MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, APRIL 24, 2024

24-0580

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

MAYOR ERIO	C JOHN	NSON, PRESIDING
PRESENT:	[14]	Johnson, Atkins, Arnold, West, Moreno, Gracey, Narvaez (**9:52 a.m.), Bazaldua (**12:35 p.m.), Blackmon, Stewart, Schultz, Mendelsohn, Willis, Ridley
ABSENT:	[1]	Resendez
The meeting w	vas calle	ed to order at 9:38 a.m. with a quorum of the city council present.
The invocation	n was g	iven by Councilmember Zarin Gracey.
Mayor Johnso	n led th	e pledge of allegiances of the United States of America and Texas State flags.
The meeting a Government C	_	posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas as presented.
The meeting re	ecessed	to closed session at 1:05 p.m. and reconvened to open session at 2:35 p.m.
After all busing adjourned at 3	-	operly brought before the city council had been considered, the city council .
ATTEST:		Mayor

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.

Date Approved

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.

City Secretary

^{**}Note: Indicates arrival time after meeting called to order/reconvened

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, APRIL 24, 2024

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, APRIL 24, 2024

EXHIBIT B

APRIL 24, 2024

24-0581

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: Winston Booth, 821 Clearfield Rd.

SUBJECT: Code compliance issues

SPEAKER: Brian High, 1624 Jeffries St.

SUBJECT: Horse carriages

SPEAKER: John Jaksch, 1624 Jeffries St.

SUBJECT: Horse carriages

SPEAKER: Samuel Ellis, 4440 Larchmont St. SUBJECT: Transfer of lots on South Blvd.

SPEAKER: Yolanda Williams, 1012 Pindar Ave.

SUBJECT: General

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Payton Jackson, Not Provided

SUBJECT: District 6

APRIL 24, 2024

24-0582

Item 1: Approval of Minutes of the April 10, 2024 City Council Meeting

Councilmember Ridley moved to adopt the minutes as presented.

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

APRIL 24, 2024

24-0583

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-29. Consent agenda item 29 was deleted.

Councilmember Mendelsohn requested consent agenda item 10 be considered as an individual item later in the meeting; there was no objection voiced by the city council.

Councilmember Gracey requested consent agenda item 23 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 2-9, 11-22 and 24-28 was presented for consideration.

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

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

APRIL 24, 2024

24-0584

Item 2: Authorize settlement of the lawsuit styled <u>Jose Diaz v. City of Dallas</u>,

Cause No. DC-21-17927 - Not to exceed \$35,000.00 - Financing: Liability

Reserve Fund

APRIL 24, 2024

24-0585

Item 3:

Authorize Supplemental Agreement No. 1 to the architectural services contract with Brown Reynolds Watford Architects, Inc. to provide soil testing and to increase the reimbursable expenses for the Dallas Airport System Signage at Dallas Executive Airport - Not to exceed \$17,040.00, from \$98,500.00 to \$115,540.00 - Financing: Aviation Fund

APRIL 24, 2024

24-0586

Item 4:

Authorize Supplemental Agreement No. 2 to the engineering services contract with Kimley-Horn and Associates, Inc. to provide construction phase services for the additional trail limits for the Lemmon Avenue Streetscape Enhancements Project at Dallas Love Field - Not to exceed \$250,000.00, from \$2,827,926.00 to \$3,077,926.00 - Financing: Aviation Construction Fund

APRIL 24, 2024

24-0587

Item 5:

Authorize Supplemental Agreement No. 7 to the professional services contract with M. Arthur Gensler Jr. & Associates, Inc. to provide assessment, design, construction documents, and construction administration services for major maintenance and repairs to Parking Garages A and B at Dallas Love Field - Not to exceed \$214,453.00, from \$1,333,259.00 to \$1,547,712.00 - Financing: Aviation Construction Fund

APRIL 24, 2024

24-0588

Item 6:

An ordinance abandoning a portion of a floodway easement to Vijay Mehra and Natalie Mehra, the abutting owners, containing approximately 2,659 square feet of land, located near the intersection of Sperry Street and Lyre Lane - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 32708

APRIL 24, 2024

24-0589

Item 7:

An ordinance granting a private license to 1601 EIm Holdings, LP., for the use of approximately 35 square feet of aerial space to install, maintain and utilize an awning with premise sign over a portion of Elm Street right-of-way located near its intersection with Akard 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. 32709

APRIL 24, 2024

24-0590

Item 8:

Authorize a professional services contract with Burgess & Niple, Inc. to provide engineering design services for West Davis Street from North Hampton Road to North Clinton Avenue - Not to exceed \$1,388,620.00 - Financing: 2023 Certificate of Obligation Fund (\$1,309,060.00), Water Capital Improvement G Fund (\$56,487.60), and Wastewater Capital Improvement F Fund (\$23,072.40)

APRIL 24, 2024

24-0591

Item 9:

Authorize a professional services contract with VRX, Inc. for the engineering design of Street Reconstruction Group 17-4006 (list attached to the Agenda Information Sheet) - Not to exceed \$300,769.00 - Financing: 2023 Certificate of Obligation Fund (\$215,099.00), Water Capital Improvement G Fund (\$54,537.85), and Wastewater Capital Improvement F Fund (\$31,132.15)

APRIL 24, 2024

24-0592

Item 10:

Authorize a professional services contract with WSP USA Inc. to provide construction material testing services during the construction of a portion of Street Reconstruction Group 17-5001 (Rosemont Road from Hillburn Drive to North Jim Miller Road) identified as PB17V997 - Not to exceed \$232,475.00 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond 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 Schultz moved to adopt the item.

Motion seconded by Councilmember Blackmon.

Mayor Johnson called a vote and declared the item unanimously adopted on a divided vote with Councilmember Mendelsohn voting "No." (Bazaldua absent when vote taken; Resendez absent)

APRIL 24, 2024

24-0593

Item 11:

Authorize settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Keller Springs Estates, Ltd., et al., Cause No. CC-23-01590-B, pending in County Court at Law, for acquisition of a wastewater easement from Keller Springs Estates, Ltd., et al., of approximately 43,509 square feet of land for a right-of-way located in Dallas County, Texas for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed \$86,058.00, increased from \$233,942.00 (\$228,442.00, plus closing costs and title expenses not to exceed \$5,500.00) to \$320,000.00 (\$300,000.00 being the settlement amount, plus closing costs and title expenses not to exceed \$20,000.00) - Financing: Wastewater Construction Fund

APRIL 24, 2024

24-0594

Item 12:

Authorize a twenty-two-month construction services contract for the 2024 Sidewalk and Barrier Free Ramps Improvements Project along the Dallas Area Rapid Transit bus routes within the public right-of-way that includes water and wastewater adjustments at various locations throughout the City - Ragle, Inc., lowest responsible bidder of three - Not to exceed \$18,613,300.00 - Financing: DART Transportation Projects Fund

APRIL 24, 2024

24-0595

Item 13:

Authorize an increase in the construction services contract with HD Way Concrete Service, LLC for the additional water adjustments and wastewater main improvements needed on Street Reconstruction Group 17-4009 - Not to exceed \$163,375.00, from \$2,090,214.00 to \$2,253,589.00 - Financing: Wastewater Capital Improvement F Fund (\$155,875.00) and Water Construction Fund (\$7,500.00)

APRIL 24, 2024

24-0596

Item 14:

An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-50, 28-59, 28-99, and 28-101 (1) designating school traffic zones; (2) designating one-way streets and alleys; (3) designating public carrier stands for rideshare vehicles; (4) providing a penalty not to exceed \$200.00; (5) providing a saving clause; (6) providing a severability clause; and (7) 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. 32710

APRIL 24, 2024

24-0597

Item 15:

Authorize payment to the Texas Department of Transportation for the Advance Funding Agreement (Agreement No. CSJ 0918-24-267, etc., Assistance Listing No. 20.205) for cost overruns related to the construction of five traffic signals and associated off-system intersection improvements at: Frankford Road at Dallas Parkway, Harry Hines Boulevard at Walnut Hill Lane, Midway Road at Royal Lane, Hillcrest Road at Spring Valley Road, and Shady Brook Lane at Park Lane - Total amount of \$1,564,423.25 - Financing: Coronavirus State and Local Fiscal Recovery Fund (\$860,886.75) and General Fund (\$703,536.50)

APRIL 24, 2024

24-0598

Item 16: Authorize a three-year master agreement for battery powered intraosseous needle driver systems for the Fire-Rescue Department - Teleflex LLC, sole source - Estimated amount of \$1,697,373.75 - Financing: General Fund

APRIL 24, 2024

24-0599

Item 17:

Authorize a three-year service contract for providing multimedia messaging services to communicate with the City of Dallas' Women, Infant, Children Program, existing and potentially eligible clients for the period May 1, 2024 through April 30, 2027 - OnSolve, LLC dba One Call Now, sole source - Not to exceed \$109,877.14 - Financing: Texas Department of State Health Services Grant Funds (subject to appropriations)

APRIL 24, 2024

24-0600

Item 18: Authorize appointment of Santiago Bello, Michael Horne and Terry

Kittleson as Directors to the Dallas Development Fund Board - Financing:

No cost consideration to the City

APRIL 24, 2024

24-0601

Item 19:

Authorize (1) a public hearing to be held on May 22, 2024, to receive comments concerning the Dallas Tourism Public Improvement District (the "District") expansion, in accordance with Chapter 372 of the Texas Local Government Code, allowing the City to include property in a hotel-public improvement district with the property owner's consent if such property could have been included in the District, when created, without violating the petition thresholds, to provide supplemental public services funded by assessments on Dallas hotels with 100 or more rooms (Qualifying hotels); and, at the close of the public hearing, (2) a resolution approving District boundary one additional Qualifying hotel in the District not expansion include described in the resolution or petition renewing the District in 2016 or expanding the District's boundaries in 2020, 2022, or 2023 - Financing: This action has no cost consideration to the City (see Fiscal Information)

APRIL 24, 2024

24-0602

Item 20:

Authorize (1) a public hearing to be held on May 22, 2024, to receive comments concerning the renewal of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code for the specified area of the District, for the purpose of providing supplemental public services, to be funded by an assessment on real property and real property improvements in the District; and, at the close of the public hearing; (2) approval of a resolution renewing the District for a period of ten years; (3) approval of the District's Service Plan for 2025-2034 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (4) approval of a management contract with Lake Highlands Improvement District Corporation, a Texas nonprofit corporation, as the management entity for the District - Financing: This action has no cost consideration to the City (see Fiscal Information)

APRIL 24, 2024

24-0603

Item 21:

Authorize (1) a public hearing to be held on May 22, 2024, to receive comments concerning the renewal of the Prestonwood Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code for the specified area of the District, for the purpose of providing supplemental public services, to be funded by an assessment on real property and real property improvements in the District; and, at the close of the public hearing; (2) approval of a resolution renewing the District for a period of ten years; (3) approval of the District's Service Plan for 2025-2034 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (4) approval of a management contract with Prestonwood Homeowners Association, Inc., a Texas nonprofit corporation, as the management entity for the District - Financing: This item has no cost consideration to the City (see Fiscal Information)

APRIL 24, 2024

24-0604

Item 22:

Authorize a three-year cooperative purchasing agreement for over-the-phone language interpretation services for the Police Department with Language Line Services, Inc. through the Department of Information Services cooperative agreement - Estimated amount of \$463,918.56 - Financing: General Fund (subject to annual appropriations)

APRIL 24, 2024

24-0605

Item 23:

Authorize a three-year service contract, with the option of one two-year renewal option or two one-year renewal options, for Owner Controlled Insurance Program broker services for the Office of Risk Management - Marsh USA, Inc., most advantageous proposer of five - Not to exceed \$2,242,000 - Financing: Owner Controlled Insurance Fund (subject to annual appropriations)

Councilmember Gracey 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 individual addressed the city council on the item:

Herman Ross II, 511 E. John Carpenter Fwy., Irving, TX, representing National Insurance Consultants Inc.

Councilmember Gracey moved to adopt the item.

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

APRIL 24, 2024

24-0606

Item 24:

Authorize Supplemental Agreement No. 1 to increase the service contract with Netsync Network Solutions through the Texas Department of Information Resources cooperative agreement DIR-CPO-4866 for continuous use and upgrade of an existing device threat detection response solution and licensing for the Department of Information and Technology Services - Not to exceed \$949,746.80, from \$873,104.50 to \$1,822,851.30 - Financing: Data Services Fund (subject to annual appropriations)

APRIL 24, 2024

24-0607

Item 25:

Authorize a construction services contract for the installation of playground equipment, playground surfacing, American Disabilities Act (ADA) accessible ramp, ADA parking, striping and signs, and an independent safety audit at Marcus Park located at 3003 Northaven Road through Omnia Cooperative Purchasing Agreement with Kompan, Inc. - Not to exceed \$184,370.58 - Financing: Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Funds)

Tuna (2017 General Congación Bona 1 a

APRIL 24, 2024

24-0608

Item 26:

Authorize a construction services contract for the installation of playground equipment and an Independent Safety Audit with Whirlix Design Inc. through the Texas Association of School Boards (BuyBoard) for the Glen Meadow Park Playground Renovation located at 11800 Rosser Road - Not to exceed \$189,814.00 - Financing: Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Funds)

APRIL 24, 2024

24-0609

Item 27: Authorize a three-year cooperative purchasing agreement for web-based law enforcement training subscriptions for the Police Department with

Lexipol, LLC through the Sourcewell cooperative agreement - Estimated

amount of \$401,310.00 - Financing: General Fund

APRIL 24, 2024

24-0610

Item 28: Authorize a three-year purchasing agreement for web-based software subscriptions for the Police Department Nighthawk.Cloud, Inc., sole source - Estimated amount of \$561,740.00 - Financing: General Fund

APRIL 24, 2024

24-0611

Item 29:

Authorize an increase in the construction services contract with BAR Constructors, Inc. for additional work associated with the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant Not to exceed \$2,726,813.26, from \$51,603,219.94 to \$54,330,033.20 - Financing: Water Capital Improvement G Fund

Deleted

APRIL 24, 2024

24-0612

Item 30: 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:

- Nancy Immerman, committed to Community of Disabled Persons, to the Commission on Disabilities;
- Phillip Glauben to the Community Development Commission;
- Gregory Michaelson, General Public, to the Environmental Commission;
- Jadd Masso, Possess a Juris Doctorate degree from an institution of higher learning, to the Ethics Advisory Commission;
- Christopher Aslam to the Reinvestment Zone Three Board (Oak Cliff Gateway);
- Peter Han and Amanda Moreno Lake to the Reinvestment Zone Eight Board (Design District);
- Elsie Thurman to the Reinvestment Zone Nine Board (Vickery Meadow);
- Derek Sandler to the Reinvestment Zone Nineteen Board (Cypress Waters); and
- Oscar Joyner to the Reinvestment Zone Twenty Board (Mall Area Redevelopment)

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

Councilmember Blackmon moved to appoint the following:

- Derek Sandler, Chair, of the Reinvestment Zone Nineteen Board (Cypress Waters); and
- Christopher Aslam, Chair, of the Reinvestment Zone Three Board (Oak Cliff Gateway)

Motion seconded by Councilmember Narvaez and unanimously adopted. (*Johnson abstain; Moreno, Bazaldua 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.]

24-5657	CDC	COMMUNITY DEVELOPMENT COMMISSION
24-5658	COD	COMMISSION ON DISABILITIES
24-5659	EVC	ENVIRONMENTAL COMMISION
24-5660	EAC	ETHICS ADVISORY COMMISSION
24-5661	RZ03	REINVESTMENT ZONE THREE BOARD (OAK CLIFF
		GATEWAY)
24-5662	RZ08	REINVESTMENT ZONE EIGHT BOARD (DESIGN DISTRICT)
24-5663	RZ09	REINVESTMENT ZONE NINE BOARD (VICKERY MEADOW)
24-5664	RZ19	REINVESTMENT ZONE NINETEEN BOARD (CYPRESS
		WATERS)
24-5665	RZ20	REINVESTMENT ZONE TWENTY BOARD (MALL AREA
		REDEVELOPMENT)
24-5666		BOARD OFFICERS

APRIL 24, 2024

24-0613

Item 31:

Authorize an increase in the development loan agreement with Texas Heavenly Homes Ltd., or its affiliate (Applicant), conditioned upon the completion of a third-party underwriting for the development of the Bottom Infill, a 32-unit single-family affordable housing project located in the Bottom neighborhood of Council District 4 - Not to exceed \$3,084,427.00, from \$500,000.00 to \$3,584,427.00 - Financing: Community Development Block Grant Disaster Recovery Funds (This item was deferred on February 14, 2024 and March 27, 2024)

The following individuals addressed the city council on the item:

Ken Montgomery, 8217 Lullwater Dr. Walter Gray, 449 Sparks St. Dick LeBlanc, Not Provided, representing Texas Heavenly Homes LTD. Paul Baccus, Not Provided, representing Ergo Construction Management

Deputy Mayor Pro Tem Arnold moved to deny the item.

Motion seconded Councilmember Narvaez.

After discussion, Mayor Johnson called a vote and declared the item unanimously denied. (Moreno, Bazaldua absent when vote taken; Resendez absent)

APRIL 24, 2024

24-0614

CLOSED SESSION

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

- Seeking the advice of the city attorney regarding Dallas Police Retired Officers Association v. Dallas Police & Fire Pension System; Cause No. 05-22-00644-CV.

At 1:05 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 matters:

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

- Seeking the advice of the city attorney regarding Dallas Police Retired Officers Association v. Dallas Police & Fire Pension System; Cause No. 05-22-00644-CV.

ADDITION:

Item 35: Adoption of a resolution appointing Kimberly Bizor Tolbert as Interim City Manager, effective at the close of business on May 2, 2024, to serve until the City Council selects and appoints the City Manager - Financing: This action has no cost consideration to the City (see Fiscal Information)

The closed session ended and reconvened to open session at 2:35 p.m. No other matters were discussed during the closed session.

APRIL 24, 2024

24-0615

Item 32:

Authorize the (1) acceptance of a grant upon receipt from the U.S. Department of Transportation, Federal Aviation Administration (FAA) Airport Improvement Program Grant Fund for the federal share of the eligible capital improvement project for the Bipartisan Infrastructure Law at Dallas Love Field (Grant No. 3-48-0062-071-2024, Assistance Listing No. 20.106) in the amount of \$13,563,479.00 for the construction of Aircraft Rescue and Firefighters Building Project for performance period shall be 4-years (1,460 calendar days) from the date of acceptance; (2) establishment of appropriations in an amount not to exceed \$13,563,479.00 in the FY24 FAA AIG Grant Fund; (3) receipt and deposit of grant funds in an amount not to exceed \$13,563,479.00 in the FY24 FAA AIG Grant Fund; and (4) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed \$13,563,479.00 - Financing: FY24 FAA AIG Grant Fund

Councilmember Blackmon moved to adopt the item.

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

APRIL 24, 2024

24-0616

Item 33:

Authorize a fifteen-year resident use and incentive agreement for the Dallas Memorial Auditorium ("Arena" and "primary facility") and ancillary meeting rooms ("secondary facility") with three five-year renewal options with a professional sports team, for a minimum of 70 days per year for the primary facility and 365-days per year for organizational needs including but not limited to office and training space for the secondary facility with a \$19,000,000.00 incentive payable over three fiscal years and offsetting revenues as detailed in the Fiscal Information section - Not to exceed \$19,000,000.00 over three years - Financing: Convention Center Construction Fund (subject to annual appropriations); Estimated Revenue: Convention Center Operating Fund \$23,250,000.00 over 15 years

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

• Specify that the professional sports team entering into the resident use and incentive agreement is the Dallas Wings professional basketball team.

Motion seconded by Councilmember Narvaez.

During discussion and at the request of the city manager's office, the following individual addressed the city council:

Greg Bibb, President of the Dallas Wings

After discussion, Councilmember West requested a record vote.

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

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

Voting No: [0]

Absent When Vote Taken: [1] Bazaldua

Absent: [1] Resendez

The city secretary declared the item adopted.

APRIL 24, 2024

24-0617

Item 34:

Authorize (1) the acceptance of the specific goals and recommendations set forth in the Dallas Public Library Strategic and Facilities Plan (Plan), which consists of a five-year strategic plan and a 20-year facilities plan; (2) the adoption of the Plan to serve as a guideline for the Library 's provision of services for the next five years and development of facilities for the next 20 years; and (3) the City Manager to guide and support the Library's efforts to advance the goals and implemented the recommendations provided for in the Plan - Financing: This action has no cost consideration to the City (see Fiscal information)

Councilmember Blackmon moved to adopt the item.

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

APRIL 24, 2024

24-0618

Item 35: Adoption of a resolution appointing Kimberly Bizor Tolbert as Interim City

Manager, effective at the close of business on May 2, 2024, to serve until the City Council selects and appoints the City Manager - Financing: This

action has no cost consideration to the City (see Fiscal Information)

At 1:05 p.m., Mayor Johnson announced the closed session of the city council to discuss the item; the closed session ended and reconvened to open session at 2:35 p.m.

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

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Narvaez and unanimously adopted. (Gracey, Bazaldua, Mendelsohn absent when vote taken; Resendez absent)

APRIL 24, 2024

24-0619

CONSENT ZONING DOCKET

Prior to consideration of the consent zoning docket and the item being read into the record, Deputy Mayor Pro Tem Arnold moved to defer agenda item Z5 to the June 26, 2024 voting agenda meeting of the city council.

The consent zoning docket consisted of agenda items Z1 - Z10.

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Agenda item Z1:
                Zoning Case Z212-349(TAB)
Agenda item Z2: Zoning Case Z223-188(CR)
                Zoning Case Z223-243(MP)
Agenda item Z3:
Agenda item Z4:
                Zoning Case Z223-285(LG)
Agenda item Z5:
                Zoning Case Z223-308(LC)
                Zoning Case Z223-309(MB)
Agenda item Z6:
Agenda item Z7:
                Zoning Case Z223-323(WK)
                Zoning Case Z223-330(WK)
Agenda item Z8:
Agenda item Z9:
                Zoning Case Z223-334(WK)
Agenda item Z10: Zoning Case Z234-133(CR)
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Agenda item Z6 was removed from the consent zoning docket, to be heard as an individual hearing.

Therefore, the consent zoning docket, consisting of agenda items Z1-Z4 and Z7-Z10 was presented for consideration.

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Agenda item Z1: Zoning Case Z212-349(TAB)
Agenda item Z2: Zoning Case Z223-188(CR)
Agenda item Z3: Zoning Case Z223-243(MP)
Agenda item Z4: Zoning Case Z223-285(LG)
Agenda item Z7: Zoning Case Z223-323(WK)
Agenda item Z8: Zoning Case Z223-330(WK)
Agenda item Z9: Zoning Case Z223-334(WK)
Agenda item Z10: Zoning Case Z234-133(CR)
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In the zoning cases on the consent zoning docket, the city plan commission recommended approval of the proposed changes in zoning.

The following individuals addressed the city council:

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Michael Evans, 519 S. Winnetka Ave. [Agenda Item Z1]

Joleen Bagwell, 528 S. Clinton Ave., representing South Winnetka Heights

Conservation District [Agenda Item Z1]

Emily Bowlin, 2815 Martin Luther King Jr. Blvd. [Agenda Item Z8]

Marvin Crenshaw, 2704 Pennsylvania Ave. [Agenda Item Z7]
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL 24-0619 Page 2

Councilmember West moved to close the public hearings, accept the recommendations of the city plan commission and pass the ordinances.

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

APRIL 24, 2024

24-0620

Item Z1: Zoning Case Z212-349(TAB) [Consent Zoning Docket]

A public hearing to receive comments regarding a City Plan Commission authorized hearing seeking City Council approval to change the zoning classification from R-7.5(A) single-family zoning district to CD-21, the South Winnetka Heights Conservation District, being all of City Blocks 51/3306, 50/3305, 49/3304, and 48/3303 being generally bounded by Twelfth Street to the north, Edgefield Avenue to the west, Brooklyn Avenue to the south, and the alley between Block 48/3303 and Blocks 186/3245 and 2/3244, east of Willomet Avenue and a portion of Polk Street to the east, and containing approximately 16.299 acres and an ordinance granting the amendments

Recommendation of Staff: Approval, subject to a conceptual plan and conditions

Recommendation of CPC: Approval, subject to a conceptual plan and conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0621

Item Z2: Zoning Case Z223-188(CR) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2365 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Lake June Road and Holcomb Road

<u>Recommendation of Staff</u>: <u>Approval</u> for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to an amended site plan and amended conditions

Recommendation of CPC: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to an amended site plan and amended conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0622

Item Z3: Zoning Case Z223-243(MP) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a new subarea on property zoned Tract IV within Planned Development District No. 314, the Preston Center Special Purpose District, on the north line of Colgate Avenue, between Westchester Drive and Preston Road

Recommendation of Staff: Approval, subject to a development plan, a traffic management plan, and conditions

<u>Recommendation of CPC</u>: <u>Approval</u>, subject to a development plan, a traffic management plan, and conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0623

Item Z4: Zoning Case Z223-285(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. 2299 for an open-enrollment charter school on property zoned an IR Industrial Research District, on the south line of Skillman Street and the north line of Wendell Road, east of Pagemill Road

<u>Recommendation of Staff</u>: <u>Approval</u>, subject to an amended site plan, an amended traffic management plan, and amended conditions

Recommendation of CPC: Approval, subject to an amended site plan, an amended traffic management plan, and amended conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0624

Item Z5: Zoning Case Z223-308(LC) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned Tract 2H within Planned Development District No. 388, the Tenth Street Neighborhood Historic District, with H/60 Tenth Street Neighborhood Historic District Overlay, on the northeast corner of South Fleming Avenue and East Clarendon Drive

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Prior to consideration of the consent zoning docket and the item being read into the record, Deputy Mayor Pro Tem Arnold moved to defer the item to the June 26, 2024 voting agenda meeting of the city council.

Motion seconded by Councilmember Narvaez and unanimously deferred. (Bazaldua, Mendelsohn absent when vote taken; Resendez absent)

APRIL 24, 2024

24-0625

Item Z6: Zoning Case Z223-309(MB) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1495 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east corner of Al Lipscomb Way and Meadow Street

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions

<u>Recommendation of CPC</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions

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

• The specific use permit [SUP] is approved for five years with no eligibility for automatic renewals

and pass the ordinance.

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

APRIL 24, 2024

24-0626

Item Z7: Zoning Case Z223-323(WK) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2429 for an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery and a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Commerce Street, west of South Malcolm X Boulevard

<u>Recommendation of Staff</u>: <u>Approval</u> 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, subject to amended conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0627

Item Z8: Zoning Case Z223-330(WK) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1532 for convalescent and nursing homes, hospice care, and related institutions on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of Martin Luther King, Jr. Boulevard and South Malcom X Boulevard

Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to amended conditions

Recommendation of CPC: Approval for a 20-year period with eligibility for automatic renewals for additional 20-year periods, subject to amended conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0628

Item Z9: Zoning Case Z223-334(WK) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on a property zoned an R-7.5(A) Single Family District, on the south line of Forney Road, west of Lomax Drive

<u>Recommendation of Staff</u>: <u>Approval</u> for a ten-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0629

Item Z10: Zoning Case Z234-133(CR) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2358 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Planned Development District No. 619 with H/121 Dallas Power and Light Building Historic District Overlay, on the southeast corner of Commerce Street and Browder Street

Recommendation of Staff: Approval for a two-year period, subject to amended conditions

Recommendation of CPC: Approval for a two-year period, subject to amended conditions

Adopted as part of the consent zoning docket.

APRIL 24, 2024

24-0630

ZONING CASES- INDIVIDUAL

Item Z11: Zoning Case Z223-272(JA)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a public school other than an open-enrollment charter school on property zoned an R-7.5(A) Single Family District, on property bounded by Millmar Drive, Shiloh Road, Healey Drive, and Casa Oaks Drive

Recommendation of Staff: Approval for a permanent time period, subject to a revised site plan, a revised traffic management plan, and staff 's recommended conditions

<u>Recommendation of CPC</u>: <u>Approval</u> for a permanent time period, subject to a site plan, a traffic management plan, and conditions

The following individuals addressed the city council on the item:

Elsie Thurman, 9406 Biscayne Blvd., representing DISD Kiest Elementary School Katy Lenihan, 9400 N. Central Expy., representing DISD Errol Browne, 14135 Midway Rd., Addison, TX, representing DISD Kiest Elementary School

Councilmember Moreno moved to close the public hearing, accept the recommendation of staff subject to a revised site plan and traffic management plan to reflect the following changes:

- Sidewalks must be a minimum unobstructed width of six feet along all street frontages, except that they must be a minimum unobstructed width of eight feet on Casa Oaks Drive and on the western portion of Millmar Drive (between Casa Oaks Drive and the western edge of the bus lane) and the western portion of Healey Drive (between Casa Oaks Drive and the western edge of the vehicular drive approach) as shown on the site plan.
- Along Shiloh Road and Casa Oaks Drive, fences must be located a minimum distance of 25 feet from the property line. Along Healey Drive and Millmar Drive, fences must be located at a minimum distance of 15 feet from the property line; except that this distance may be reduced on that portion of Millmar Drive where locating the fence 15 feet from the property line would interfere with the vehicle queuing driveway.
- Parking stalls must be constructed with at least 20% permeable materials as allowed by the paving design manual or bioretention area with equal capacity in runoff volume.
- There must be a minimum of two pedestrian access points from Healey Drive and Millmar Drive, and one pedestrian access point from Casa Oaks Drive. At least one of the pedestrian access points on Healey Drive and on Millmar Drive must be located to the west of all vehicle access points.

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- Pedestrian gates or openings in the fence must be provided at the pedestrian access points. Each pedestrian access point must be connected to a building entry by a paved pathway.
- Curb cuts are limited to a maximum of 24 feet, as indicated on the site plan.

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

APRIL 24, 2024

24-0631

ZONING CASES- INDIVIDUAL

Item Z12: Zoning Case Z223-282(GB)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, on the west corner of South Lancaster Road and Marfa Avenue

Recommendation of Staff: Approval

<u>Recommendation of CPC</u>: <u>Approval</u>, subject to deed restrictions volunteered by the applicant

Prior to consideration and the item being read into the record, Deputy Mayor Pro Tem Arnold moved to defer the item to the June 26, 2024 voting agenda meeting of the city council.

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

APRIL 24, 2024

24-0632

ZONING CASES- INDIVIDUAL

Item Z13: Zoning Case Z223-324(CR)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay District and deed restrictions [Z101-185], at the northeast line of Webb Chapel Road, southeast of Larga Drive

Recommendation of Staff: Approval for a permanent period, subject to a site plan and conditions

Recommendation of CPC: Approval for a four-year period, subject to a site plan and conditions

No one addressed the city council on the item.

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

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

APRIL 24, 2024

24-0633

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item Z14: Zoning Case Z223-112(MP)

A public hearing to receive comments regarding an application for and (1) an ordinance granting a Specific Use Permit for a motor vehicle fueling station; and (2) an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subdistrict 5 within Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay, on the southwest corner of Elam Road and C.F. Hawn Freeway

Recommendation of Staff: Denial

<u>Recommendation of CPC</u>: <u>Approval</u> for a three-year period, subject to a site plan, landscape plan and conditions

<u>Note</u>: This item was deferred by the City Council before opening public hearing on March 27, 2024, and is scheduled for consideration on April 24, 2024.

Prior to consideration and the item being read into the record, Mayor Pro Tem Atkins moved to defer the item to the June 26, 2024 voting agenda meeting of the city council.

Motion seconded by Councilmember Narvaez and unanimously deferred. (Bazaldua, Mendelsohn absent when vote taken; Resendez absent)

APRIL 24, 2024

24-0634

SPECIAL PROVISION SIGN DISTRICT

Item PH1:

A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new Special Provision Sign District (SPSD) on property containing the Wynnewood Village Shopping Center, to be known as the Wynnewood Village Sign District and zoned Regional Retail District (RR), on the northwest corner of West Illinois Avenue and South Zang Boulevard

Recommendation of Staff: Approval, subject to conditions

Recommendation of CPC: Approval, subject to conditions

The following individuals addressed the city council on the item:

Andrew Ruegg, 2201 Main St., representing Brixmor Property Group Brett Mike, 3259 Preston Rd., Frisco, TX, representing Brixmor Property Group

Councilmember West 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. (Bazaldua absent when vote taken; Resendez absent)

APRIL 24, 2024

24-0635

MISCELLANEOUS HEARINGS

Item PH2: A public hearing to receive comments on the proposed City of Dallas FY

2023-24 Urban Land Bank Demonstration Program Plan; and, at the close of the public hearing, approval of the City of Dallas FY 2023-24 Urban Land Bank Demonstration Program Plan in accordance with Chapter 379C of the Texas Local Government Code - Financing: No cost

consideration to the City

No one addressed the city council on the item.

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

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

APRIL 24, 2024

24-0636

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item PH3:

A public hearing to receive public comments on the adoption of Substantial Amendment No. 1 to the FY 2023-24 Action Plan for HOME Investment Partnerships Program American Rescue Plan Act Grant Funds for Homelessness Assistance and Supportive Services from the U.S. Department of Housing and Urban Development, to reallocate funds from Tenant Based Rental Assistance to Supportive Services in an amount not to exceed \$2,468,564.00 and to Administration and Planning in an amount not to exceed \$31,436.00, for a total amount not to exceed \$2,500,000.00, to continue supportive services and administration for the expanded R.E.A.L. Time Re-Housing Program - Financing: No cost consideration to the City (This item was held under advisement on January 24, 2024 and February 28, 2024)

No one addressed the city council on the item.

Councilmember Moreno moved to close the public hearing.

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

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, APRIL 24, 2024

EXHIBIT C