction observation phases which includes landscape architecture, engineering, surveying, and platting services for the Texas Park and Wildlife Grant Group 2 Improvements Project including Bluebird Park located at 4139 Red Bird Lane in an amount not to exceed \$108,990.00; Park in the Woods located at 6800 Mountain Creek Parkway in an amount not to exceed \$122,025.00; and Pecan Grove Park located at 3443 West Kiest Boulevard in an amount not to exceed \$122,025.00, through the Coronavirus State and Local Fiscal Recovery Fund program authorized by the American Rescue Plan Act appropriated through the Texas Parks and Wildlife Department - Total not to exceed \$353,040.00 - Financing: Texas Parks and Wildlife Department Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1403

Item 21: Authorize a professional services contract with LJA Engineering, Inc. (Contract No. PKR-2023-00023153) for design development, construction documents, and construction observation phases including landscape architecture, engineering, surveying, and platting services for the Texas Park and Wildlife Grant Group 3 Improvements Project at Thurgood Marshall Recreational Center Field located at 5150 Mark Trail Way, through the Coronavirus State and Local Fiscal Recovery Fund program authorized by the American Rescue Plan Act appropriated through the Texas Parks and Wildlife Department - Not to exceed \$122,700.00 - Financing: Texas Parks and Wildlife Department Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1404

Item 22: Authorize a professional services contract with SWA Group for **(1)** surveying and platting services for park in the Cedars Park, near the intersection of South St. Paul Street and Beaumont Street; and **(2)** site assessment and analysis of the Old City Park site located at 1515 South Harwood Street - Not to exceed \$262,840.00 - Financing: Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Fund)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1405

Item 23: Authorize a professional services contract with Urban Engineers Group, Inc. (Contract No. PKR-2023-00023151) for design development, construction documents, and construction observation phases including landscape architecture, engineering, surveying, and platting services for the Texas Park and Wildlife Grant Group 1 Improvements Project which includes Beckley-Heights Park, located at 6700 Starkey Street in an amount not to exceed \$86,292.50; Danieldale Park located at 540 West Wheatland Road in an amount not to exceed \$86,992.50; Meadow Stone Park located at 2700 Meadow Stone Lane in an amount not to exceed \$86,292.50; and Twin Falls Park located at 6300 South Polk Street in an amount not to exceed \$85,592.50, through the Coronavirus State and Local Fiscal Recovery Fund program authorized by the American Rescue Plan Act appropriated through the Texas Parks and Wildlife Department - Total not to exceed \$345,170.00 - Financing: Texas Parks and Wildlife Department Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1406

Item 24: Authorize a construction services contract for the construction of the Kiowa Parkway Trail and Bridge Project located at 15200 Woodbriar Drive - Joel Brown & Co. LLC dba J. B. & Co. LLC, lowest responsible bidder of three - Not to exceed \$399,500.00 - 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

OCTOBER 11, 2023

23-1407

Item 25: Authorize an increase in the construction services contract with Joel Brown & Co. LLC, dba J.B. & Co. LLC for additional construction services at the Fair Park Centennial Building Improvements Project located at 1001 Washington Avenue - Not to exceed \$268,570.95, from \$4,776,516.61 to \$5,045,087.56 - Financing: Fair Park Improvements (C) Fund (2017 General Obligation Bond Fund)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1408

Item 26: Authorize an increase in the construction services contract with RoeschCo Construction, LLC for the construction of the Lake Highlands Trail Phase 2A/2B, Northern Extension - Not to exceed \$393,019.98, from \$4,475,464.93 to \$4,868,484.91 - Financing: Street and Transportation Improvements Fund (2012 General Obligation Bond Fund) (\$302,923.91) and Park and Recreation (B) Fund (2017 General Obligation Bond Fund) (\$90,096.07)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1409

Item 27: An ordinance amending Chapter 31, "Offenses - Miscellaneous," of the Dallas City Code by amending Sections 31-27; **(1)** adding definitions; **(2)** providing ~~that both~~ which factors must be considered when determining whether a person has manifested the purpose and intent of inducing, enticing, soliciting, or procuring another to commit an act of prostitution; **(3)** organizing the section to make the language clearer; **(4)** providing an affirmative defense to prosecution; **(5)** providing a penalty not to exceed \$500.00; **(6)** providing a saving clause; **(7)** providing a severability clause; and **(8)** providing an effective date - Financing: No cost consideration to the City

Corrected

Councilmember Bazaldua 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 speaker addressed the city council on the item:

William Martin, 11155 Morrison Ln.

Councilmember Mendelsohn moved to adopt the item.

Motion seconded by Councilmember Schultz.

After discussion, Councilmember Mendelsohn requested a record vote.

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

Voting Yes: [12] Johnson, Atkins, Arnold, West, Moreno,
Gracey, Blackmon, Stewart, Schultz,
Mendelsohn, Willis, Ridley

Voting No: [1] Bazaldua

Absent When Vote Taken: [1] Narvaez

Absent: [1] Resendez

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 32574

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1410

Item 28: Authorize **(1)** renewal of the contract with Dallas College for instructional services for police academy training; **(2)** the receipt and deposit of funds in an amount not to exceed \$630,000.00 from Dallas College in the Dallas College Police Training Funds; and **(3)** an increase in appropriations in an amount not to exceed \$630,000.00 in the Dallas College Police Training Funds for the two-year period September 1, 2023 through August 31, 2025 - Not to exceed \$630,000.00 - Financing: Dallas College Police Training Funds

Adopted as part of the consent agenda.

***Note:** The city secretary stated the following clarification “that this is a new contract.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1411

Item 29: Authorize a ten-year cooperative purchasing agreement for the purchase of equipment and software licenses that provide the use of body worn, in-car, interview room camera systems, electronic control weapons, cloud storage, unmanned aircraft systems, and associated software and hardware for the Police Department, Code Compliance, Dallas Fire Rescue, Dallas Animal Services, Dallas Marshal's Office, and Dallas Municipal Court with Axon Enterprise, Inc. through the Sourcewell cooperative agreement - Not to exceed \$146,855,764.27 - Financing: General Fund (\$103,834,445.32), Communication Service Fund (\$39,879,935.55), and Coronavirus State and Local Fiscal Recovery Fund (\$3,141,383.40) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1412

Item 30: Authorize an Interlocal Agreement between University of North Texas at Dallas and the Dallas Police Department through the Caruth Police Institute at the University of North Texas at Dallas to provide training specific for supervisors, managers, and executives of the Dallas Police Department as well as Basic Academy Recruit-Phase III Courses for the period October 1, 2023 through September 30, 2026 - Not to exceed \$519,900.00 - Financing: Dallas College Police Training Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1413

Item 31: Authorize acquisition from the Estate of Luther Yost, of an irregularly shaped, unimproved tract of land containing approximately 1,654 square feet on Brookhaven Drive near its intersection at Interstate Highway 35 to be used for the construction of erosion control improvements - Not to exceed \$2,481.00 - Financing: Storm Drainage Management Capital Construction Fund

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1414

Item 32: Authorize a construction services contract for roof maintenance and roof emergency on-call repair service at all Water Department buildings located citywide and at Lake Ray Hubbard, Lake Fork and Lake Tawakoni - Texas Roof Management, Inc., lowest responsible bidder of two - Not to exceed \$1,562,521.50 - Financing: Storm Drainage Management Fund (\$68,252.25), Water Utilities Capital Improvement F Fund (\$819,026.99), and Water Utilities Capital Improvement G Fund (\$675,242.26)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1415

Item 33: Authorize an increase in the construction services contract with Archer Western Construction, LLC for the emergency repair of a 60-inch diameter wastewater pipe at the Southside Wastewater Treatment Plant - Not to exceed \$1,992,677.85, from \$44,842,152.04 to \$46,834,829.89 - Financing: Wastewater Construction 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 West moved to adopt the item.

Motion seconded by Councilmember Gracey.

Councilmember Mendelsohn requested a record vote.

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

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

Voting No: [1] Mendelsohn

Absent When Vote Taken: [1] Narvaez

Absent: [1] Resendez

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1416

Item 34: 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 term for appointment for the 2023-2025 term to begin on October 1, 2023.

Councilmember Mendelsohn moved to appoint the following:

- Joe John (Jay) Gonzales, General Public, to the Animal Advisory Commission;
- Jo Trizilla, Volunteer Experience, to the Arts and Culture Advisory Commission;
- Jared Slade, David Neumann, Rachel Hayden, Kathleen Davis and Michael Hopkovitz to the Board of Adjustment;
- John Hazelton, 5+ Years of Professional Experience in Business, to the Civil Service Board Adjunct Members;
- Starlet Ramirez to the Commission on Disabilities;
- Zhen Barrientos to the Community Development Commission;
- Deatra Wadsworth and Jose Rivas to the Community Police Oversight Board;
- Kevin Henton to the Housing Finance Corporation Board;
- Reagan Rothenberger, Urban Planner; Evelyn Montgomery, Historian; and Larry Offutt, Historic Preservation to the Landmark Commission;
- Timothy Dickey and Daniel Wood to the Park and Recreation Board;
- Christian Marquez, Housing Development and Carla McKinie, Non-Profit Management and Operation to the South Dallas/Fair Park Opportunity Fund Board;
- Ronnie Mestas, Served in U.S. Military, to the Veteran Affairs Commission;
- Rachel Jennings, Darren Sacher, Margarita Hernandez and Andrea Mercado-Cruz to the Youth Commission;
- Amanda Benavidez and Chuck Norcross, both Meets NOC Residency Requirement, to the North Oak Cliff Municipal Management District;
- Jason Brown to the Reinvestment Zone Thirteen Board (Grand Park South);
- Jose Rivera to the Reinvestment Zone Fifteen Board (Fort Worth Avenue); and
- Karla Saucedo to the Reinvestment Zone Twenty-One Board (University)

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Narvaez absent when vote taken; Resendez absent)

Councilmember Mendelsohn moved to appoint the following:

- Dave Neumann, Chair, to the Board of Adjustment

Motion seconded by Councilmember Gracey.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-1416

Page 2

Mayor Johnson called a vote and declared the motion adopted on a divided vote with Councilmember's Blackmon and Schultz voting "No." (*Johnson abstain; Narvaez absent when vote taken; Resendez absent)

*Note: Per the Dallas City Charter, Ch III, Sec. 2, The Mayor shall have a vote on all matters coming before the city council, other than confirmation of appointments by the mayor, unless otherwise disqualified, but no power to veto.

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

23-6343	ASC	ANIMAL ADVISORY COMMISSION
23-6344	CAC	ARTS AND CULTURE ADVISORY COMMISSION
23-6345	BOA	BOARD OF ADJUSTMENT
23-6346	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
23-6347	COD	COMMISSION ON DISABILITIES
23-6348	CDC	COMMUNITY DEVELOPMENT COMMISSION
23-6349	CPO	COMMUNITY POLICE OVERSIGHT BOARD
23-6350	HFC	HOUSING FINANCE CORPORATION BOARD
23-6351	LMC	LANDMARK COMMISSION
23-6352	NOC	NORTH OAK CLIFF MUNICIPAL MANAGEMENT DISTRICT
23-6353	PKR	PARK AND RECREATION BOARD
23-6354	SDFB	SOUTH DALLAS/FAIR PARK OPPORTUNITY FUND BOARD
23-6355	RZ13	REINVESTMENT ZONE THIRTEENBOARD (GRAND PARK SOUTH)
23-6356	RZ15	REINVESTMENT ZONE FIFTEEN BOARD (FORT WORTH AVENUE)
23-6357	RZ21	REINVESTMENT ZONE TWENTY-ONE BOARD (UNIVERSITY)
23-6358	VAC	VETERAN AFFAIRS COMMISSION
23-6359	YOC	YOUTH COMMISSION
23-6360		BOARD OFFICER

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1417

Item 35: Authorize adoption of the 2024 City Calendar - Financing: No cost consideration to the City

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

- Move the October 28, 2023 Committee Meetings to October 22, 2023

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Narvaez absent when vote taken; Resendez absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1418

CLOSED SESSION

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

- Legal issues related to the lawsuit styled Vicki Timpa et al. v. Dustin Dillard et al.

At 12:08 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:

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

- Legal issues related to the lawsuit styled Vicki Timpa et al. v. Dustin Dillard et al.

The closed session ended and reconvened to open session at 1:21 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1419

Item 36: Consideration of **(1)** qualifications and appointment of Tammy L. Palomino to the position of city attorney; **(2)** adopting a resolution appointing Tammy L. Palomino as City Attorney; **(3)** approving the terms of the Agreement of Appointment; and **(4)** authorizing the City Manager to execute the Agreement of Appointment of the city attorney - Financing: Salary information is included in the Agreement of Appointment

Mayor Pro Tem Atkins moved the appointment of Tammy L. Palomino as city attorney with a salary of \$325,000 in accordance with the agreement of appointment.

Motion seconded by Councilmember Schultz.

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

Voting Yes: [13] Johnson, Atkins, Arnold, West, Moreno,
Gracey, Bazaldua, Blackmon, Stewart,
Schultz, Mendelsohn, Willis, Ridley

Voting No: [0]

Absent When Vote Taken: [1] Narvaez

Absent: [1] Resendez

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1420

Item 37: Consideration of a resolution unequivocally condemning Hamas for the deplorable and unprovoked attack on Israel; standing with Israel in its fight against Hamas; calling for the swift return of all hostages and a lasting resolution - Financing: No cost consideration to the City

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

Sherry Goldberg, 4 Robledo Dr., representing Mayor's Anti-Hate Advisory Council
Amy Berger, 7023 Coronado Ave., representing American Jewish Committee
Marissa Rodriguez, 646 W. Neely St., representing Party for Socialism and Liberation
DFW
Valerie Eaton, 8425 Romanway Dr., representing Party for Socialism and Liberation
DFW
Jo Hargis, 2227 Hollybush Dr., representing Dallas AntiWar Committee
Eliyahu Kaufman, 6722 Hyacinth Ln.
Matthew Ladin, 5138 Vickery Blvd.
Stuart Blaugrund, 6416 Camille Ave.
Michael Gonzales, 1121 Beachview St., representing Democratic Socialists of North
Texas
Mustafaa Carroll, 14501 Montfort Dr., representing Muslim Alliance for Black Lives
North Texas
Lauren Tenney, 18880 Marsh Ln.
Maegan Hyman, 6616 Del Norte Ln., representing Jewish Community Foundation
Faizan Syed, 2611 Spring Meadow Dr., Sachse, TX, representing Dallas Muslim
Community
Sumayyah Chenault, 1414 Ben Dr., Irving, TX, representing Palestinian Community of
North Texas
Haneen Wadi, 14700 Frisco Ranch Dr., Little Elm, TX, representing American Muslims
for Palestine
Lyan Alshaikhsalama, 409 Windward Dr., Murphy, TX
Mohammed Ayachi, 809 Ambrose Ct., Garland, TX
Ashraf Kuzbari, 5013 Mulholland Dr., Plano, TX
Zaid Hussein, 6118 Timbercrest Trl., Sachse, TX (handout provided)
Syed Hussain, 927 Whitehall Dr., Richadson, TX
Noor Wadi, 4812 Lasso Ln., McKinney, TX
Kim Zoller, Not Provided, representing American Jewish Committee (handout provided)
Niveen Bawab, Not Provided, representing Palestinian Community of North Texas
Nura Bawab, Not Provided, representing Palestinian Community of Dallas
Alex Telecky, Not Provided, representing Democratic Socialists of North Texas
Patricia Murphy, Not Provided

Councilmember Mendelsohn moved to adopt the item.

Motion seconded by Councilmember Schultz.

Councilmember Mendelsohn read for the record the following resolution:

WHEREAS, on October 7, 2023, during the sacred Jewish holidays of Shmini Atzeret and Simchat Torah, Hamas terrorists launched a coordinated, unprovoked attack on Israel from the Gaza Strip; and

WHEREAS, Hamas has fired thousands of rockets toward Israel's major population centers, breached Israel's borders, infiltrated Israeli communities and kidnapped civilians, killed hundreds of Israelis, and wounded hundreds more; and

WHEREAS, this is the most significant attack on Israel since the Yom Kippur War, which was launched 50 years and one day to the day of the attack ago; and

WHEREAS, Israeli Prime Minister Benjamin Netanyahu declared that Israel is at war to defend itself and its citizens and gave the order to commence "Operation Swords of Iron."

Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas unequivocally condemns Hamas for this deplorable and unprovoked attack on Israel.

SECTION 2. That the City of Dallas stands with Israel in its fight against Hamas, prays for those who have lost family members and friends, calls for the swift return of all hostages, and hopes for a lasting resolution.

SECTION 3. That the City Secretary of Dallas attests and affixes the seal of the City of Dallas to this resolution and that a copy be transmitted to the United States Department of State, the Jewish Federation of Greater Dallas, and the American Jewish Committee (AJC) Dallas.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

23-1420

Page 3

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

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

Voting No: [0]

Absent: [1] Resendez

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1421

CONSENT ZONING DOCKET

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

Agenda item Z1: Zoning Case Z223-151(LG)

Agenda item Z2: Zoning Case Z223-190(LG)

Agenda item Z1 was removed from the consent zoning docket to be considered as an individual hearing.

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

Agenda item Z2: Zoning Case Z223-190(LG)

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

The following individual addressed the city council:

Neel Desai, 4777 Cedar Springs Rd., representing South Dallas Build Group LLC
[Agenda Item Z2]

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

Motion seconded by Councilmember Bazaldua and unanimously adopted. (Resendez absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1422

Item Z1: Zoning Case Z223-151(LG) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2215 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of North Jim Miller Road and East R.L. Thornton Freeway

Recommendation of Staff: Approval for a three-year period, subject to revised conditions

Recommendation of CPC: Approval for a three-year period, subject to revised conditions

Councilmember Bazaldua requested the item be considered as an individual hearing later in the meeting; there was no objection voiced by the city council.

Later in the meeting, the item was presented for consideration.

No one addressed the city council on the item.

Councilmember Bazaldua moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- The Specific Use Permit (SUP) expires in two-years with no auto renewals

and pass the ordinance.

Motion seconded by Councilmember Narvaez.

After discussion, Mayor Johnson called a vote and declared the item unanimously amended. (Resendez absent)

Assigned ORDINANCE NO. 32575

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1423

Item Z2: Zoning Case Z223-190(LG) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse Subdistrict and a resolution accepting the deed restrictions volunteered by the applicant 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 west corner of Hancock Street and Wellington Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 32576

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1424

ZONING CASES - INDIVIDUAL

Item Z3: Zoning Case Z223-178(LG)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District uses and a vehicle display, sales, and service use on property zoned an MU-3 Mixed Use District, on the north line of West Northwest Highway, east of Shady Trail

Recommendation of Staff: Approval, subject to a development plan and staff's recommended conditions

Recommendation of CPC: Approval, subject to a development plan and conditions with changes

The following individual addressed the city council on the item:

Tommy Mann, 500 Winstead Bldg.

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

Motion seconded by Councilmember Schultz and unanimously adopted. (Resendez absent)

Assigned ORDINANCE NO. 32577

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1425

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item Z4: Zoning Case Z212-287(MP)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for WMU-5 Walkable Urban Mixed Use District uses on property zoned an IR Industrial/Research District, on the southwest line of South Haskell Avenue, southeast of Interstate 30

Recommendation of Staff: Approval, subject to a Frontage and Open Space Exhibit and conditions

Recommendation of CPC: Approval, subject to a Frontage and Open Space Exhibit and conditions

Note: This item was deferred by the City Council before opening the public hearing on August 9, 2023 and is scheduled for consideration on October 11, 2023.

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Bazaldua moved to defer the item to the November 8, 2023 voting agenda meeting of the city council.

Motion seconded by Councilmember Narvaez and unanimously deferred. (Resendez absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1426

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item Z5: Zoning Case Z223-130(JM)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a handicapped group dwelling unit and a resolution terminating Specific Use Permit No. 552 for a foster home use on property zoned an R-5(A) Single Family District, on the southeast line of Prosperity Avenue, west of Stanley Smith Drive

Recommendation of Staff: Approval of a Specific Use Permit for a handicapped group dwelling unit for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions; and approval of the termination of Specific Use Permit No. 552 for a foster home

Recommendation of CPC: Approval of a Specific Use Permit for a handicapped group dwelling unit for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions; and approval of the termination of Specific Use Permit No. 552 for a foster home

Note: This item was deferred by the City Council before opening the public hearing on August 9, 2023 and is scheduled for consideration on October 11, 2023.

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

The following individual addressed the city council on the item:

Phillip Bangs, 11818 Leisure Dr.

Deputy Mayor Pro Tem Arnold moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- The Specific Use Permit (SUP) expires in two years with no auto-renewal

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously amended. (Resendez absent)

Assigned ORDINANCE NOS. 32578 AND 32579

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1427

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item Z6: Zoning Case Z223-165(LG)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned a CR Community Retail District, on the south line of Fordham Road, west of South Lancaster Road

Recommendation of Staff: Approval

Recommendation of CPC: Approval

Note: This item was deferred by the City Council before opening the public hearing on August 23, 2023 and is scheduled for consideration on October 11, 2023.

The following individual addressed the city council on the item:

Sewdat Persaud, 1830 Fordham Rd.

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 Mayor Pro Tem Atkins and unanimously adopted. (Resendez absent)

Assigned ORDINANCE NO. 32580

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2023

23-1428

Item PH1: A public hearing to receive comments on a proposed municipal setting designation (MSD) to prohibit the use of groundwater as potable water beneath property owned by Brook 6125 Peeler Street, LP located near the intersection of Peeler Street and Haggar Way and adjacent street rights-of-way; and, at the close of the public hearing, an ordinance authorizing support of the issuance of an MS FD to Brook 6125 Peeler Street, LP by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

The city secretary read the following statement into the record:

"Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions."

No one addressed the city council on the item.

Councilmember Moreno moved to continue the public hearing and defer the item to the October 25, 2023 voting agenda meeting of the city council.

Motion seconded by Councilmember Narvaez and unanimously deferred. (Resendez absent)

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 11, 2023

EXHIBIT C