

Memorandum



CITY OF DALLAS

DATE June 17, 2022

TO Honorable Mayor and Members of the City Council

SUBJECT **June 22, 2022 City Council FINAL Agenda - Additions/Revisions/Deletions**

On June 10, 2022 a DRAFT City Council Agenda for June 22, 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:

70. 22-910 Authorize **(1)** settlement of the lawsuit styled City of Dallas v. Delta Air Lines, Inc., et al., Cause No. 3:15-CV-02069-K - Estimated Revenue Foregone: Aviation Fund \$200,000.00 annually over a six-year period until the expiration of the current Use and Lease Agreements at Love Field; **(2)** a facilities lease agreement at Dallas Love Field with Delta Air Lines, Inc. for scheduled airline passenger service support space; and **(3)** a facilities use agreement at Dallas Love Field with Southwest Airlines for terminal storage and support space - Estimated Net Annual Revenue: \$470,761.40
71. 22-1430 An ordinance **(1)** appointing 10 full-time municipal judges and 18 associate (part-time) municipal judges for the City of Dallas municipal court of record for a two-year term ending May 31, 2024; **(2)** designating an administrative municipal judge; **(3)** establishing the annual salaries for the administrative municipal judge, the municipal judges, and the associate municipal judges; **(4)** providing a severability clause; and **(5)** providing an effective date - Not to exceed \$152,000.00 annually - Financing: General Fund
72. 22-1431 An ordinance amending the Dallas City Code by adding a new Chapter 38A, "Commercial Promoter Program" by **(1)** providing a commercial promoter registration program, registration fee, and safety plan requirements for commercial promoters; **(2)** amending Chapter 27, "Minimum Property Standards," of the Dallas City Code by amending Section 27-46 to include violations of Chapter 38A in the definition of code violations in the habitual nuisance properties program; **(3)** providing a penalty not to exceed \$2,000.00 for a violation of this chapter governing fire safety, zoning, or public health and sanitation, and \$500.00 for all other violations; **(4)** providing a saving clause; **(5)** providing a severability clause; and **(6)** providing an effective date - Estimated Revenue: Convention and Event Services Fund \$26,250.00 annually (see Fiscal Information)

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73. 22-1457 Authorize an amendment to Resolution No. 21-2047, previously approved on December 8, 2021, to allow the City to subordinate its liens to a financial institution's liens in relation to the development of Highpoint at Wynnewood, a mixed-income, multifamily development located 1911 Pratt Street Dallas, TX 75224 (Project), subject to the requirements of the Comprehensive Housing Policy (CHP) - Financing: No cost consideration to the City
74. 22-1054 An ordinance abandoning portions of three water easements and a drainage easement to Urban Smart Growth LP and Central Carroll Interests LLC, the abutting owners, containing a total of approximately 39,259 square feet of land, located near the intersection of North Central Expressway and Carroll Avenue - Revenue: General Fund \$5,400.00, plus the \$20.00 ordinance publication fee
75. 22-1405 Authorize a development agreement ("Agreement") and all other necessary documents with I-20 Lancaster Development, LLC and/or its affiliates for a City Subsidy in an amount not to exceed \$34,210,966.00 comprised of **(1)** an amount not to exceed \$2,800,000.00 in the form of an economic development grant payable from the City's Public/Private Partnership Fund ("PPP Grant"); and **(2)** an amount not to exceed \$31,410,966.00 plus an additional grant in lieu of interest payable from future University TIF District funds ("TIF Subsidy") in consideration of the University Hills Phase I Project on property generally bounded by Interstate Highway 20 (Lyndon B. Johnson Freeway), Lancaster Road, and the DART rail line in Tax Increment Financing Reinvestment Zone Number Twenty One (University TIF District) - Financing: Public/Private Partnership Fund (\$2,800,000.00) and University TIF District Fund (\$31,410,966.00) (subject to annual appropriations from tax increments)
76. 22-1406 Authorize the following: **(1)** the designation of approximately 11.0 acres of property located at the current address of 2323 North Field Street as depicted in Exhibit A and further described in Exhibit B attached to the resolution, in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 20 ("NEZ No. 20"), pursuant to Chapter 378 of the Texas Local Government Code, which has been determined will promote an increase in economic development in the zone, establish boundaries for the zone, and provide for an effective date for the zone; **(2)** a real property tax abatement with Hunt Realty or an affiliate thereof, including North End L.P. ("Owner") exempting 50% of the taxes on the added value to the net new tangible real property for a period not to exceed ten years; and **(3)** a business personal property tax abatement with Goldman Sachs & Co. LLC or an affiliate thereof ("Goldman Sachs" or "Tenant") exempting 50% of the taxes on the added value to the net new tangible business personal property for a period not to exceed five years; and **(4)** a Chapter 380 Economic Development Grant Agreement with Tenant in an amount not to exceed \$4,000,000.00 for job retention and creation; and **(5)** a Chapter 380 Economic Development Grant Agreement with Owner and/or Tenant or affiliates thereof in an amount not to exceed \$375,000.00 associated with expedited permitting and soft construction costs grant; all of which will promote state or local economic development and to stimulate business and commercial activity in the municipality in connection with jobs created and retained in association with a new office development in accordance with the City's Public/Private Partnership Program - Financing: Public/Private Partnership Funds (\$4,375,000.00) and Estimated Revenue Foregone - City ad valorem real personal property taxes estimated up to

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\$12,257,000.00 over a ten-year period and City ad valorem business personal property taxes estimated up to \$1,381,703.00 over a five-year period

77. 22-1481 Authorize **(1)** rescinding the construction contract awarded to Post L Group, LLC, previously approved on November 10, 2021 by Resolution No. 21-1850, for the construction of Fire Station No. 41 Replacement facility; and **(2)** to re-advertise this project located at 5920 Royal Lane - Financing: No cost consideration to the City
- 78.22-1259 Authorize an Interlocal Agreement with Dallas County to accept \$10,000,000.00, to be granted to the City of Dallas for the redevelopment of 4150 Independence Drive, Dallas, Texas 75237, and to provide for housing opportunities for unsheltered youth (ages 18-24) with a targeted focus on LGBTQIA+ via a co-run RFP and ensuing program development to serve the most vulnerable segment of the population, defined as at or below 30 percent Area Median Income - Financing: FY22 Dallas County ARPA Fund \$10,000,000.00
79. 22-1424 Authorize **(1)** an increase in appropriations in an amount not to exceed \$470,000.00 in the Operating Carryover Fund from General Fund Contingency Reserve; and **(2)** a transfer in an amount not to exceed \$470,000.00 from General Fund Contingency Reserve to the Operating Carryover Fund for the management of a diverse forestry canopy including preventative and reactive maintenance - Not to exceed \$470,000.00 - Financing: Operating Carryover Fund and General Fund Contingency Reserve (See Fiscal Information)

Revisions:

20. 22-1404 Authorize an amendment to the professional consulting contract with Michele S. Williams, ~~LLC-dba-Community-Equity-Strategies~~ [a sole proprietorship](#), for phase II consulting services and community input for drafting a new Comprehensive Housing Policy, action plan, and accomplishment measures that incorporates the recommendations from the equity review conducted by TDA Consulting, Inc. for a term of one year, in an amount not to exceed \$306,704.00 – Financing: General Fund \$306,704.00
This item is being revised to make updates to the AIS and Resolution. Please contact David Noguera, Director, Department of Housing & Neighborhood Revitalization, at 214-670-3619, for more information.
43. 22-1274 Authorize the **(1)** acceptance of a grant from the Environmental Protection Agency (EPA) State Environmental Justice Cooperative Agreement (SEJCA) (Grant No. AJ-02F05001, CFDA No. 66.312) grant in the amount of \$200,000.00 to purchase and deploy non-regulatory air monitoring equipment in up to five (5) neighborhoods in the 75211 and 75212 zip codes, for the period October 1, 2021 through September 30, 2023; **(2)** receipt and deposit of funds in an amount not to exceed \$200,000.00 in the EPA State Environmental Justice Cooperative Agreement Fund; **(3)** establishment of appropriations in an amount not to exceed \$200,000.00 in the EPA State Environmental Justice Cooperative Agreement Fund **(4)** execution of the grant agreement with the EPA and all terms, conditions, and documents required by the agreement; and **(5)** coordination of initiatives, activities and partnerships necessary to fully implement the goals set forth in the SEJCA Grant Work Plan; **(6)** and execution of ~~a Memorandum of Understanding (MOU)~~

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[Subrecipient Agreements](#) between the City and the sub-recipients of this grant (Texas A&M University – Transportation Institute, Center for Applied Research (TAMU-TTI-CARTEEH), Children’s Health (Children’s), and Positive Breathing – Asthma Chasers (PB-AC) – Not to exceed \$200,000.00 – Financing: EPA SEJCA Grant Funds

This item is being revised to update the AIS and Resolution. Please contact Carlos Evans, Director, Office of Environmental Quality & Sustainability, at 214-670-1642, for more information.

50. 22-8 Authorize a five-year service price agreement for non-engineering environmental consulting, investigative and remediation services with AECOM Technical Services, Inc., Alan Plummer and Associates Inc. dba. Plummer Associates, Inc., Apex TITAN, Inc., Aptim Environmental & Infrastructure, Inc., Arredondo, Zepeda & Brunz, LLC, ~~W&M Environmental, a Division of~~ Braun Intertec Corporation, Burns & McDonnell Engineering Company, Inc., EA Engineering, Science and Technology, Inc., Enercon Services Inc., EnSafe Inc., Ensolum, LLC, Freese and Nichols, Inc., Gresham Smith and Partners, Groundwater & Environmental Services, Inc., Halff Associates, Inc., Incontrol Technologies, Inc., Lynn Clark Associates, Inc., dba. LCA Environmental, Inc., Modern Geosciences, LLC, Raba Kistner, Inc., Terracon Consultants, Inc., Texas Green Star Environmental, LLC dba. Green Star Environmental, Weston Solutions, Inc., Wood Environment & Infrastructure Solutions, Inc. for citywide use, most advantageous proposers of forty-two - Total estimated amount of \$29,417,509.07 - Financing: General Fund (~~\$12,202,518.74~~[11,602,518.74](#)), Park and Recreation Facilities (B) Fund (\$4,660,556.25), Aviation General Fund (\$3,250,000.00), Sanitation Operation Fund (\$1,879,434.08), Facilities (H) Fund (\$1,132,500.00), Public Safety (G) Fund (\$1,132,500.00), Water Construction Fund (~~\$690,000.00~~), Sewer Construction Fund (\$345,000.00), Storm Water Drainage Construction Fund (\$3,625,000.00), Convention Center Fund (~~\$150,000.00~~[500,000](#)), Nas Redevelopment Fund (\$250,000.00), [Lead Hazard Control and Healthy Homes Grant \(\\$250,000.00\)](#), and Cultural Facilities (F) Fund (\$100,000.00)

This item is being revised to make updates to the AIS and Resolution. Please contact Danielle Thompson, Director, Office of Procurement Services, at 214-670-3874, for more information.

54. 22-1478 Authorize an ~~two-year~~ [eighteen-month](#) subrecipient agreement to provide legal services to residential tenants at risk of eviction and homelessness due to financial hardships brought on by the COVID-19 pandemic for the Office of Equity and Inclusion - Legal Aid of NorthWest Texas, most advantageous proposer of two - Not to exceed ~~\$250,000~~ [\\$500,000](#) - Financing: Coronavirus State and Local Fiscal Recovery Funds

This item is being revised to make updates to the AIS and Resolution. Please contact Danielle Thompson, Director, Office of Procurement Services, at 214-670-3874, for more information.

55. 22-1117 Authorize **(1)** ~~Supplemental~~ [Renewal](#) Agreement No. 1 to exercise the first of two one-year renewal options, with REKJ Builders, LLC, for residential rehabilitation repair services to homes with code violations that residents cannot afford to repair for the Department of Housing & Neighborhood Revitalization, and **(2)** an increase in appropriations in an amount not to exceed \$500,000 in the Dallas Tomorrow Fund

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to be used for associated costs - Not to exceed \$500,000 - Financing: Dallas Tomorrow Fund (subject to annual appropriations)

This item is being revised to make updates to the AIS and Resolution. Please contact Danielle Thompson, Director, Office of Procurement Services, at 214-670-3874, for more information.

61. 22-1369 Authorize **(1)** a Conditional Chapter 380 Economic Development Loan Agreement with MLK Kingdom Complex, LLC (Developer) in an amount not to exceed \$350,000.00 sourced with the South Dallas/Fair Park Opportunity Fund; and **(2)** a [Chapter 380 Conditional Grant Agreement](#) with Developer in an amount not to exceed \$100,000.00 sourced with the Southern Dallas Investment Fund, for construction costs to develop 3101 Martin Luther King Jr. Blvd. and 2904 Meadow Street of Dallas, Texas into the MLK Wellness Complex and parking – [Total amount not to exceed \\$450,000.00](#) Financing: South Dallas/Fair Park Opportunity Fund ~~not to exceed~~ \$350,000.00 and 2017 Proposition (I) Bonds Fund ~~not to exceed~~ \$100,000.00 ~~in a combined total amount not to exceed \$450,000.00~~
- This item is being revised to make updates to the AIS and Resolution. Please contact Joyce Williams, Director, Small Business Center Department, at 214-970-5624, for more information.**

- PH2. 22-1333 A public hearing to receive comments on proposed amendments to the Project Plan and Reinvestment Zone Financing Plan (“Plan”) for Tax Increment Reinvestment Zone Number Eleven, the Downtown Connection Tax Increment Financing (“TIF”) District (“District”) to: **(1)** create two sub-districts within the [Zone District](#): **(a)** Downtown Connection Sub-district (original District boundary) and **(b)** Newpark Sub-district; **(2)** increase the geographic area of the District to add approximately 14.2 acres to create the Newpark Sub-district to facilitate anticipated redevelopment; **(3)** increase the total budget of the District (Downtown Connection Sub-district budget) from \$231,593,554.00 Net Present Value (NPV 2005 dollars) (approximately \$454,707,775.00 total dollars) to \$402,897,888.00 NPV (approximately \$1,059,227,817.00 total dollars, an increase of \$171,304,334.00 NPV (approximately \$604,520,042.00 total dollars); **(4)** modify the Downtown Connection Sub-district budget to add a line item for a public safety building to replace Fire Station #18; **(5)** establish a termination date for the Newpark Sub-district of December 31, 2052; **(6)** establish the percentage of tax increment contributed by the City of Dallas during the term of the Newpark Sub-district at 90%; **(7)** establish a total budget for the Newpark Sub-district of \$90,329,182.00 NPV 2022 dollars (approximately \$223,786,626.00 total dollars); **(8)** request Dallas County participation in the Newpark Sub-district at 55% for twenty years beginning in 2027; and **(9)** make corresponding modifications to the District boundary, budget, Plan, and participation agreement with Dallas County; and at the close of the hearing, consider an ordinance amending Ordinance No. 26020, as amended, previously approved on June 8, 2005, and Ordinance No. 26096, as amended, previously approved on August 29, 2005, to reflect these amendments - Financing: No cost consideration to the City

This item is being revised to update the AIS. Please contact Robin Bentley, Director, Office of Economic Development, at 214-671-9942, for more information.

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Deletions:

34. 22-1275 Authorize **(1)** a Development Participation Contract with Texas Trees Foundation for the donation of privately funded design plans for a City of Dallas 2017 General Obligation Bond Program Project identified as the Southwestern Medical District Streetscape Plan/Harry Hines Boulevard Improvements (Market Center DART Station to Mockingbird Lane); and **(2)** an Operating and Maintenance Agreement with Texas Trees Foundation for non-standard public improvements associated with the Harry Hines Boulevard Improvements Project (Market Center to Mockingbird Lane) - Financing: This action has no cost consideration to the City (see fiscal information for potential future costs)
This item was deleted to bring back at a later date. Please contact Dr. Ghassan Khankarli, Director, Department of Transportation, at 214-671-8451, for more information.

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.

15. 22-954 Authorize **(1)** the sale of up to 10 Land Transfer Program lots to Masa Design Build LLC, and/or its affiliates (Developer) subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Transfer Program - Estimated Revenue: General Fund \$12,996.49; **(2)** the release of lien for all non-tax City liens, notices, or orders that were filed on up to 10 Land Transfer Program lots sold to Developer prior to or subsequent to the deeds transferring the lots to the City of Dallas; and **(3)** execution of a development agreement with Developer for the construction of up to 10 single-family homes on the Land Transfer Program lots - Estimated Revenue Foregone: \$73,003.82
[The Housing and Homelessness Solutions Committee was be briefed by memorandum regarding this matter on April 25, 2022.](#)
59. 22-1318 Authorize a public hearing to be held on August 10, 2022 to receive comments on amending Dallas City Code Chapter 15D; SEC 15D-15 Definitions; Sec 15D-16 Driving Wrecker To A Police Scene Prohibited; Exception; SEC 15D-17 Soliciting Wrecker Business At A Police Scene Prohibited; Presence At Scene As Evidence Of Violation; SEC 15D-21 License Application; Change of Zone; SEC 15D-22 License Qualifications; SEC 15D-50 Emergency Wrecker Service Zones; Wrecker Rotation List; SEC 15D-52 Requirements and Operating Procedures For Emergency Wrecker Service; SEC 15D-53 Rapid Response Program; SEC 15D-55 Notification of Police Department; SEC 15D-56 City-Owned Wreckers - Financing: No cost consideration to the City
[The Public Safety Committee was briefed by memorandum regarding this matter on June 13, 2022.](#)
60. 22-1218 Authorize the **(1)** acceptance of a donated 2019 Protector Targa 310 boat with an estimated value of \$250,000.00 from Victor Vescovo to the Dallas Police Department - Financing: This action has no cost consideration to the City (see Fiscal Information)
[The Public Safety Committee was briefed by memorandum regarding this matter on June 13, 2022.](#)

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75. 22-1405 Authorize a development agreement (“Agreement”) and all other necessary documents with I-20 Lancaster Development, LLC and/or its affiliates for a City Subsidy in an amount not to exceed \$34,210,966.00 comprised of **(1)** an amount not to exceed \$2,800,000.00 in the form of an economic development grant payable from the City’s Public/Private Partnership Fund (“PPP Grant”); and **(2)** an amount not to exceed \$31,410,966.00 plus an additional grant in lieu of interest payable from future University TIF District funds (“TIF Subsidy”) in consideration of the University Hills Phase I Project on property generally bounded by Interstate Highway 20 (Lyndon B. Johnson Freeway), Lancaster Road, and the DART rail line in Tax Increment Financing Reinvestment Zone Number Twenty One (University TIF District) - Financing: Public/Private Partnership Fund (\$2,800,000.00) and University TIF District Fund (\$31,410,966.00) (subject to annual appropriations from tax increments)
[On June 6, 2022, the Economic Development Committee was briefed regarding this matter.](#)

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