

City of Dallas

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



ANNOTATED COUNCIL AGENDA

April 10, 2024

9:35 A.M. – 3:51 P.M.

[24-0510; HELD]

Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers
[24-0511]

VOTING AGENDA

1. Approval of Minutes of the March 27, 2024 City Council Meeting
[24-0512; APPROVED]

CONSENT AGENDA **[24-0513' APPROVED]**

City Attorney's Office

2. Authorize **(1)** settlement of the claim asserted by the City of Dallas against surety Atlantic Specialty Insurance Company, a wholly owned subsidiary of Intact Insurance Group USA Holdings, Inc., a wholly owned subsidiary of Intact Financial Corporation, for Sisters Asphalt, Inc. d/b/a SAI Construction's failure to complete construction under Dallas Water Utilities Contract No. 20-473/474 (DWU-2021-00016990) in an amount not to exceed \$4,333,680.00; **(2)** cancellation of Dallas Water Utilities Contract No. 20-473/474 (DWU-2021-00016990) with Sisters Asphalt, Inc. d/b/a SAI Construction; and **(3)** the receipt and deposit of funds in an amount not to exceed \$2,221,321.60 in Water Construction Fund and \$2,112,358.40 in Wastewater Construction Fund - Estimated Revenue: Water Construction Fund (\$2,221,321.60) and Wastewater Construction Fund (\$2,112,358.40)
[24-0514; APPROVED]

Department of Aviation

3. An ordinance amending Chapter 15D, "Emergency Vehicles", of the Dallas City Code, by amending Section 15D-9.30; **(1)** providing that is an offense to follow an emergency vehicle traveling in response to an emergency call with white lights and a siren; **(2)** providing that it is an offense to operate a private ambulance on an emergency run or in response to an emergency call with the use of white lights and sirens without obtaining permission from the fire alarm dispatcher; **(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)
[24-0515; APPROVED; ORDINANCE 32703]
4. An ordinance amending Chapter 47A, "Transportation for Hire," of the Dallas City Code by amending Section 47A-2.4.8; **(1)** amending certain transportation-for-hire rates and fares; **(2)** providing a penalty not to exceed \$500.00; **(3)** providing a saving clause; **(4)** providing a severability clause; and **(5)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)
[24-0516; APPROVED; ORDINANCE 32704]

Department of Planning and Urban Design

5. Authorize a two-year contract with three one-year renewal option service contract, for professional consulting services with Freese and Nichols, Inc., as a Special Needs request to continue assisting with zoning and planning applications and other planning review projects - Not to exceed \$722,255.00 - Financing: General Fund
[24-0517; APPROVED]

Department of Public Works

6. Authorize **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceedings styled City of Dallas v. Nancy Ruth Lander as Trustee of the Nancy Ruth Lander Marital Trust and John B. Reece, et al., Cause No. CC-23-00513-C, pending in Dallas County Court at Law No. 3, to acquire fee simple title of approximately 15,065 square feet of land located near the intersection of Military Parkway and Scottsdale Drive for the Dallas Water Distribution Division Scottsdale Drive Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the awarded amount - Not to exceed \$5,599.70, increased from \$78,500.00 (\$75,000.00, plus closing costs and title expenses not to exceed \$3,500.00) to \$84,099.70 (\$81,049.70 being the award, plus closing costs and title expenses not to exceed \$3,050.00) - Financing: Water Construction Fund
[24-0518; APPROVED]
7. Authorize acquisition from TB West Commerce LLC, of approximately 27,623 square feet of land located near the intersection of West Commerce and Herbert Streets for the West Dallas Gateway Project - Not to exceed \$1,220,000.00 (\$1,200,000.00, plus closing costs and title expenses not to exceed \$20,000.00) - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Fund)
[24-0519; APPROVED]

Department of Sanitation Services

8. Authorize the **(1)** acceptance of a grant from the North Central Texas Council of Governments (NCTCOG) for Feasibility Study for Composting Facility in the amount of \$163,200.00 for a composting facility technical study for the period April 22, 2024 through August 31, 2025; **(2)** establishment of appropriations in an amount not to exceed \$ 163,200.00 in FY24 – North Central Texas Council of Governments Composting Study Grant Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$163,200.00 in the FY24 - North Central Texas Council of Governments Composting Study Grant Fund; and **(4)** execution of the grant agreement with NCTCOG and all terms, conditions and documents required by the agreement - Not to exceed \$163,200.00 - Financing: FY24 - NCTCOG Composting Study Grant Fund
[24-0520; APPROVED]

Department of Transportation

9. Authorize Amendment No. 1 to the Advance Funding Agreement (Agreement No. CSJ 0918-47-374, Assistance Listing No. 20.205) between the City of Dallas and the Texas Department of Transportation for the reconstruction and upgrade of signals/equipment and construction of pedestrian improvements at seven intersections along Lemmon Avenue to **(1)** add the location of Lemmon Avenue at Wycliff Avenue; **(2)** remove the location of Lemmon Avenue at North Central Expressway (US 75); and **(3)** revise the location map - Financing: No cost consideration to the City
[24-0521; APPROVED]

Office of Arts and Culture

10. A resolution **(1)** authorizing the ArtsActivate 2025 Program, a project-based cultural support program within the Office of Arts and Culture to support art and cultural services in the City of Dallas for FY 2024-25; and **(2)** approving the program guidelines - Financing: This action has no cost consideration to the City (see Fiscal Information)
[24-0522; APPROVED]
11. Authorize and establish the FY 2024-25 Community Artists Program (CAP) and CAP Guidelines to provide artist services upon request by artists and non-profit organizations to teach, perform, and exhibit at host facilities in Dallas, to further the goals of the *Dallas Cultural Plan 2018* and support cultural services in the City of Dallas - Financing: This action has no cost consideration to the City (see Fiscal Information)
[24-0523; APPROVED]

Office of Emergency Management

12. Authorize a ~~service contract~~ Cooperative Purchasing Agreement with IEM International, Inc. (a corporation f/k/a Innovative Emergency Management, Inc., whose amended name was executed by the Texas Secretary of State on February 12, 2024), through the Houston-Galveston Area Council Cooperative Agreement Contract No. 7264, which was executed between Innovative Emergency Management, Inc., and the Houston-Galveston Area Council, and which Cooperative Purchasing Agreement contract has been approved as to form by the City Attorney, for the purpose of evaluating to evaluate the City's Continuity of Operations Program's current capabilities, conducting a ~~and~~ gap analysis within the Continuity of Operations Program's current processes, presenting solutions for any such identified gaps, presenting recommendations for ~~identification,~~ enhancements to the City's Continuity of Operations Program, identification, and developing an exhaustive training development project for the City to utilize when training City departments and employees with IEM International, Inc. f/k/a Innovative Emergency Management, Inc. through the Houston -Galveston Area Council Governments cooperative agreement - Not to exceed \$109,916.00 - Financing: 2022 Homeland Security - Urban Area Security Initiative 23-25 Fund
[24-0524; CORRECTED; APPROVED]

Office of Environmental Quality & Sustainability

13. Authorize a Memorandum of Understanding for the Water Conservation Public Awareness Campaign with the Tarrant Regional Water District to fund a cooperative agreement to continue a successful regional public awareness campaign that encourages efficient water use, reduces water waste, and reduces water demand in the Dallas-Fort Worth region for the next five years - Not to exceed \$3,350,000.00 - Financing: General Fund (subject to annual appropriations) (see Fiscal Information)
[24-0525; APPROVED]
14. Authorize adoption of the 2024 Water Conservation Five-Year Work Plan for the City of Dallas - Financing: No cost consideration to the City
[24-0526; APPROVED]
15. Authorize the adoption of the 2024 Water Conservation Plan for the City of Dallas - Financing: No cost consideration to the City
[24-0527; APPROVED]

Office of Government Affairs

16. Authorize the **(1)** acceptance of a grant from the U.S. Department of Justice, FY 2023 Bureau of Justice Assistance Grant (Grant No. 15PBJA-23-GG-03846 - JAGX, Assistance Listing No. 16.738) in the amount of \$1,267,929.00 to support a broad range of activities to prevent and control crime and to improve the criminal justice system for the period October 1, 2022 through September 30, 2026; **(2)** receipt and deposit of funds in an amount not to exceed \$1,267,929.00 in the FY 2023 Bureau of Justice Assistance Grant Fund; **(3)** establishment of appropriations in an amount not to exceed \$1,267,929.00 in the FY 2023 Bureau of Justice Assistance Grant Fund; **(4)** execution of the grant agreement with the U.S. Department of Justice and all terms, conditions, and documents required by the agreement; and **(5)** execution of a Funds Sharing and Fiscal Agency Agreement between the City of Dallas, Dallas County, and designated units of local governments - Not to exceed \$1,267,929.00 - Financing: FY 2023 Bureau of Justice Assistance Grant Fund
[24-0528; APPROVED]

Office of Procurement Services

17. Authorize a three-year cooperative purchasing agreement for the purchase of a network visibility and threat management solution for the Department of Information and Technology Services with ePlus Technology, Inc. through The Interlocal Purchasing System cooperative agreement - Not to exceed \$405,828.06 - Financing: Data Services Fund (\$270,552.04) and Coronavirus State and Local Fiscal Recovery Funds (\$135,276.02) (subject to annual appropriations)
[24-0529; APPROVED]

Office of Procurement Services

18. Authorize a four-year cooperative purchasing agreement for the continuous use of enterprise software licenses, maintenance and support of the core network and security infrastructure for the Department of Information and Technology Services with Carahsoft Technology Corporation through the Texas Department of Information Resources cooperative agreement - Not to exceed \$9,888,100.27 - Financing: Data Services Fund (subject to annual appropriations)
[24-0530; APPROVED]
19. Authorize a three-year master agreement for the purchase of fire hydrants, parts, and accessories for the Water Utilities Department - Mueller Co. LLC in an estimated amount of \$1,517,300, North Texas Winwater Co. in an estimated amount of \$282,000, Core & Main LP in an estimated amount of \$94,000, and U.S. Pipe Valve & Hydrant, LLC in an estimated amount of \$47,000, lowest responsible bidders of seven - Total estimated amount of \$1,940,300 - Financing: Dallas Water Utilities Fund
[24-0531; APPROVED]
20. Authorize a three-year master agreement for the purchase of pavement marking materials for the Department of Transportation - Ennis-Flint, Inc. in the estimated amount of \$2,671,483.65, Centerline Supply, Inc. in the estimated amount of \$1,750,054.02, Kinetic Motorwerks, LLC in the estimated amount of \$187,666.80, and Preform, LLC in the estimated amount of \$126,070.00, lowest responsible bidders of seven - Total estimated amount of \$4,735,274.47 - Financing: General Fund (\$3,348,123.55) and Bike Lane Fund (\$1,387,150.92)
[24-0532; APPROVED]
21. Authorize a five-year Public Property Finance Contract ("Finance Contract"), with two one-year renewal options, for the financing of personal property purchases – JPMorgan Chase Bank, N.A., most advantageous qualifying proposer of three – Not to exceed \$200,000 (\$60,000 upfront legal costs, plus annual legal fees of \$20,000) - Financing: General Fund (subject to annual appropriations)
[24-0533; APPROVED]
22. Authorize a three-year service contract for the purchase of enterprise software licenses and maintenance for a geographic information system for the Department of Information and Technology Services - ESRI, Inc. dba Esri, sole source - Not to exceed \$3,498,000 - Financing: Data Services Fund (subject to annual appropriations)
[24-0534; APPROVED]
23. Authorize a three-year service contract, with one three-year renewal option, for a secondary job management system for the Police Department - RollKall Technologies, LLC, most advantageous proposer of three - Estimated Annual Net Revenue: General Fund \$815,181
[24-0535; APPROVED]

Office of Procurement Services

24. Authorize a five-year service price agreement for ground maintenance services of Texas Department of Transportation properties within the corporate boundaries of Dallas for the Department of Public Works - Good Earth Corporation, most advantageous proposer of two - Estimated amount of \$16,186,350 - Financing: General Fund (subject to annual appropriations)
[24-0536; APPROVED]
25. Authorize a three-year service price agreement for street sweeping services for the Department of Public Works and the Water Utilities Department - Pannell Industries, Inc., most advantageous proposer of three - Estimated amount of \$6,082,420 - Financing: General Fund (\$5,934,000) and Dallas Water Utilities Fund (\$148,420) (subject to annual appropriations)
[24-0537; APPROVED]

Office of Risk Management

26. Authorize the City's contracted broker of record, McGriff Insurance Services, Inc., to purchase an auto property damage/catastrophic fleet damage insurance policy with as-needed coverage for the period of April 15, 2024, to April 14, 2025 - Not to exceed \$1,548,935 - Financing: Risk Management Fund
[24-0538; APPROVED]

Park & Recreation Department

27. Authorize a professional services contract with HVJ North Texas -Chelliah Consultants, Inc. dba HVJ Associates for construction materials testing and inspection services at the Dallas Zoo South Garage located at 725 South Ewing Avenue - Not to exceed \$139,195.00 - Financing: Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Fund)
[24-0539; APPROVED]
28. Authorize an application for the Texas Parks and Wildlife Department Outdoor Recreation Legacy Partnership Grant Program in the amount of \$10,000,000.00 for the Community Park at Fair Park Phase Two Development located within Fair Park - Financing: This item has no cost consideration to the City (see Fiscal Information)
[24-0540; APPROVED]
29. Authorize a construction services contract for the construction of the Coombs Creek Extension Trail Improvements from Davis Street to Moss Park Project located at the 500 Block of North Plymouth Road - Northstar Construction, LLC, lowest responsible bidder of four - Not to exceed \$567,750.00 - Financing: Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Funds)
[24-0541; APPROVED]

Water Utilities Department

30. Authorize **(1)** a professional services contract with Gresham Smith to provide engineering services for storm drainage system and erosion control improvements at three locations (list attached to the Agenda Information Sheet); **and (2)** an increase in appropriations in an amount not to exceed \$818,949.25 in 2024 Certificate of Obligation Fund - Not to exceed \$818,949.25 - Financing: 2024 Certificate of Obligation Fund (subject to annual appropriations)
[24-0542; APPROVED]
31. Authorize adoption of the 2024 Drought Contingency Plan for the City of Dallas - Financing: No cost consideration to the City
[24-0543; APPROVED]
32. Authorize **(1)** an increase in the construction services contract with Austin Filter Systems, Inc. for erosion control improvements at seven locations (list attached to Agenda Information Sheet); and **(2)** an increase in appropriations in an amount not to exceed \$422,996.00 in 2024 Certificate of Obligation Fund - Not to exceed \$587,723.32, from \$5,886,800.00 to \$6,474,523.32 - Financing: Street and Alley Improvement Fund (\$75,420.00), Flood Control (D) Fund (2017 General Obligation Bond Funds) (\$89,307.32), and 2024 Certificate of Obligation Fund (\$422,996.00)
[24-0544; APPROVED]
33. Authorize an increase in the construction services contract with Douglas Dailey Construction, LLC for additional work associated with the installation of water services, large valve manholes, dewatering efforts for construction, and additional paving and surface restoration work - Not to exceed \$750,410.00, from \$13,921,735.00 to \$14,672,145.00 - Financing: Water Capital Improvement F Funds (\$558,035.00) and Wastewater Capital Improvement F Funds (\$192,375.00)
[24-0545; APPROVED]
34. Authorize an increase in the construction services contract with Omega Contracting, LLC for additional work associated with the installation of permitted wastewater services - Not to exceed \$2,738,807.25, from \$13,694,429.80 to \$16,433,237.05 - Financing: Wastewater Construction Fund
[24-0546; APPROVED]
35. Authorize an increase in the construction services contract with Tegrity Contractors, Inc. for additional work associated with the installation of water and wastewater mains in Scottsdale Drive - Not to exceed \$981,812.00, from \$16,101,108.00 to \$17,082,920.00 - Financing: Water Construction Fund (\$587,034.36) and Wastewater Construction Fund (\$394,777.64)
[24-0547; APPROVED]

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

36. 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)
[24-0548; INDIVIDUAL APPOINTMENT MADE TO BOARDS AND COMMISSIONS]

ITEMS FOR FURTHER CONSIDERATION**City Controller's Office**

37. Authorize the annual adoption of the City's Investment Policy and investment strategies regarding funds under the City's control and management - Financing: No cost consideration to the City (This item was deferred on February 28, 2024)
[24-0549; APPROVED]

ADDITIONS:**OTHER ITEMS FOR INDIVIDUAL CONSIDERATION****Department of Housing & Neighborhood Revitalization**

38. Authorize **(1)** the partial rescission of Section 1 of Resolution No. 20-0811, to withdraw **(a)** authorization of the sale of up to 17 Land Transfer lots, for up to 35 rental units, identified as Bonton Land Transfer Cluster #2 (Project), to Notre Dame Place, Inc., (VS0000068164) and/or its affiliates; and rescind **(b)** a conditional grant agreement with Notre Dame Place, Inc in an amount not to exceed \$730,072.00 in 2017 General Obligation Bond Funds for public infrastructure and construction cost for up to 35 rental units; **(2)** the sale of two Land Transfer Program lots, for up to 36 rental units for the Project to CityBuild Community Development Corporation (Developer) and/or its affiliates subject to restrictive covenants, a right of reverter with a right of reentry, and recording of all necessary documents pursuant to the City's Land Transfer Program; **(3)** the release of all non-tax City liens, notices or orders that were filed on the two Land Transfer lots prior or subsequent to the deeds transferring the lots to the City of Dallas; and **(4)** execution of a development agreement with Developer for the construction of up to 36 rental units on the Land Transfer lots - Estimated Revenue: General Fund \$2,904.68 (see Fiscal Information)
[24-0550; APPROVED]

Department of Public Works

Note: Agenda Item Nos. 39 and 40 must be considered collectively.

39. Authorize a decrease in the construction services contract with Vescorp Construction, LLC dba Chavez Concrete Cutting by reducing the Coronavirus State and Local Fiscal Recovery and Community Development Block Grant capacity - Not to exceed \$3,031,696.07, from \$13,887,150.00 to \$10,855,453.93 - Financing: Coronavirus State and Local Fiscal Recovery Funds (\$2,031,696.07) and Community Development Block Grant Fund (\$1,000,000.00)
[24-0551; APPROVED]
40. Authorize a twenty-four-month construction services contract for the 2024 Dallas Sidewalk Master Plan Improvements that includes water and wastewater adjustments at various locations throughout the City - Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of six – Not to exceed \$3,932,862.50 - Financing: ARPA Redevelopment Fund (\$2,780,812.50), FY 2022-2023 Community Development Block Grant (\$1,000,000.00), Water Construction Fund (\$134,550.00), and Wastewater Construction Fund (\$17,500.00) (subject to annual appropriations)
[24-0552; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Planning and Urban Design****ZONING CASES – CONSENT****[24-0553; APPROVED]**

- Z1. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2415 for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District, on the southeast corner of Cedar Crest Boulevard and East Kiest Boulevard
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions
Z223-163(JM)
[24-0554; HEARING OPEN; DEFERRED TO MAY 22, 2024 BY DEPUTY MAYOR PRO TEM ARNOLD]

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

- Z2. A public hearing to receive comments regarding an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an RR Regional Retail District, on the west line of Upton Street, between East Clarendon Drive and Viola Street
Recommendation of Staff: Approval
Recommendation of CPC: Approval
Z223-299(LC)
[24-0555; HEARING OPEN; DEFERRED TO MAY 22, 2024 BY DEPUTY MAYOR PRO TEM ARNOLD]

ZONING CASES – INDIVIDUAL

- Z3. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 514, on the east line of Hillcrest Road, between La Bolsa Drive and Arapaho Road
Recommendation of Staff: Approval, subject to an amended development plan, a landscape plan for the natatorium, an amended traffic management plan, and amended conditions
Recommendation of CPC: Approval, subject to an amended development plan, a landscape plan for the natatorium, an amended traffic management plan, and amended conditions
Z223-147(AU)
[24-0556; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32705]
- Z4. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2278 for an extended hours historic house museum and meeting space and fundraising on property zoned Area G within Planned Development District No. 63, the Swiss Avenue Historic District, with H/1 Swiss Avenue Historic District Overlay, on the east corner of Swiss Avenue and Parkmont Street
Recommendation of Staff: Approval for a three-year period, subject to amended conditions
Recommendation of CPC: Approval for a five-year period, subject to amended conditions
Z223-303(LC)
[24-0557; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 32706]

ZONING CASES – INDIVIDUAL (continued)

- Z5. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southwest corner of Elm Street and North Crowds Street
Recommendation of Staff: Approval for a five-year period, subject to amended conditions
Recommendation of CPC: Approval for a one-year period, subject to amended conditions
Z234-104(LC)
[24-0558; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 32707]

MISCELLANEOUS HEARINGS**Department of Planning and Urban Design**

- PH1. A public hearing to receive comments on the adoption of the City of Dallas Historic and Cultural Preservation Strategy; and, at the close of the public hearing, consideration of a resolution authorizing the City of Dallas Historic and Cultural Preservation Strategy - Financing: No cost consideration to the City
[24-0559; HEARING CLOSED; APPROVED AS AMENDED]
- PH2. An appeal of the City Plan Commission's decision to approve a minor amendment to an existing development plan on property zoned Planned Development District No. 1053, on the northeast corner of Skillman Street and East Lovers Lane - M234-003(DM) - Financing: No cost consideration to the City
[24-0560; HEARING CLOSED; DECISION AFFIRMED]