

# Memorandum



CITY OF DALLAS

DATE May 6, 2022

TO Honorable Mayor and Members of the City Council

SUBJECT **May 11, 2022 City Council FINAL Agenda - Additions/Revisions/Deletions**

On April 29, 2022 a DRAFT City Council Agenda for May 11, 2022, was provided for your review. This memorandum outlines any additions, revisions or deletions made to the FINAL agenda after the distribution of the DRAFT agenda. In addition, we have highlighted agenda items which have been briefed to the City Council and/or Committee by briefing memorandums.

Additional items and deletions to the DRAFT agenda are outlined below, including *revisions* to the FINAL agenda are underlined in blue and *deletions* are strikethrough in red. A brief explanation for revisions along with staff's contact information is provided.

## **Additions:**

50. 22-990 Authorize settlement of the lawsuit styled Spanky Branch LLC v. Mayor Eric Johnson, in His Official Capacity as Mayor of the City of Dallas, Cause No. DC-20-03797 - Estimated Revenue: Liability Reserve Fund \$50,000.00

## **Revisions:**

30. 22-835 Authorize Supplemental Agreement No. 3 to (1) the ratification of ratify \$478,973 to pay additional expenses related to professional services performed in advance of the adoption of 3C West of Lamar alternative adopted by City Council in February 2022; and ~~(2) Supplemental Agreement No. 3 to~~ increase the service contract with WSP, USA, Inc. for additional transportation and land use planning, and public meeting services required to complete the Kay Bailey Hutchison Convention Center Dallas Master Plan in the amount of \$678,701.50 – Total not to exceed \$1,157,674.50, from \$4,953,198.00 to \$6,110,872.50 - Financing: Convention Center Construction Fund (subject to annual appropriations)  
**This item is being revised to update the AIS and Resolution. Please contact Rosa Fleming, Director, Department of Convention and Event Services, at 214-939-2755, for more information.**

41. 22-880 An ordinance amending Chapter 20A, "Fair Housing and Mixed Income Housing," of the Dallas City Code by (1) amending Sections 20A-4.1, 20A-5, 20A-24 through 20A-28, 20A-30 through 20A-33; adding Section 20A-23.1 and Section 20A-34; and deleting Section 20A-29; (2) providing updated requirements regarding housing accommodations that benefit from a subsidy or financial award and clarifying certain non-discrimination provisions; (3) providing updated defenses to prosecution; (4) providing an updated applicability statement; (5) providing alternative methods to satisfy the requirements of the mixed income program; (6) providing clarified definitions and program

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implementation procedures; **(7)** deleting specific eligible household responsibilities; **(8)** providing for a set of specific fees in lieu of provision of on-site reserved dwelling units; **(9)** providing a penalty not to exceed \$500.00; **(10)** providing a saving clause; **(11)** providing a severability clause; and **(12)** providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

**This item is being revised to further streamline implementation and coordination with other processes. The revision also makes one correction to the section references. Please contact David Noguera, Director, Department of Housing & Neighborhood Revitalization, at 214-670-3619.**

42. 22-864 Authorize **(1)** an amendment to the City of Dallas Comprehensive Housing Policy (CHP), previously approved on May 9, 2018 by Resolution No. 18-0704, as amended, to amend the Mixed Income Housing Development Bonus (MIHDB) program by (a) adding additional development bonus options including additional development rights, parking reductions, and financial incentives and (b) adding a fee in lieu of on-site provision to fulfill the requirements of the bonus; and **(2)** establishment of the Mixed Income Housing Development Bonus Fund - Financing: No cost consideration to the City (see Fiscal Information)

**This item is being revised to further streamline coordination with other funding mechanisms. Please contact David Noguera, Director, Department of Housing & Neighborhood Revitalization, at 214-670-3619.**

- Z13. 22-1020 A public hearing to receive comments regarding consideration of amending permanent and temporary concrete or asphalt batching plant uses, including but not limited to amending potentially incompatible industrial uses, in the Dallas Development Code Chapter 51 and 51A

~~Recommendation of Staff and CPC: Approval, as briefed per staff's recommendations~~

Recommendation of Staff and CPC: Approval

~~DCA201-003(LL)~~DCA212-003(LL)

**This item is being revised to update the recommendation of Staff and the City Plan Commission. Please contact Andreea Udrea, Assistant Director, Department of Planning and Urban Design, at 21-671-9811, for more information.**

- Z14. 22-887 A public hearing to receive comments regarding consideration of amending the Dallas Development Code Division 51A-4.1100 "Mixed Income Housing" to support and align with proposed amendments to the City of Dallas Comprehensive Housing Policy and Dallas City Code Chapter 20A "Fair Housing and Mixed Income Housing."

~~Recommendation of Staff: Approval~~

~~Recommendation of CPC: Approval~~

Recommendation of Staff: Approval, subject to staff's recommended conditions

Recommendation of CPC: Approval, subject to CPC's recommended conditions

DCA201-008(SD)

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**This item is being revised to update the recommendation of Staff and the City Plan Commission. Please contact Andreea Udrea, Assistant Director, Department of Planning and Urban Design, at 214-671-9811, for more information.**

Additionally, File 22-695 Agenda Item No. 28 has been revised to update the M/WBE Information Section.

**Deletions:**

10. 22-933 An ordinance providing for the closure and vacation to vehicular traffic of a portion of South Pearl Expressway containing approximately 12,160 square feet of land, located at the intersection of South Pearl Expressway and Taylor Street - Financing: No cost consideration to the City  
**This item is being deleted to accompany items to be placed on the May 25, 2022 Council Agenda by the Office of Economic Development. Please contact Alireza Hatefi, Interim Assistant Director, Department of Public Works, at 214-948-4688, for more information.**
15. 22-1032 An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by adding Section 28-61.1. "Standing and Walking in Certain Areas Prohibited" **(1)** prohibiting standing and walking on medians measuring six feet or less in width, where no medians exist, or in an area designated as a clear zone; **(2)** providing a penalty not to exceed \$500; **(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)  
**The item is being deleted to ensure necessary updates are included in the code amendment. It may be considered in a future agenda meeting. Please contact Dr. Ghassan Khankarli, Director, Department of Transportation, at 214-671-8451, for more information.**
22. 22-913 Authorize a development agreement and all other necessary documents with FM City Park, LLC ("Adjacent Owner") and/or its affiliates in an amount not to exceed \$285,650.00 for the design and construction of the Pearl Improvement Project ("Project"), located in the Pearl Expressway public right-of-way between Taylor Street and Marilla Street, in Tax Increment Financing Reinvestment Zone Number Six ("Farmers Market TIF District"), approved as to form by the City Attorney, payable from Farmers Market Tax Increment Financing District funds, such improvements being necessary and convenient to the implementation of the Farmers Market TIF District Amended Project Plan and Reinvestment Zone Financing Plan - Not to exceed \$285,650.00 - Financing: Farmers Market TIF District Fund (subject to annual appropriations from tax increments)  
**This item is being deleted to allow additional time to discuss this matter. Please contact Robin Bentley, Director, Office of Economic Development, at 214-671-9942, for more information.**

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23. 22-914 Authorize a development agreement and an amendment to the Master Agreement, as amended, along with other documents the City deems necessary with 1100 Pearl Street, Inc. (“Developer”) and/or its affiliates in an amount not to exceed \$6,544,249.00 payable from future Farmers Market TIF District Funds, in consideration for the design, funding, and construction of the Pearl Lofts Project (“Project”) located on property currently addressed as 2100 Jan Pruitt Way (“Project site”) in Tax Increment Financing Reinvestment Zone Number Six (“Farmers Market TIF District”), approved as to form by the City Attorney, with such improvements being necessary and convenient to the implementation of the Farmers Market TIF District Project Plan and Reinvestment Zone Financing plan, as amended – Not to exceed \$6,544,249.00 - Financing: Farmers Market TIF District Fund (subject to future appropriations from tax increments)  
**This item is being deleted to allow additional time to discuss this matter. Please contact Robin Bentley, Director, Office of Economic Development, at 214-671-9942, for more information.**
- Z1. 22-1010 A public hearing to receive comments regarding an application for and an ordinance granting **1)** a new subdistrict within the Cedars West Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District; and **2)** the termination of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall on the west corner of South Riverfront Boulevard and Dearborn Street
- Recommendation of Staff: Approval, of a new subdistrict within the Cedars West Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, subject to a development plan and conditions; and approval of the termination of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall
- Recommendation of CPC: Approval, of a new subdistrict within the Cedars West Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, subject to a development plan and conditions; and approval of the termination of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall  
Z201-331(RM)  
**This item is being deleted due to a request for postponement of this item from a property owner within the area of notification. Please contact Andreea Udrea, Assistant Director, Department of Planning and Urban Design, at 214-671-9811, for more information.**

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A memorandum was previously provided to Committee and/or City Council regarding the following items. A link to the memorandums is attached for more information.

7. 22-772 Authorize an increase in parking rates to meet market standards and demand, as well as adjust for ever increasing costs for maintenance and labor management for Garages A, B, C, and Valet at the Dallas Love Field Airport - Estimated Revenue: Aviation Fund \$5,664,816.00  
[City Council was briefed by memorandum on May 6, 2022.](#)
14. 22-667 Authorize a development loan agreement with LDG The Terrace at Southern Oaks, LP and/or its affiliate, for the development of The Terrace at Southern Oaks, a 300-unit affordable multifamily complex located at 3300 Southern Oaks Boulevard, Dallas, Texas 75216 (Project) – Not to exceed \$7,900,000.00 - Financing: HOME Funds (\$3,500,000.00) and CDBG Funds (\$4,400,000.00)  
[The Housing and Homelessness Solutions Committee was briefed regarding this matter on April 25, 2022.](#)
15. 22-1032 An ordinance amending Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code by adding Section 28-61.1. “Standing and Walking in Certain Areas Prohibited” **(1)** prohibiting standing and walking on medians measuring six feet or less in width, where no medians exist, or in an area designated as a clear zone; **(2)** providing a penalty not to exceed \$500; **(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)  
[City Council was briefed by memorandum regarding this matter on December 3, 2021.](#)
18. Authorize **(1)** a public hearing to be held on June 8, 2022, to receive comments concerning the Dallas Tourism Public Improvement District (the District) expansion in accordance with Senate Bill 804, allowing the City to include property in a hotel-public improvement district (hotel-PID) 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 hearing, **(2)** a resolution approving District boundary expansion to include an estimated 6 additional Qualifying hotels in the District not described in the resolution or petition re-establishing the District in 2016 or 2020 boundary expansion (District expansion) - Financing: This action has no cost consideration to the City (see Fiscal Information)  
[The Economic Development Committee was briefed by a memorandum regarding this matter on May 2, 2022.](#)

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19. 22-855 Authorize **(1)** a public hearing to be held on June 8, 2022, to receive comments concerning the renewal of the Knox Street Public Improvement District (the District), in accordance with Chapter 372 of the Texas Local Government Code (the Act), 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 2023-2032 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 Knox Street 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)  
[The Economic Development Committee was briefed by a memorandum regarding this matter on May 2, 2022.](#)
20. 22-857 Authorize **(1)** a public hearing to be held on June 8, 2022, to receive comments concerning the renewal of the Lake Highlands Public Improvement District (the District), in accordance with Chapter 372 of the Texas Local Government Code (the Act), 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 2023-2032 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)  
[The Economic Development Committee was briefed by a memorandum regarding this matter on May 2, 2022.](#)
21. 22-868 Authorize **(1)** a public hearing to be held on June 8, 2022, to receive comments concerning the renewal of the Midtown Improvement District (the District), in accordance with Chapter 372 of the Texas Local Government Code (the Act), 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 2023-2032 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 Vickery Meadows Management Corporation DBA Midtown Management 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)  
[The Economic Development Committee was briefed by a memorandum regarding this matter on May 2, 2022.](#)

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24. 22-853 Authorize a public hearing to be held on June 8, 2022, to receive comments regarding extension of the Public/Private Partnership Program Guidelines and Criteria, for the period July 1, 2022 through December 31, 2022 - Financing: No cost consideration to the City  
[The Economic Development Committee was briefed by a memorandum regarding this matter on May 2, 2022.](#)
30. 22-835 Authorize [Supplemental Agreement No. 3](#) to **(1) ~~the ratification of~~ ratify** \$478,973 to pay additional expenses related to professional services performed in advance of the adoption of 3C West of Lamar alternative adopted by City Council in February 2022; and **(2) ~~Supplemental Agreement No. 3 to~~** increase the service contract with WSP, USA, Inc. for additional transportation and land use planning, and public meeting services required to complete the Kay Bailey Hutchison Convention Center Dallas Master Plan in the amount of \$678,701.50 - Total not to exceed \$1,157,674.50, from \$4,953,198.00 to \$6,110,872.50 - Financing: Convention Center Construction Fund (subject to annual appropriations)  
[City Council was briefed by memorandum regarding the Kay Bailey Hutchison Convention Center Dallas Master Plan on January 22, 2021.](#)  
[City Council was briefed by memorandum regarding progress to-date on the Kay Bailey Hutchison Convention Center Dallas Master Plan on August 13, 2021.](#)  
[The Transportation and Infrastructure Committee was updated by memorandum on questions presented during the December 7, 2021 briefing on December 17, 2021.](#)  
[City Council was briefed by memorandum regarding this matter on December 17, 2021.](#)  
[City Council was updated by memorandum regarding questions presented during the January 18, 2022 Transportation and Infrastructure briefing on January 28, 2022.](#)  
[City Council was briefed by memorandum regarding questions presented by a constituent regarding the Kay Bailey Hutchison Convention Center Dallas \(KBHCCD\) Master Plan on January 28, 2022.](#)
35. 22-889 Authorize acquisition from One Morrell, LLC of a tract of land containing approximately 206,362 square feet, improved with commercial structures and supporting facilities, located on Morrell Avenue near its intersection with Sargent Road for the Dallas Floodway Extension Project. - Not to exceed \$4,158,174.00 (\$4,135,174.00 plus closing costs and title expenses not to exceed \$23,000.00) -Financing: Storm Drainage Management Capital Construction Fund (\$1,492,597.87), Flood Protection and Storm Drainage Facilities Fund (1995 General Obligation Bond Funds) (\$230,198.11), Trinity Corridor Project Fund (1998 General Obligation Bond Funds) (\$423,328.83), Flood Protection and Storm Drainage Facilities Fund (1998 General Obligation Bond Funds) (\$323,075.58), Flood Protection and Storm Drainage Facilities Fund (2003 General Obligation Bond Funds) (\$125,605.60), and Flood Protection and Storm Drainage Facilities Fund (2006 General Obligation Bond Funds)(\$1,563,368.01)

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[The Mobility Solutions, Infrastructure and Sustainability Committee was briefed by memorandum regarding the projects and requirements related to the U.S. Army Corps of Engineers Supplemental Bi- Partisan Budget Act of 2018 \(PL 115-123\) on April 22, 2019.](#)

39. 22-989 An ordinance amending Chapter 7, "Animals," of the Dallas City Code by amending Sections 7-1.1, 7 -4.2, 7-4.5 7-4.10, and 7-8.1; **(1)** prohibiting the sale of dogs and cats at pet stores; **(2)** providing a penalty not to exceed \$500; providing a saving clause; **(3)** providing a severability clause; and **(4)** providing an effective date. Financing: No cost consideration (see Fiscal Information)

[The Quality of Life, Arts, and Culture Committee was briefed by memorandum regarding this matter on March 29, 2022.](#)

40. 22-1056 Authorize a professional services contract with WSP USA, Inc. to provide advance planning and feasibility for the Kay Bailey Hutchison Convention Center Dallas Master Plan - Not to exceed\$14,924,394.00 - Financing: Convention Center Construction Fund

[City Council was briefed by memorandum regarding the Kay Bailey Hutchison Convention Center Dallas Master Plan on January 22, 2021.](#)

[City Council was briefed by memorandum regarding progress to-date on the Kay Bailey Hutchison Convention Center Dallas Master Plan on August 13, 2021.](#)

[The Transportation and Infrastructure Committee was updated by memorandum on questions presented during the December 7, 2021 briefing on December 17, 2021.](#)

[City Council was briefed by memorandum regarding this matter on December 17, 2021.](#)

[City Council was updated by memorandum regarding questions presented during the January 18, 2022 Transportation and Infrastructure briefing on January 28, 2022.](#)

Please feel free to reach out to me or Kimberly Bizer Tolbert, Deputy City Manager if you have questions or should you require additional information at this time.



T.C. Broadnax  
City Manager

c: Chris Caso, City Attorney  
Mark Swann, City Auditor  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizer Tolbert, Deputy City Manager  
Jon Fortune, Deputy City Manager

Majed A. Al-Ghafry, Assistant City Manager  
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager  
Robert Perez, Interim Assistant City Manager  
Carl Simpson, Interim Assistant City Manager  
M. Elizabeth Reich, Chief Financial Officer  
Genesis D. Gavino, Chief of Staff to the City Manager  
Directors and Assistant Directors