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CITY SECRETARY
DALLAS, TEXAS

City of Dallas



COUNCIL AGENDA

May 8, 2019

***Kleberg-Rylie Recreation Center
1515 Edd Road
Dallas, Texas 75253***

Public Notice

190440

POSTED CITY SECRETARY
DALLAS, TX

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

If you need interpretation in Spanish language, please contact the City Secretary's Office at 214-670-3738 with a 48 hour advance notice.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-3738 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act.

The Council agenda is available in alternative formats upon request.

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Si necesita interpretación en idioma español, por favor comuníquese con la oficina de la Secretaria del Ayuntamiento al 214-670-3738 con notificación de 48 horas antes.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-3738 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

Handgun Prohibition Notice for Meetings **of Governmental Entities**

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, MAY 8, 2019
KLEBERG-RYLIE RECREATION CENTER
1515 EDD ROAD
DALLAS, TX 75253
ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

2:00 p.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 20

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 2:15 p.m.

Items 21 - 23

PUBLIC HEARINGS AND RELATED ACTIONS

6:00 p.m.

Items 24 - 34

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. 19-596 Approval of Minutes of the April 24, 2019 City Council Meeting

CONSENT AGENDA

Department of Public Works

2. 19-46 Authorize a design-build services contract with Harrison, Walker & Harper, L.P. for the design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the new Fire Station Number 59 to be located at 7097 South Jim Miller Road - Not to exceed \$658,932.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)
3. 19-484 Authorize an increase in the construction services contract with Tiseo Paving Company to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection - Not to exceed \$143,240.99, from \$7,663,717.75 to \$7,806,958.74 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
4. 19-501 Authorize Supplemental Agreement No. 5 to the professional services contract with Civil Associates, Inc. for additional engineering design of street lighting, plan revisions to incorporate recent adjacent private development, and necessary design modifications associated with the right-of-way acquisition needed for the Central Business District Fair Park Link from Hall Street to Interstate Highway 30 - Not to exceed \$251,110.00, from \$619,383.27 to \$870,493.27- Financing: Street and Transportation Improvements Fund (2006 Bond Funds) (\$239,770.00) and Water Utilities Capital Construction Funds (\$11,340.00)

Department of Sustainable Development and Construction

5. 19-490 Authorize acquisition from Aaron Glenn Parker, of approximately 26,770 square feet of land improved with a manufactured home located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$38,929.00 (\$35,929.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Water Construction Fund

6. 19-384 Authorize acquisition from Nueva Vida/New Life Assembly Inc., of approximately 27,669 square feet of land for a Temporary Working Space Easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$13,835.00 - Financing: Water Construction Fund
7. 19-427 Authorize moving expense and replacement housing payments for Jorge Martinez and Lidia Silva Perez as a result of an official written offer of just compensation to purchase real property at 2919 Alex Street for the Cadillac Heights Phase II Project - Not to exceed \$71,050.00 - Financing: Land Acquisition in Cadillac Heights (2006 Bond Funds)
8. 19-575 An ordinance amending Chapter 19 "Health and Sanitation", of the Dallas City Code by adding Section 19-38; requiring at least one safe, sanitary, and convenient diaper changing accommodation in publicly available and accessible restrooms in city-owned buildings and structures containing certain restaurant and retail uses - Financing: This action has no cost consideration to the City (see Fiscal Information)

Department of Transportation

9. 19-387 Authorize an amendment to the Municipal Maintenance Agreement with the Texas Department of Transportation for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City
10. 19-394 Authorize a Beautification Agreement with the Fort Worth Avenue Development Group for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City (see Fiscal Information)

Office of Budget

11. 19-609 A resolution denying rates as requested by Oncor Electric Delivery Company LLC in its application for a Distribution Cost Recovery Factor filed with the City of Dallas on April 8, 2019 - Financing: No cost consideration to the City

Office of Procurement Services

12. 19-550 Authorize the purchase of **(1)** three mobile surveillance towers for the Police Department in the amount of \$610,835.75; and **(2)** seven self-contained breathing apparatus with parts and accessories for the Police Department in the amount of \$88,085.47 with Safeware, Inc. through the U.S. Communities Government Purchasing Alliance cooperative agreement - Total not to exceed \$698,921.22 - Financing: U.S. Department of Homeland Security Grant Funds
13. 19-416 Authorize a three-year service price agreement, with two one-year renewal options, for electronic waste collection and recycling services for the Department of Sanitation Services - Universal Recycling Technologies, LLC, lowest responsible bidder of three - Estimated amount of \$143,702.70 - Financing: Sanitation Operation Fund
14. 19-411 Authorize a five-year service price agreement for on-site heavy-duty truck washing services for the Department of Sanitation Services - FW Fleet Clean, LLC, lowest responsible bidder of two - Not to exceed \$1,253,122 - Financing: Sanitation Operation Fund
15. 19-486 Authorize a three-year master agreement for smoke alarms for the Fire-Rescue Department - Asset Lighting and Electric, Inc., lowest responsible bidder of five - Estimated amount of \$226,380 - Financing: General Fund

Water Utilities Department

16. 19-545 Authorize acquisition from 505 Riverfront, Ltd., of a subsurface Fiber Optic Communication easement under approximately 1,482 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed \$19,908.00 (\$16,908.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)
17. 19-546 Authorize acquisition from 505 Riverfront, Ltd., of a Fiber Optic Communication easement containing two surface tracts totaling approximately 342 square feet of land and a subsurface tract under approximately 2,816 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed \$53,667.00 (\$50,667.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)

18. 19-544 Authorize a resolution **(1)** reaffirming the protection of the Great Trinity Forest and upholding the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and **(2)** directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
19. 19-379 Authorize a professional services contract with HDR Engineering, Inc. for the engineering design of Storm Drainage Contract No. 1 for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System - Not to exceed \$1,066,050.69 - Financing: Storm Drainage Management Capital Construction Fund
20. 18-1133 Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional engineering and construction administration services associated with heating, ventilation, and air conditioning system improvements and building envelope renovations at various Dallas Water Utilities owned facilities - Not to exceed \$139,871.85, from \$2,653,128.64 to \$2,793,000.49 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

21. 19-597 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)

Office of Budget

22. 19-601 Authorize **(1)** preliminary adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$29,896,688 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$14,697,642; **(b)** HOME Investment Partnerships Program in the amount of \$5,427,679; **(c)** Emergency Solutions Grant in the amount of \$1,256,675; **(d)** Housing Opportunities for Persons with AIDS in the amount of \$7,058,692; and **(e)** estimated Program Income in the amount of \$1,456,000; **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24; and **(3)** a public hearing to be held on May 22, 2019, to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Water Utilities Department

23. 19-506 Authorize a Project Partnership Agreement with the U.S. Army Corps of Engineers to complete design and construction for the Modified Dallas Floodway Project Flood Risk Management Projects, as defined in the Water Resources Development Act of 2007 and the 2015 Record of Decision, including associated interior drainage improvements adjacent to the Dallas Floodway levees, and consistent with the Balanced Vision Plan for the Trinity River Corridor Project - Not to exceed \$69,015,000.00 - Financing: Trinity River Corridor Project Funds (1998 Bond Funds) (\$66,996,164.00) and Flood Protection and Storm Drainage Facilities Fund (2006 Bond Funds) (\$2,018,836.00)

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Sustainable Development and Construction**ZONING CASES - CONSENT

24. 19-589 A public hearing to receive comments regarding an application for and (1) an ordinance granting an MU-3 Mixed Use District; and (2) an ordinance granting a Specific Use Permit for a commercial amusement (outside) use on a portion on property zoned an IR Industrial Research District, west of East Technology Boulevard, north of Connector Drive
Recommendation of Staff and CPC: Approval of an MU-3 Mixed Use District and approval of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-240(SM)

ZONING CASES - INDIVIDUAL

25. 19-590 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for IR Industrial Research District uses plus a community resource campus on property zoned an IR Industrial Research District, on the west side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive
Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z178-121(JM)

26. 19-591 A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1871 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-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z178-378(SM)
27. 19-592 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Use District uses on property zoned an MF-2(A) Multifamily District, on the northwest corner of East Side Avenue and South Collett Avenue
Recommendation of Staff: Denial.
Recommendation of CPC: Approval, subject to a development plan and conditions
Z189-125(CY)
28. 19-593 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Cedar Springs Road and Maple Avenue
Recommendation of Staff: Approval, subject to a revised development plan and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions
Z189-145(JM)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

29. 19-645 A public hearing to receive comments regarding an application for and (1) an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; (2) a resolution terminating the existing deed restrictions [Z845-227]; and (3) an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)
- Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions
- Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions
- Z167-180(JM)
- Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was held under advisement until May 8, 2019, with the public hearing open
30. 19-580 A public hearing to receive comments regarding an application for and (1) an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and (2) an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street
- Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use
- Z178-260(SM)
- Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019 and April 10, 2019, and is scheduled for consideration on May 8, 2019

31. 19-649 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses on property zoned a GR General Retail Subdistrict and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of North Fitzhugh Avenue and Buena Vista Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions
Z189-155(SM)
Note: This item was deferred by the City Council before opening the public hearing on April 24, 2019, and is scheduled for consideration on May 8, 2019

SPECIAL PURPOSE SIGN DISTRICT

32. 19-594 A public hearing to receive comments regarding a City Council authorized hearing to amend the Antioch Church Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the southeast corner of Pacific Avenue and North Austin Street with consideration given to amending Division 51A-7.1007.2 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
SPSD189-003
33. 19-595 A public hearing to receive comments regarding a City Council authorized hearing to amend the Purse Building Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the northeast corner of Elm Street and Record Street with consideration being given to amending Division 51A-7.1007.1 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
SPSD189-004

MISCELLANEOUS HEARINGS

Fire-Rescue Department

34. 19-610 A public hearing to receive comments on an amendment to Chapter 16, "Dallas Fire Code," of the Dallas City Code, **(1)** decreasing the hourly standby personnel fee; **(2)** providing a definition of alternative standby personnel; **(3)** allowing alternative standby personnel to conduct fire watch duties; **(4)** requiring standby personnel and alternative standby personnel to have a minimum of two means of contact the fire department; and **(5)** providing minimum qualifications of alternative standby personnel; and, at the close of the public hearing an ordinance granting an amendment to Chapter 16, "Dallas Fire Code", of the Dallas City Code - Financing: This action has no cost consideration to the City (see Fiscal Information for cost consideration to others)

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

**MAY 8, 2019 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated May 8, 2019. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



T.C. Broadnax
City Manager

5/3/2019

Date



Elizabeth Reich
for Chief Financial Officer

5/3/19

Date

RECEIVED

2019 MAY -3 PM 3:12

CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, MAY 8, 2019
CITY OF DALLAS
KLEBERG-RYLIE RECREATION CENTER
1515 EDD ROAD
DALLAS, TX 75253
2:00 P.M.**

REVISED ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

2:00 p.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 20

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 2:15 p.m.

Items 21 - 23
Addendum Items 1 - 7

PUBLIC HEARINGS AND RELATED ACTIONS

6:00 p.m.

Items 24 - 34
Addendum Item 8

Handgun Prohibition Notice for Meetings of Governmental Entities

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"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

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ADDITIONS:ITEMS FOR INDIVIDUAL CONSIDERATION**Department of Human Resources**

1. 19-711 A resolution authorizing a first amendment to the City Manager Agreement of Employment with City Manager T.C. Broadnax to increase his annual base salary in the amount of \$11,850.00, effective May 8, 2019 - Not to exceed \$11,850.00, from \$395,000.00 to \$406,850.00 - Financing: General Fund
2. 19-712 A resolution authorizing an increase in the annual base salary of the City Secretary Bilierae Johnson in the amount \$7,500.00, effective May 8, 2019 - Not to exceed \$7,500.00, from \$150,000.00 to \$157,500.00 - Financing: General Fund

Municipal Court Judiciary

3. 19-644 A resolution appointing four associate (part-time) hearing officers to preside over the City of Dallas's municipal court of record and shall serve until a successor is recommended by the administrative judge and appointed by the city council - Financing: No cost consideration to the City
4. 19-700 An ordinance establishing the judicial salaries for the administrative judge and full-time municipal judges - Financing: General Fund

Office of Budget

5. 19-603 An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 15, 2019 Dallas Annual Rate Review filing - Financing: No cost consideration to the City

Office of Economic Development

6. 19-679 Authorize a resolution **(1)** designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code to promote an increase in economic development in the zone, establish the boundaries of the zone, and provide for an effective date; and **(2)** creating a pilot economic development program for City of Dallas NEZ No. 9 to encourage increased economic development in the zone - Financing: No cost consideration to the City (see Fiscal Information)

Police Department

7. 19-621 Authorize **(1)** an application for and acceptance of the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No. 20.616) in the amount of \$84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for a safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; **(2)** a City contribution of Federal Insurance Contributions Act costs in the amount of \$1,232.36; **(3)** the establishment of appropriations in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; **(4)** the receipt and deposit of grant funds in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; and **(5)** execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount \$86,222.36 - Financing: General Fund (\$1,232.36) and Texas Department of Transportation Grant Funds (\$84,990.00)

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

Office of Budget

8. 19-680 A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

CORRECTION:**Department of Sustainable Development and Construction**

29. 19-645 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)

Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions

Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions

Z167-180(JM)

Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was deferred ~~held under advisement~~ until May 8, 2019, with the public hearing open

DELETION:**Water Utilities Department**

18. 19-544 Authorize a resolution **(1)** reaffirming the protection of the Great Trinity Forest and upholding the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and **(2)** directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

Addendum Date: May 8, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	I	PER	\$11,850.00	A resolution authorizing a first amendment to the City Manager Agreement of Employment with City Manager T.C. Broadnax to increase his annual base salary in the amount of \$11,850.00, effective May 8, 2019 - Not to exceed \$11,850.00, from \$395,000.00 to \$406,850.00 - Financing: General Fund
2.	N/A	I	PER	\$7,500.00	A resolution authorizing an increase in the annual base salary of the City Secretary Bilierae Johnson in the amount \$7,500.00, effective May 8, 2019 - Not to exceed \$7,500.00, from \$150,000.00 to \$157,500.00 - Financing: General Fund
3.	N/A	I	CTJ	NC	A resolution appointing four associate (part-time) hearing officers to preside over the City of Dallas's municipal court of record and shall serve until a successor is recommended by the administrative judge and appointed by the city council - Financing: No cost consideration to the City
4.	N/A	I	CTJ	TBD	An ordinance establishing the judicial salaries for the administrative judge and full-time municipal judges - Financing: General Fund
5.	N/A	I	BMS	NC	An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 15, 2019 Dallas Annual Rate Review filing - Financing: No cost consideration to the City
6.	6	I	ECO	NC	Authorize a resolution (1) designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code to promote an increase in economic development in the zone, establish the boundaries of the zone, and provide for an effective date; and (2) creating a pilot economic development program for City of Dallas NEZ No. 9 to encourage increased economic development in the zone - Financing: No cost consideration to the City (see Fiscal Information)
7.	All	I	DPD	\$1,232.36	Authorize (1) an application for and acceptance of the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No. 20.616) in the amount of \$84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for a safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; (2) a City contribution of Federal Insurance Contributions Act costs in the amount of \$1,232.36; (3) the establishment of appropriations in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund;

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					(4) the receipt and deposit of grant funds in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; and (5) execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount \$86,222.36 - Financing: General Fund (\$1,232.36) and Texas Department of Transportation Grant Funds (\$84,990.00)
8.	N/A	PH	BMS	NC	A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

TOTAL \$20,582.36



Agenda Information Sheet

File #: 19-711

Item #: 1.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Human Resources

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution authorizing a first amendment to the City Manager Agreement of Employment with City Manager T.C. Broadnax to increase his annual base salary in the amount of \$11,850.00, effective May 8, 2019 - Not to exceed \$11,850.00, from \$395,000.00 to \$406,850.00 - Financing: General Fund

BACKGROUND

This item is on the addendum at the request of the City of Dallas, Mayor Mike Rawlings.

On April 24, 2019, City Council evaluated the performance of City Manager T.C. Broadnax. As a result of this annual performance review, the city manager's annual base salary will be increased by \$11,850.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2016, City Council appointed T.C. Broadnax as City Manager of the City of Dallas, effective February 1, 2017, and authorized execution of the City Manager Agreement of Employment, by Resolution No. 16-2003.

On May 2, 2018, and April 24, 2019, City Council conducted performance reviews of City Manager T.C. Broadnax.

FISCAL INFORMATION

General Fund - \$11,850.00

May 8, 2019

WHEREAS, on December 14, 2016, City Council appointed T.C. Broadnax as City Manager of the City of Dallas, effective February 1, 2017, and authorized execution of the City Manager Agreement of Employment, by Resolution No. 16-2003, which established his annual base salary at \$375,000.00, with a base salary increase of \$20,000.00 on February 1, 2018; and

WHEREAS, on May 2, 2018, and April 24, 2019, the City Council conducted performance reviews of the City Manager and recommended an increase of \$11,850.00 in his annual base salary of \$395,000.00.

Now, Therefore,

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

SECTION 1. That City Manager T.C. Broadnax receive an increase in his annual base salary in the amount of \$11,850.00, from \$395,000.00 to \$406,850.00 effective May 8, 2019.

SECTION 2. That an Assistant City Manager is hereby authorized to execute the first amendment to the City Manager Agreement of Employment with T.C. Broadnax reflecting the base salary compensation adjustment authorized by the City Council.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 19-712

Item #: 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Human Resources

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution authorizing an increase in the annual base salary of the City Secretary Bilierae Johnson in the amount \$7,500.00, effective May 8, 2019 - Not to exceed \$7,500.00, from \$150,000.00 to \$157,500.00 - Financing: General Fund

BACKGROUND

This item is on the addendum at the request of the City of Dallas, Mayor Mike Rawlings.

On April 24, 2019, City Council evaluated the performance of City Secretary Bilierae Johnson. As a result of this annual performance review, the city secretary's annual base salary will be increased by \$7,500.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 11, 2018, City Council appointed Bilierae Johnson as City Secretary for the City of Dallas for a two-year term beginning on April 11, 2018, at a base salary of \$150,000.00.

On April 24, 2019, City Council conducted a performance review of City Secretary Bilierae Johnson.

FISCAL INFORMATION

General Fund - \$7,500.00

May 8, 2019

WHEREAS, on April 11, 2018, City Council appointed Bilierae Johnson as City Secretary of the City of Dallas for a two-year term beginning on April 11, 2018, and established her annual base salary of \$150,000.00; and

WHEREAS, on April 24, 2019, the City Council conducted a performance review of the City Secretary and recommended an increase of \$7,500.00 in her annual base salary of \$150,000.00.

Now, Therefore,

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

SECTION 1. That City Secretary Bilierae Johnson receive an increase in her annual base salary in the amount of \$7,500.00, from \$150,000.00 to \$157,500.00 effective May 8, 2019.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 19-644

Item #: 3.

STRATEGIC PRIORITY: Public Safety
AGENDA DATE: May 8, 2019
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Municipal Court Judiciary
EXECUTIVE: Preston Robinson

SUBJECT

A resolution appointing four associate (part-time) hearing officers to preside over the City of Dallas's municipal court of record and shall serve until a successor is recommended by the administrative judge and appointed by the city council - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum per the Ad Hoc Nominations Committee.

Section 27-16.17 of the Dallas City Code provides that hearing officers shall be recommended by the administrative judge and appointed by the city council, and shall serve until a successor is recommended by the administrative judge and appointed by the city council. The city council shall appoint one hearing officer and may appoint a maximum of five associate (part-time) hearing officers, who shall have the same qualifications and have the same powers, duties, and functions of the hearing officer.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 28, 2016, City Council passed an ordinance amending Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code to provide that hearing officers shall be recommended by the administrative judge and appointed by the city council, and shall serve until a successor is recommended by the administrative judge and appointed by the city council.

On March 13, 2019, the administrative judge and three panel members interviewed 10 of 13 candidates for the associate (part-time) hearing officer positions.

On April 8, 2019, the Ad Hoc Judicial Nominations Committee recommended four nominees to be forwarded to the City Council for consideration and appointment.

FISCAL INFORMATION

No cost consideration to the City.

May 8, 2019

WHEREAS, Section 27-16.17 of the Dallas City Code provides that hearing officers shall be recommended by the administrative judge and appointed by the city council, and shall serve until a successor is recommended by the administrative judge and appointed by the city council; and

WHEREAS, the city council shall appoint one hearing officer and may appoint a maximum of five associate hearing officers, who shall meet the same qualifications and have the same powers, duties, and functions of the hearing officer; and

WHEREAS, on March 13, 2019, the administrative judge interviewed 10 of 13 candidates for the vacant associate (part-time) hearing officer positions; and

WHEREAS, on April 8, 2019, the Ad Hoc Judicial Nominations Committee considered the recommendations of the administrative judge for the four vacant associate (part-time) hearing officer positions, and forwarded its list of recommendations to the city council; and

WHEREAS, on May 8, 2019, the City Council, at its regularly scheduled meeting, considered the four associate (part-time) judicial hearing officer nominees.

Now, Therefore,

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

SECTION 1. That the following individuals are appointed as associate (part-time) hearing officers for the City of Dallas's municipal court of record, and shall serve until a successor is recommended by the administrative judge and is appointed by the city council:

Lana Novak Byrne
Shereen EIDomeiri
Shasta R. Brown
Rachael Airen

SECTION 2. That it is the intent of the city council that the judicial appointments set forth in this resolution are severable, and if any appointment is declared invalid by the valid judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining judicial appointments, since the same would have been approved by the city council without the invalid appointment.

May 8, 2019

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

BY _____
Assistant City Attorney

Passed _____



Agenda Information Sheet

File #: 19-700

Item #: 4.

STRATEGIC PRIORITY: Public Safety
AGENDA DATE: May 8, 2019
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Municipal Court Judiciary
EXECUTIVE: Preston Robinson

SUBJECT

An ordinance establishing the judicial salaries for the administrative judge and full-time municipal judges - Financing: General Fund

BACKGROUND

This item is being placed on the addendum per the Ad Hoc Nominations Committee.

Chapter 30 Section 30.00006(h) of the Texas Government Code provides that the governing body shall determine the salary of a municipal judge. The amount of a judge's salary may not be diminished during the judge's term of office and the salary may not be based directly or indirectly on fines, fees, or costs collected by the court.

Section 13-5.2(a)(3) of the Dallas City Code provides that the Judicial Nominating Commission shall act as an advisory body to the city council and shall review and make recommendations to the city council Ad Hoc Judicial Nominations Committee on the salary structure for municipal judges, including evaluating the feasibility of a merit pay plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2018, the city council passed Ordinance No. 30878 appointing the full-time and associate municipal judges and designating an administrative judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2020.

On January 17, 2019, the Judicial Nominating Commission recommended an adjustment of judicial salaries to the Ad Hoc Judicial Nominations Committee.

On April 8, 2019 and April 22, 2019, the Ad Hoc Judicial Nominations Committee considered the recommendations of the Judicial Nominating Commission and forwarded its recommendation to the city council for consideration.

FISCAL INFORMATION

General Fund - FY 2018-19 estimated amount of \$113,300.00 to be paid from departmental savings and/or Salary and Benefit Reserve. Full year funding of salary increases in future fiscal years is estimated to be \$273,600.00.

ORDINANCE NO. _____

An ordinance amending Ordinance No. 30878, passed by the Dallas City Council on June 13, 2018, as amended by Ordinance No. 30977, passed by the Dallas City Council on September 12, 2018, which appointed certain persons as full-time and associate (part-time) municipal judges for a two-year term ending May 31, 2020; amending the salaries for the administrative judge and full-time municipal judges; and providing an effective date.

WHEREAS, Chapters 29 and 30 of the Texas Government Code and Chapter VII of the Dallas City Charter provide that the municipal court of record be presided over by municipal court judges; and

WHEREAS, the Dallas City Charter provides that the city council shall appoint the municipal court judges and designate the administrative judge biennially in May of each even-numbered year to serve a two-year term; and

WHEREAS, on June 13, 2018, the City Council appointed 10 full-time municipal judges and 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2020; and

WHEREAS, after the appointment of the judges to be effective on August 1, 2018, the City was made aware of vacancies created by the resignation of previously appointed municipal judges; and

WHEREAS, on September 12, 2018, the City Council appointed one full-time municipal judge and two associate (part-time) municipal judges to fill the vacancies created by the resignation of previously appointed municipal judges; and

WHEREAS, Section 30.00006(h) of the Texas Government Code provides that the City Council shall determine the salary of a municipal judge; and

WHEREAS, Section 13-5.2(a)(3) of the Dallas City Code provides that the Judicial Nominating Commission shall act as an advisory body to the City Council and review and make recommendations to the City Council Ad Hoc Judicial Nominations Committee on the salary structure for municipal judges; and

WHEREAS, on January 17, 2019, as required by Section 13-5.2(a) the Judicial Nominating Commission recommended an adjustment to judicial salaries to the Ad Hoc Judicial Nominations Committee; and

WHEREAS, on April 8, 2019 and April 22, 2019, the Ad Hoc Judicial Nominations Committee considered the recommendations of the Judicial Nominating Committee and forwarded the recommendation on to the full City Council for consideration; Now, Therefore,

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

SECTION 1. That Section 4 of Ordinance No. 30878, as amended, is amended to read as follows:

“SECTION 4. That the salary is \$140,000.00 [~~109,242.00~~] per year for the administrative municipal judge, \$125,000.00 [~~101,198.73~~] per year for full-time municipal judges with two or more years of judicial experience, \$115,000.00 [~~90,043.20~~] per year for full-time municipal judges with less than two years of judicial experience, \$48.65 per hour for associate municipal judges with two or more years of judicial experience, and \$43.29 per hour for associate municipal judges with less than two years of judicial experience, in each case the salary to include such adjustments in salaries and number of paid working days and furlough days as are designated by the City of Dallas as to its salaried non-uniformed employees generally.”

SECTION 2. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By _____
Assistant City Attorney

Passed _____



Agenda Information Sheet

File #: 19-603

Item #: 5.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 15, 2019 Dallas Annual Rate Review filing - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum due to protracted negotiations with Atmos that continued past the period of time necessary to place this item on the regular agenda. Statutory deadline requires the City to take action on this item during May.

Atmos provides natural gas utility service in Dallas in accordance with City Ordinance No. 27793 and Title 3, Subtitle A Texas Utilities Code, Gas Utility Regulatory Act (GURA). On June 22, 2011, the City of Dallas approved Atmos' tariff, Dallas Annual Rate Review (DARR), which provides a mechanism by which Atmos shall file for an annual review of its rates. On January 15, 2019, Atmos filed its rate increase request under the DARR tariff. In its filing, Atmos requested an increase in annual revenue of \$10.1 million from within the City of Dallas. Atmos requested that the new rates become effective June 1, 2019.

On October 25, 2017, the City authorized a multiyear contract with Garrett Group LLC (Garrett) to assist City staff in reviewing the DARR filings and gas rate cases. Garrett has expertise in reviewing gas rate cases and is currently assisting the City with the Atmos Pipeline rate case at the Railroad Commission of Texas. After reviewing the rate filing and supplemental information received from Atmos, Garrett determined that the requested rate increase was not justified.

City staff and outside legal counsel met with Atmos on numerous occasions, both in person and by conference call to negotiate a settlement of the pending rate request. However, staff was unable to reach agreement on settlement and the City Manager recommends denial of the requested rates.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will be briefed on the Dallas Annual Rate Review filing on May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City.

Ordinance No. _____

WHEREAS, Atmos Energy Corp., Mid-Tex Division ("Atmos") provides natural gas utility service within the City of Dallas in accordance with Ordinance No. 27793; and

WHEREAS, on June 22, 2011, the City of Dallas adopted Ordinance No. 28281 which established the Dallas Annual Rate Review (DARR) Tariff; and

WHEREAS, Atmos filed for a \$10,085,481 annual increase applicable to Dallas customers on January 15, 2019 pursuant to terms of the Dallas Annual Rate Review (DARR) tariff; and

WHEREAS, the City of Dallas has determined that Atmos failed to demonstrate the reasonableness of the requested increase; and

WHEREAS, the existing tariffs authorized by Ordinance No. 30777 adopted February 14, 2018, including tariffs, R-Residential Sales, C-Commercial Sales, I-Industrial Sales and T-Transportation, and rate rider WNA-Weather Normalization Adjustment (Dallas) are determined to be fair and reasonable.

Now, Therefore,

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

SECTION 1. That the rate adjustments and tariffs presented in the "Dallas Annual Rate Review Filing Test Year Ended 9-30-18" filed by Atmos Energy Corp. on January 15, 2019, are unreasonable and are therefore denied in all respects.

SECTION 2. That the City's expenses in reviewing the DARR filing are deemed reasonable and Atmos shall reimburse the City in full for the costs of City's consultants and outside legal counsel.

SECTION 3. That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

Passed _____



Agenda Information Sheet

File #: 19-679

Item #: 6.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize a resolution **(1)** designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code to promote an increase in economic development in the zone, establish the boundaries of the zone, and provide for an effective date; and **(2)** creating a pilot economic development program for City of Dallas NEZ No. 9 to encourage increased economic development in the zone - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum per the City Manager's Office.

Chapter 378 of the Texas Local Government Code (the "Act") provides for the creation of Neighborhood Empowerment Zones (NEZs). A Neighborhood Empowerment Zone is a flexible tool that a municipality can utilize to implement an economic development program in a particular area. Pursuant to the Act, a Neighborhood Empowerment Zone can be created to promote any of the following: (1) creation and/or rehabilitation of affordable housing in the zone; (2) an increase in economic development in the zone; or (3) an increase in the quality of social services, education, or public safety for residents of the zone.

With this item, staff is proposing to create NEZ No. 9 for a geographic area approximately 390 acres in size generally located north of the intersection State Highway 183 and Interstate Highway 35E. The area is comprised mostly of office and light industrial uses. There are no residential uses in the proposed NEZ No. 9. Most economic indicators show that the area is in decline.

In conjunction with the designation of NEZ No. 9, staff is proposing the creation of a pilot economic development program to encourage increased economic development in the zone. NEZ No. 9, along with a customized economic development program, is anticipated to stimulate business and commercial activity, retain and grow existing smaller businesses, retain and create jobs, increase

occupancy of existing building space, encourage reinvestment in existing building stock, and incentivize workforce development/job training programs.

For the pilot economic development program, staff is proposing to tailor the minimum project eligibility criteria to support the proposed NEZ No. 9. Instead of the minimum project eligibility criteria for a target area of 25 jobs or \$1,000,000.00 of private investment required by the City's Public/Private Partnership Program Guidelines & Criteria, staff is proposing that a project seeking incentives in NEZ No. 9 must create/retain at least 10 jobs or provide at least \$250,000.00 of private investment.

For projects that meet the minimum eligibility criteria, the following incentive tools will be available and actively marketed to property owners and businesses within NEZ No. 9 (evaluated on a case-by-case basis based on specifics of each project and incentive application):

- real property tax abatement up to 90% for ten-years;
- business personal property tax abatement up to 50% for five-years;
- grants and loans (pursuant to Chapter 380 of the Texas Local Government Code);
- incentives for workforce development/job training (e.g. businesses within NEZ No. 9 that hire and retain graduates from workforce training programs in the area); and
- other economic development tools (e.g. public improvement district, New Market Tax Credits, Property Assessed Clean Energy (PACE) financing; State of Texas incentives).

Staff recommends creation of Neighborhood Empowerment Zone No. 9 and creation of a pilot economic development program specifically tailored for the zone.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Quality of Life, Arts & Culture Committee was briefed on the Proposed Neighborhood Empowerment Zone No. 9 on April 22, 2019. (see Attachment)

Information about this item will be provided to the Economic Development and Housing Committee on May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City. Any future incentives offered for projects in the proposed NEZ No. 9 will come from existing City funding sources deployed with existing incentive tools.

MAP

Attached

Memorandum



CITY OF DALLAS

DATE April 18, 2019

TO Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (Chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scott Griggs, B. Adam McGough, Omar Narvaez

SUBJECT **Proposed Neighborhood Empowerment Zone #9**

On Monday, April 22, 2019, you will be briefed on the Proposed Neighborhood Empowerment Zone #9.

The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager

Jon Fortune, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
Michael Mendoza, Chief of Economic Development and Neighborhood Services
M. Elizabeth Reich, Chief Financial Officer
Laila Alequresh, Chief Innovation Officer
Directors and Assistant Directors

Proposed Neighborhood Empowerment Zone #9

**Quality of Life, Arts & Culture Committee
April 22, 2019**

**Courtney Pogue, Director
Office of Economic Development
City of Dallas**



Overview

- Definition of Neighborhood Empowerment Zone (NEZ)
- Purpose for Creation of NEZ
- Analysis of Area Under Consideration
- Proposed NEZ #9 and Pilot Program
- Staff Recommendation
- Next Steps



Definition of Neighborhood Empowerment Zones (NEZ)

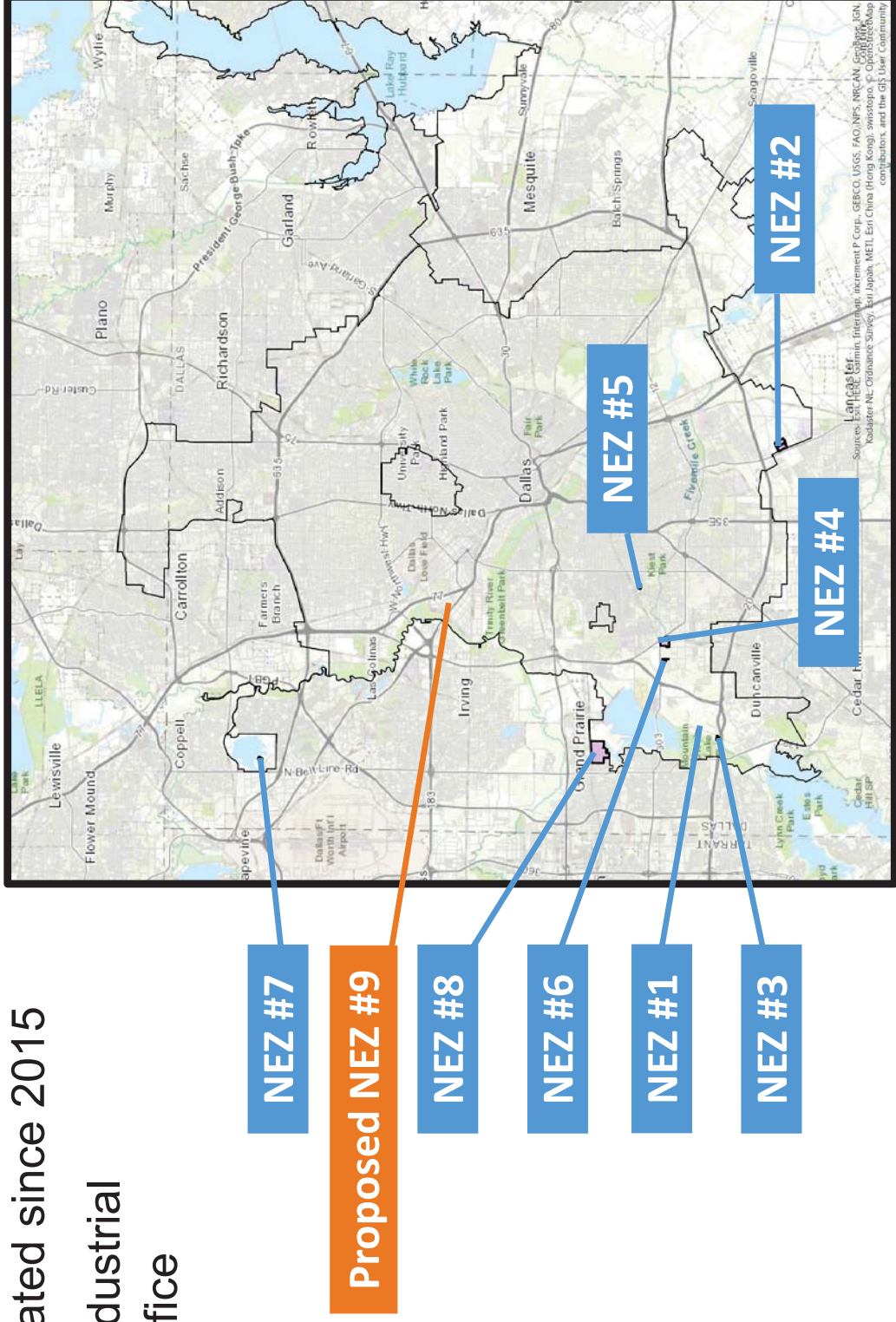
- Chapter 378 of the Texas Local Government Code provides for the creation of Neighborhood Empowerment Zones (NEZs)
- NEZs must promote any of the following:
 - An increase in economic development in the zone
 - An increase in the quality of social services, education, or public safety for residents of the zone
 - Creation and/or rehabilitation of affordable housing in the zone
- A municipality may create a NEZ by adopting a resolution that:
 - Describes boundaries of the zone
 - Determines that the zone promotes any of the four items listed above
 - Finds that the creation of the zone benefits and is for the public purpose of increasing public health, safety and welfare of persons in the municipality
 - Finds that the zone satisfies requirements of Section 312.202 of the Tax Code (Property Redevelopment and Tax Abatement Act)



Neighborhood Empowerment Zones (NEZs)

8 NEZs created since 2015

- 7 industrial
- 1 office



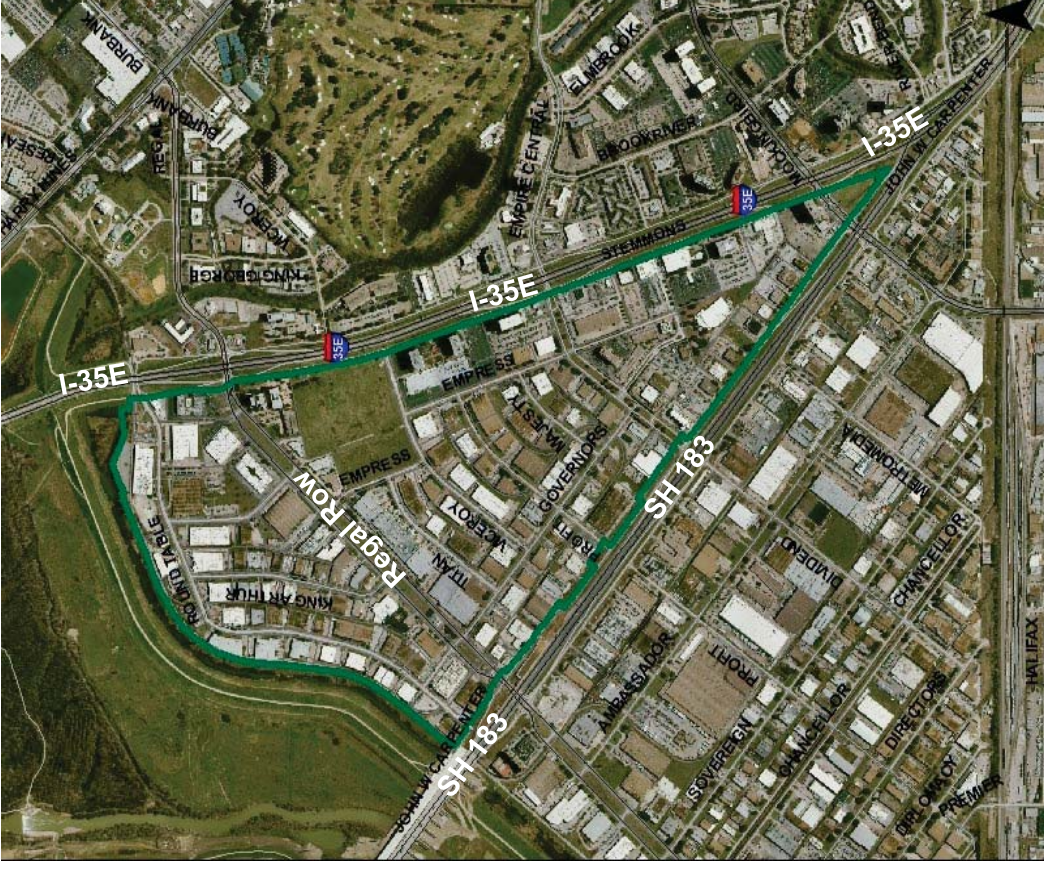
Purpose for Creation of NEZ

- NEZ is a flexible tool to implement an economic development program for a particular area of the city
- Create pilot program to encourage increased economic development in the NEZ
 - Stimulate business and commercial activity
 - Retain and grow existing smaller businesses (light industrial; office uses)
 - Retain and create jobs
 - Increase occupancy of buildings (office)
 - Encourage reinvestment in existing building stock
 - Incentivize workforce development/job training programs
- Uses excluded from consideration for incentives within the program: retail uses; sexually oriented businesses; bars, liquor stores; pawn shops; truck stops; body piercing studios; tattoo studios



Analysis of Area Under Consideration

- Target Area under the City's Public/Private Partnership Program
- Approximately 390 acres
- 183 DCAD property accounts
- Existing non-residential land uses:
 - Office
 - Data center
 - Distribution/warehouse
 - Storage/warehouse
 - Hotel/motel
 - Retail



Source: Dallas Central Appraisal District

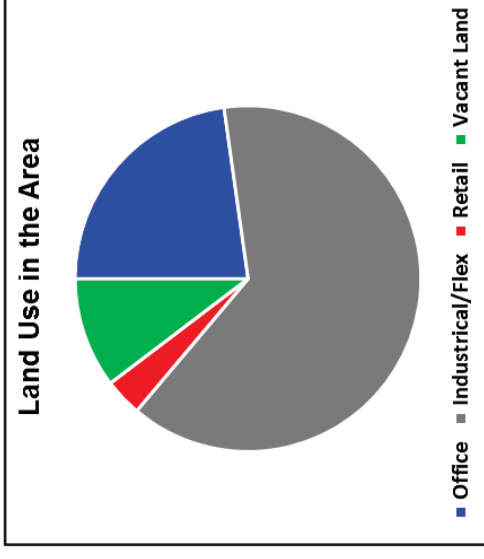


City of Dallas

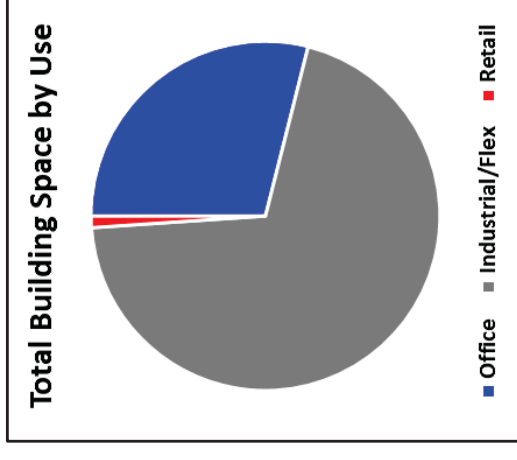
Economic and Neighborhood Vitality

Analysis of Area Under Consideration

- Breakdown of Land Use
 - Office – 89 acres
 - Industrial/Flex – 247 acres
 - Retail – 14 acres
 - Vacant Land – 40 acres



- Breakdown of Building Space
 - Office – total 2,040,821 square feet
 - Industrial/Flex – total 4,937,303 square feet
 - Retail – total 75,449 square feet (fast food)

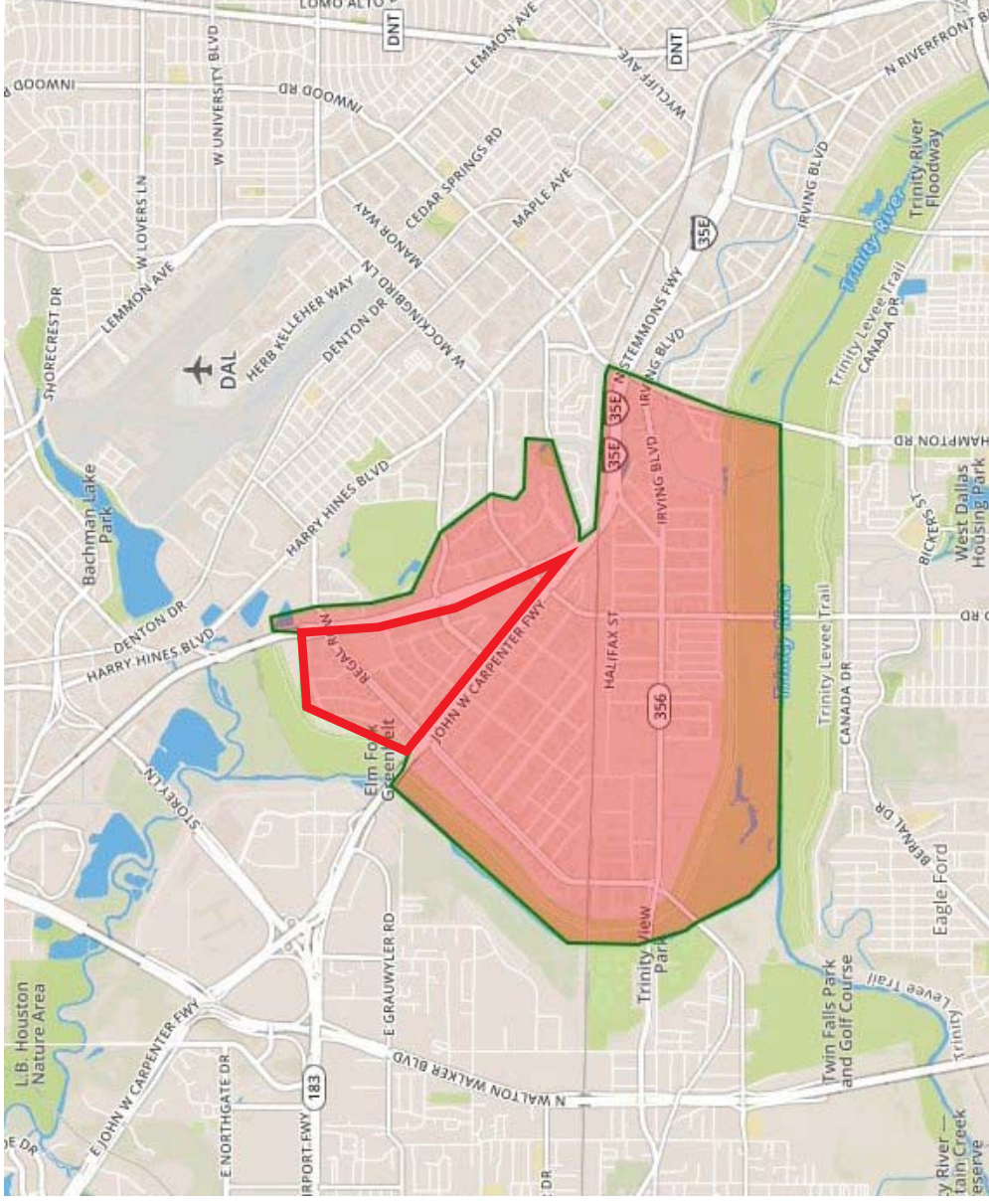


Source: CoStar



Analysis of Area Under Consideration

- For analysis of data related to population, unemployment rate, and median household income, zip code 75257 (pink colored area) can be used as a proxy for the area under consideration (outlined in red)



Analysis of Area Under Consideration

Population		
Year	Zip Code 75247	City of Dallas
2011	447	1,196,258
2012	509	1,207,202
2013	546	1,222,167
2014	538	1,240,985
2015	629	1,260,688
2016	661	1,278,433
2017	712	1,300,122

Source: JobsEQ, March 2019

Unemployment Rate (%)		
Year	Zip Code 75247	City of Dallas
2011	45.1%	8.5%
2012	60.3%	9.0%
2013	61.1%	9.4%
2014	17.5%	8.9%
2015	41.1%	7.8%
2016	32.4%	6.8%
2017	46.6%	5.9%

Source: JobsEQ, March 2019; BLS

Median Household Income		
Year	Zip Code 75247	City of Dallas
2011	23,026	42,259
2012	22,606	42,436
2013	23,793	42,846
2014	17,426	43,359
2015	15,179	43,781
2016	16,227	45,215
2017	16,886	47,285

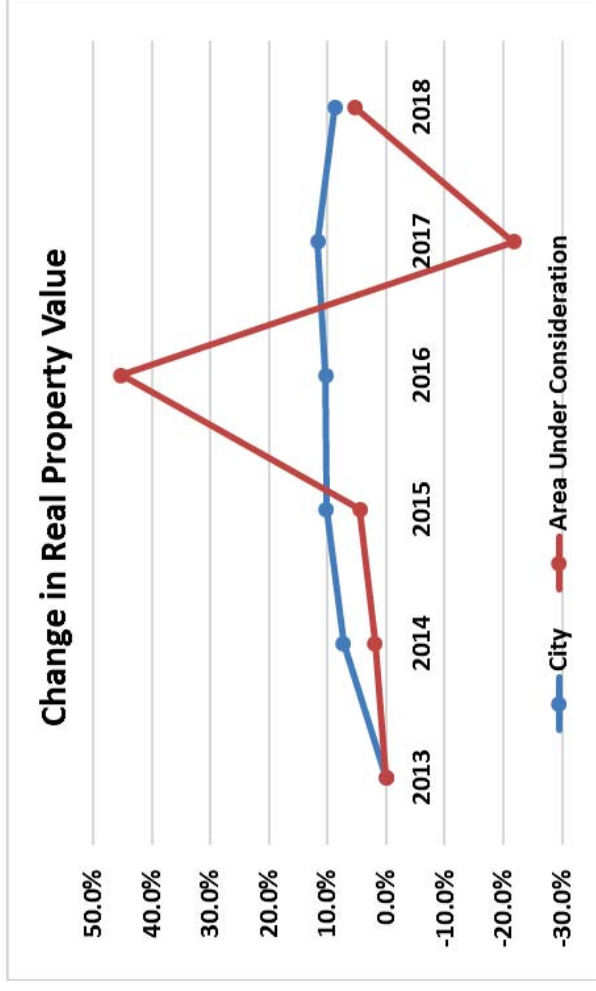
Source: JobsEQ, March 2019



Analysis of Area Under Consideration

Year	Real Property Value			
	Area Under Consideration		City	
	Property Value	% Change	Property Value	% Change
2013	\$212,289,953	0.0%	\$32,700,000,000	0.0%
2014	\$216,420,141	1.9%	\$35,100,000,000	7.3%
2015	\$226,101,969	4.5%	\$38,700,000,000	10.3%
2016	\$328,426,560	45.3%	\$42,700,000,000	10.3%
2017	\$256,870,835	-21.8%	\$47,700,000,000	11.7%
2018	\$270,348,243	5.2%	\$51,900,000,000	8.8%

Source: DCAD; City of Dallas FY 2018 CAFR



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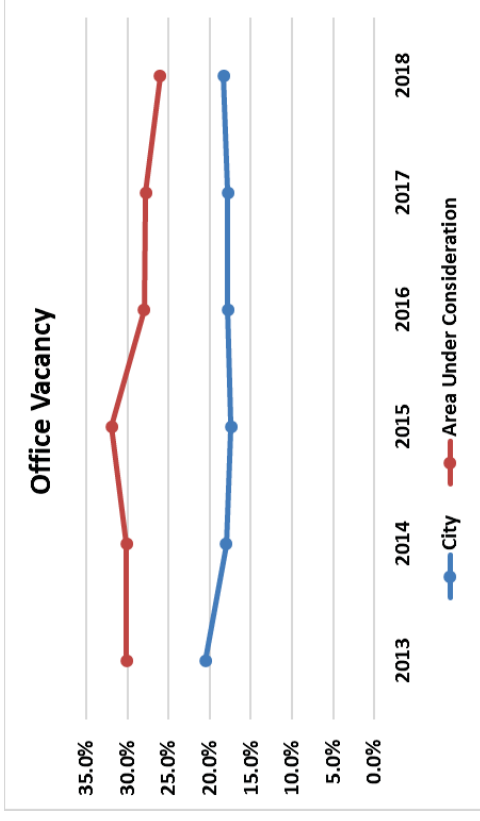
City of Dallas

Economic and Neighborhood Vitality

Analysis of Area Under Consideration

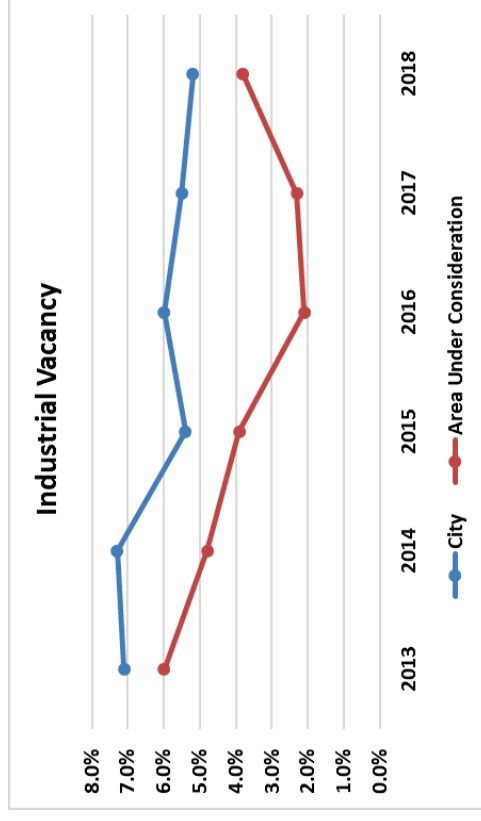
Office Vacancy (%)		
Year	Area Under Consideration	City of Dallas
2013	30.1%	20.5%
2014	30.1%	18.0%
2015	31.9%	17.4%
2016	28.0%	17.8%
2017	27.8%	17.8%
2018	26.0%	18.3%

Source: JobsEQ, March 2019; City of Dallas FY 2018 CAFR



Industrial Vacancy (%)		
Year	Area Under Consideration	City of Dallas
2013	6.0%	7.1%
2014	4.8%	7.3%
2015	3.9%	5.4%
2016	2.1%	6.0%
2017	2.3%	5.5%
2018	3.8%	5.2%

Source: JobsEQ, March 2019; City of Dallas FY 2018 CAFR



Analysis of Area Under Consideration

Total Number of Businesses			
	Area Under Consideration (Proposed NEZ #9)	Zip Code 75247	City of Dallas
Total	427	2,560	76,300
Percentage	0.6%	3.4%	100.0%

Source: ReferenceUSA, March 2019; JobsEQ, March 2019; City of Dallas Office of Economic Development

Total Number of Jobs			
	Area Under Consideration (Proposed NEZ #9)	Zip Code 75247	City of Dallas
Total	8,412	53,121	970,554
Percentage	0.9%	5.5%	100.0%

Source: ReferenceUSA, March 2019; JobsEQ, March 2019; City of Dallas Office of Economic Development



Analysis of Area Under Consideration

Top 25 Employers in Proposed NEZ #9

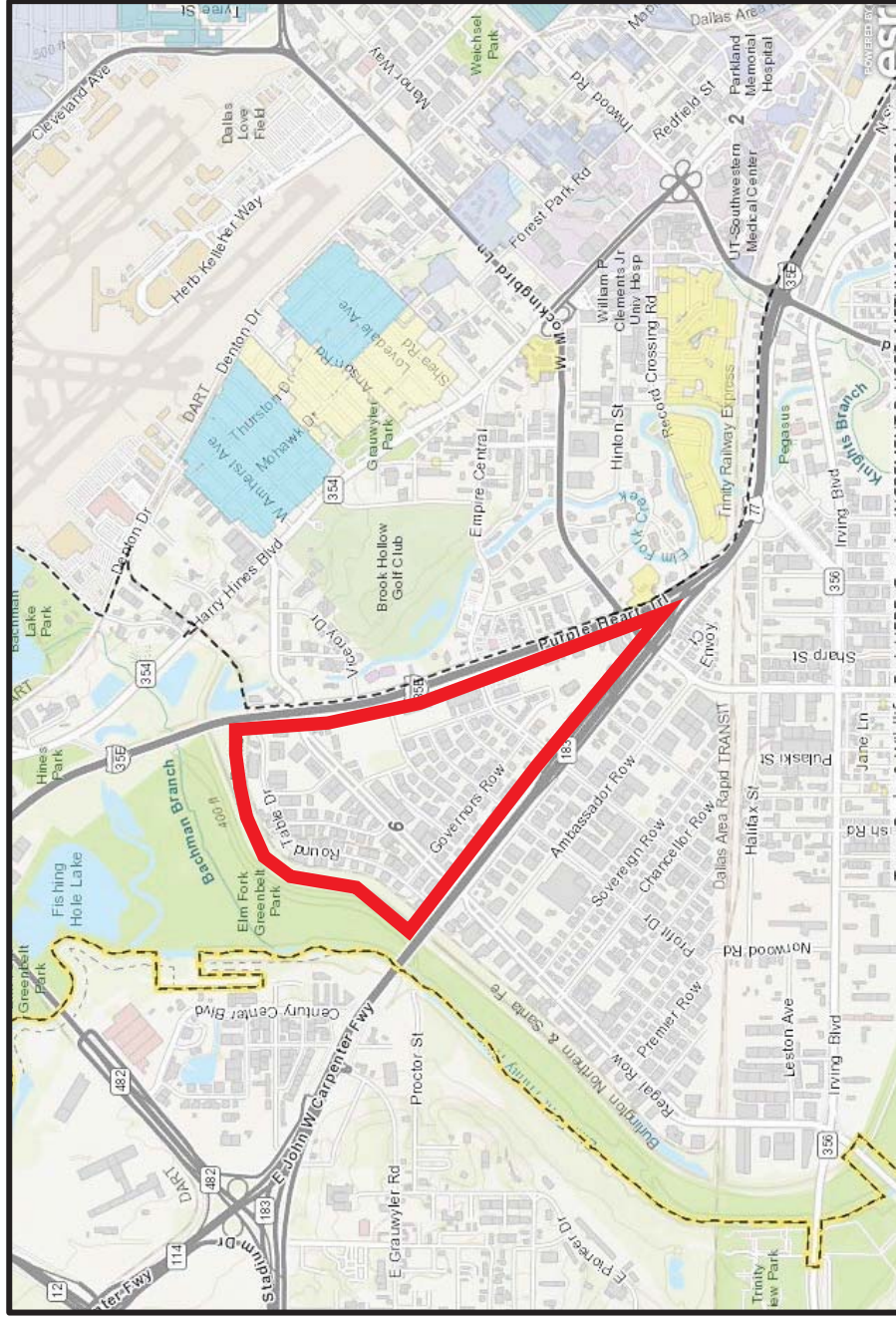
Company Name	Address	Product/Service	Jobs
Helping Loans	8585 N Stemmons Fwy	Consumer Lending	1,001
Smith Protective Svc Inc	8918 John W Carpenter Fwy	Security Guards & Patrol Services	300
Allied Marketing	1555 Regal Row	Marketing Consulting Services	200
US Cotton LLC	8500 John W Carpenter Fwy	Fiber Yarn & Thread Mills	200
Safeguard Business Systems Inc	8585 N Stemmons Fwy # 600n	Stationery & Office Supplies Merchant Wholesalers	130
Cott Beverages USA	1100 Empire Central Pl	Other Grocery & Related Products Merchant Whlsrs	120
Reina & Bates Immigration Law	1140 Empire Central Dr # 300	Offices Of Lawyers	110
Prestonwood Landscape SVC LLC	1366 Round Table Dr	Landscaping Services	100
VITAS Hospice Svc	8585 N Stemmons Fwy # 700s	General Medical & Surgical Hospitals	100
Enterprise Truck Rental	8200 John W Carpenter Fwy	Truck, Utility Trailer & Rv Rental & Leasing	80
Hi Tech Electric Inc	1181 Empire Central Dr	Electrical Contr & Other Wiring Installation Contr	80
New Generation Mechanical	1133 Empire Central Dr	Electrical Contr & Other Wiring Installation Contr	80
Immediate Resource	1555 Regal Row	Womens Children/Infnt Clothing/Acces Mrchnt Whlsrs	75
US Census Bureau	8585 N Stemmons Fwy # 800s	Legislative Bodies	75
G & C Direct	1275 Profit Dr	Direct Mail Advertising	67
Atlantis Trading Corp	1555 Regal Row	Women's Clothing Stores	65
B & B Graphic Finishing Svc	8930 Governors Row	Special Die & Tool, Die Set, Jig & Fixture Mfg	65
Double E Inc	1261 Profit Dr	Industrial Machinery & Equipment Merchant Whlsrs	65
Driving Momentum USA Inc	1140 Empire Central Dr	Employment Placement Agencies	65
A C Horn & Co Sheet Metal	1269 Majesty Dr	Conveyor & Conveying Equipment Manufacturing	60
Golden Mattress	1240 Titan Dr	Mattress Manufacturing	60
IMI Hydronic Engineering Inc	8908 Governors Row	Industrial Valve Manufacturing	60
Allscripts LLC	1111 W Mockingbird Ln	Nursing Care Facilities (Skilled Nursing Fclts)	50
Pinnacle Marble & Granite	1151 Empire Central Dr	Wood Kitchen Cabinet & Countertop Manufacturing	50
Salvation Army	8787 N Stemmons Fwy # 800	Other Individual & Family Services	50

Source: ReferenceUSA, March 2019



Analysis of Area Under Consideration

- Area is comprised entirely of non-residential tracts and is generally surrounded by non-residential tracts
- Some residential market types E, F, G, and H to the east and southeast



MVA Market Types/Categories

A	F
B	G
C	H
D	I
E	NA



Proposed NEZ #9 and Pilot Program

- Within this proposed zone, minimum project eligibility requirements:
 - Create/retain at least 10 jobs; or
 - Provide at least \$250,000 of private investment
- Incentive tools to be specifically marketed to property owners and businesses within the zone (considered on a case-by-case basis based on specifics of each project & incentive application)
 - Real property tax abatement: up to 90% for 10 years
 - Business personal property tax abatement: up to 50% for 5 years
 - Chapter 380 grant and loans
 - Incentives for workforce development/job training (e.g. businesses within the zone that may hire and retain graduates from Salvation Army's workforce training program)
 - Other tools specifically marketed to the zone (public improvement district; New Markets Tax Credits; Property Assessed Clean Energy (PACE); state incentives)
- Staff will review progress of NEZ #9 and present updates to the Economic Development and Housing Committee

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Staff Recommendation

- Creation of Neighborhood Empowerment Zone #9, pursuant to Chapter 378 of the Texas Local Government Code to promote and increase economic development in the zone
- Creation of a pilot economic development program specifically tailored for the zone (as described on slide 15)



Next Steps

- Economic Development and Housing Committee meeting on May 6, 2019
- City Council meeting on May 8, 2019



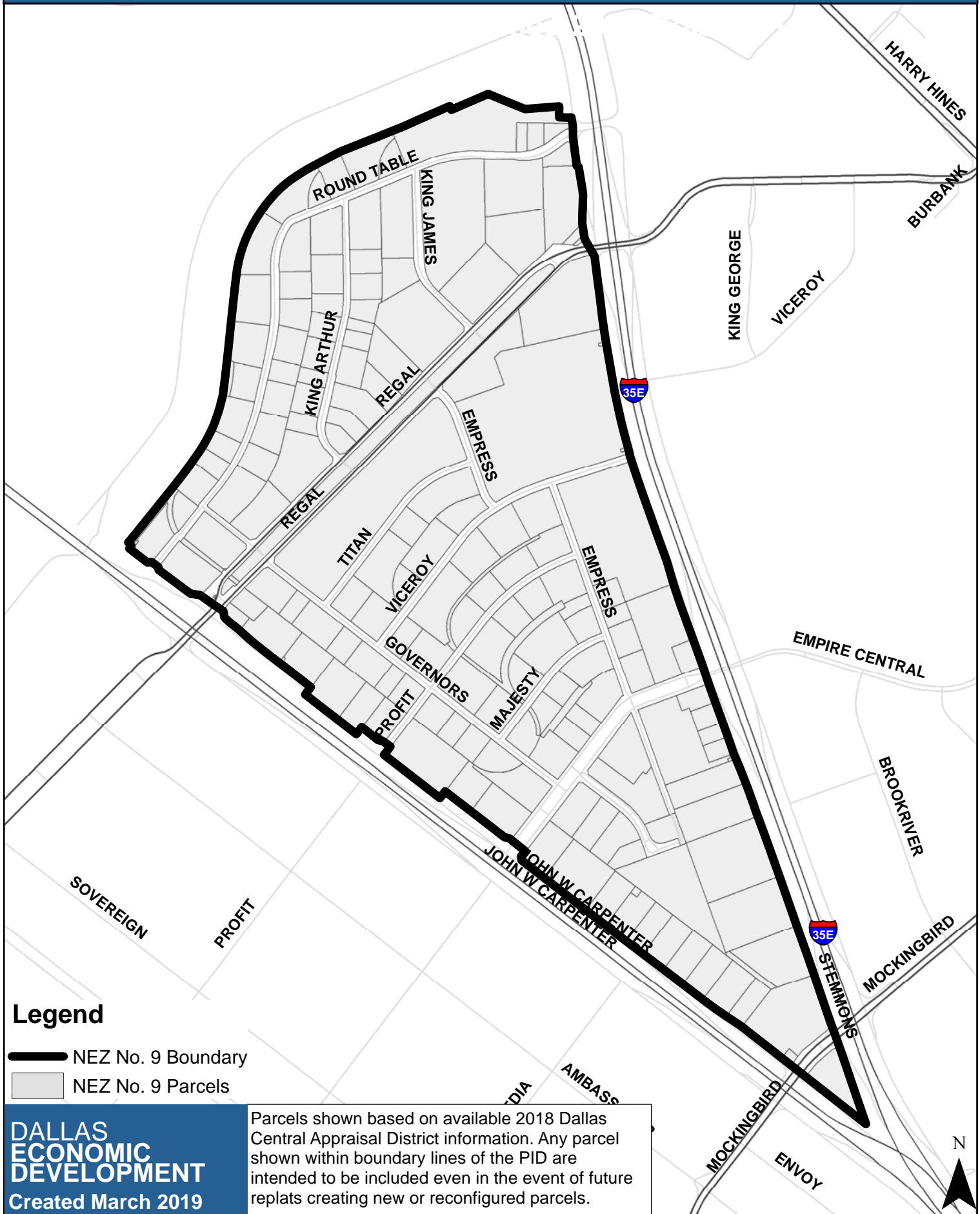
Proposed Neighborhood Empowerment Zone #9

**Quality of Life, Arts & Culture Committee
April 22, 2019**

**Courtney Pogue, Director
Office of Economic Development
City of Dallas**



Neighborhood Empowerment Zone No. 9



May 8, 2019

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, it is in the interest of the City of Dallas (the "City") to support and secure the retention and expansion of business operations within the city of Dallas and the economic vitality and employment opportunities that these business operations bring for Dallas residents; and

WHEREAS, on December 12, 2018, City Council (1) elected to continue its participation in economic development incentives and re-adopted its Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code ("Economic Development Act"); and (3) established appropriate guidelines and criteria governing tax abatement agreements to be entered into by City as required by the Property Redevelopment and Tax Abatement Act, as amended, (V.T.C.A. Tax Code, Chapter 312) ("Tax Abatement Act") by Resolution No. 18-1861; and

WHEREAS, Title 12 of the Local Government Code, Section 378.002 requires that the creation of the City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9") promote: (1) the creation or rehabilitation of affordable housing in the zone, or (2) an increase in economic development in the zone, or (3) an increase in the quality of social services, education or public safety provided to the residents of the zone; and

WHEREAS, the City finds that the creation of the City of Dallas NEZ No. 9 will promote an increase in economic development in the zone by promoting increased business and commercial activity, job retention and job growth by existing smaller businesses, increased occupancy of existing building space, reinvestment in existing building stock, and workforce development/job training programs; and

WHEREAS, the City finds that the creation of the City of Dallas NEZ No. 9 benefits the public and is for the public purpose of increasing the public health, safety, and welfare of the persons in the municipality; and

WHEREAS, the City finds that the creation of the zone satisfies the requirements of the Property Redevelopment and Tax Abatement Act Section 312.202 in that the creation of the zone is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the properties and that would contribute to the economic development of the municipality; and

May 8, 2019

WHEREAS, the City desires to pursue the creation of the proper economic and social environment buy way of tailoring project eligibility criteria in order to induce the investment of private resources in new or existing business enterprises located in the City of Dallas NEZ No. 9; and

WHEREAS, on April 22, 2019, the Quality of Life, Arts & Culture Committee reviewed the proposed City of Dallas NEZ No. 9 and on May 6, 2019, the Economic Development and Housing Committee reviewed the proposed City of Dallas NEZ No. 9, and recommended City Council authorization of a resolution (1) designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9") and (2) creating a pilot economic development program for City of Dallas NEZ No. 9.

Now, Therefore,

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

SECTION 1. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 2. That the City Council authorizes a resolution (1) designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code, to promote an increase in economic development in the zone, establish boundaries for the zone, and provide for an effective date; and (2) creating a pilot economic development program for City of Dallas NEZ No. 9.

SECTION 3. That the City of Dallas NEZ No. 9 is hereby created as depicted on the boundary map attached as **Exhibit A** and as described in the boundary description attached as **Exhibit B**.

SECTION 4. That the City Council hereby authorizes a pilot economic development program specifically for City of Dallas NEZ No. 9 with the following minimum project eligibility criteria: projects must create/retain at least 10 jobs or provide at least \$250,000.00 in private investment to be eligible for economic development assistance.

SECTION 5. That for projects meeting the minimum eligibility criteria, the following incentive tools are available and shall be actively marketed to property owners and businesses within City of Dallas NEZ No. 9:

SECTION 5. (continued)

- (a) real property tax abatement up to 90% for ten-years;
- (b) business personal property tax abatement up to 50% for five-years;
- (c) grants and loans (pursuant to Chapter 380 of the Texas Local Government Code);
- (d) incentives for workforce development/job training (e.g. businesses within NEZ No. 9 that hire and retain graduates from workforce training programs in the area); and
- (e) other economic development tools (e.g. public improvement district, New Market Tax Credits, Property Assessed Clean Energy (PACE) financing; State of Texas incentives).

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A - Neighborhood Empowerment Zone No. 9

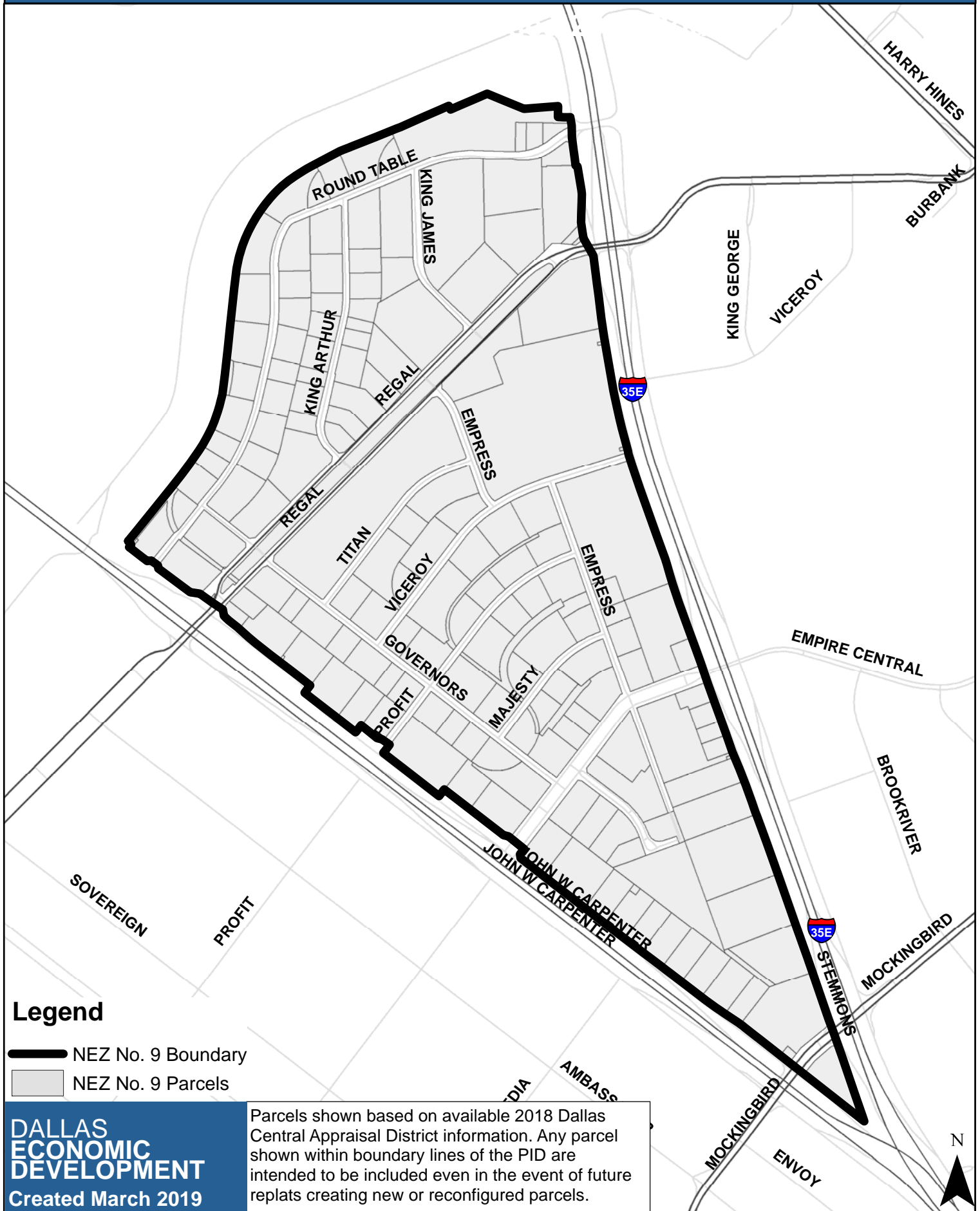


Exhibit B

Neighborhood Empowerment Zone No. 9 – Boundary Description

BEING an area of land in the City of Dallas, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the Northeast line of State Highway 183 (the John W. Carpenter Freeway) with the Southwest line of Interstate Highway 35E (the Stemmons Freeway):

THENCE Northwesterly with the said Northeast line of said State Highway 183 to the Northwest line of the Kings Row Industrial District (First Installment), an addition to the City of Dallas recorded in Volume 51, Page 3 of the Map Records of Dallas County, Texas:

THENCE Northeasterly with the said Northwest line of said Kings Row Industrial District to the intersection with the above referenced Southwest line of Interstate Highway 35E:

THENCE Southeasterly with the said Southwest line of Interstate Highway 35E to the POINT OF BEGINNING.

This description was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Agenda Information Sheet

File #: 19-621

Item #: 7.

STRATEGIC PRIORITY: Public Safety
AGENDA DATE: May 8, 2019
COUNCIL DISTRICT(S): All
DEPARTMENT: Police Department
EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** an application for and acceptance of the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No. 20.616) in the amount of \$84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for a safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; **(2)** a City contribution of Federal Insurance Contributions Act costs in the amount of \$1,232.36; **(3)** the establishment of appropriations in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; **(4)** the receipt and deposit of grant funds in the amount of \$84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; and **(5)** execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount \$86,222.36 - Financing: General Fund (\$1,232.36) and Texas Department of Transportation Grant Funds (\$84,990.00)

BACKGROUND

This item is placed on the addendum due to late award notification and must be approved before receiving funding.

The "Click It or Ticket" Mobilization Grant provides for the reimbursement of overtime salaries paid to officers enforcing seatbelt and child safety seat laws at locations throughout the City of Dallas.

This grant is one of the "wave" grants from the Texas Department of Transportation (TxDOT) that are part of the national traffic safety plan and are awarded to TxDOT grant recipients. The grant is for the increased enforcement of seatbelt and child safety seat laws during the national campaign of May 20, 2019 through June 2, 2019 (enforcement period).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 2014, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 29, 2014 through June 7, 2014; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 14-0756.

On May 13, 2015, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 28, 2015 through June 6, 2015; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 15-0843.

On April 27, 2016, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 28, 2016 through June 6, 2016; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 16-0688.

On April 26, 2017, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period May 2, 2017 through June 10, 2017; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 17-0697.

On April 11, 2018, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period May 2, 2018 through June 10, 2018; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 18-0552.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Texas Department of Transportation Grant Funds - \$84,990.00
General Fund - \$1,232.36

May 8, 2019

WHEREAS, the Texas Department of Transportation has made the "Click It or Ticket" Mobilization Grant funds available for overtime salaries for a safety belt enforcement initiative for the period May 20, 2019 through June 2, 2019; and

WHEREAS, the "Click It or Ticket" Mobilization Grant will provide \$84,990.00; and

WHEREAS, the City of Dallas contributes Federal Insurance Contributions Act costs related to the overtime in an amount not to exceed \$1,232.36; and

WHEREAS, it is in the best interest of the City of Dallas to apply for and accept such funding.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to apply for and accept the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No.20.616), in the amount of \$84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for the safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; provide a City's Federal Insurance Contributions Act costs in the amount of \$1,232.36; and execute a sub-grant agreement with the Texas Department of Transportation and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of \$84,990.00, in the "Click It or Ticket" FY19 Mobilization Grant Fund, Fund F574, Department DPD, Unit 3879, Object 3090.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in the amount of \$84,990.00 into the "Click It or Ticket" FY19 Mobilization Grant Fund, Fund F574, Department DPD, Unit 3879, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$1,232.36 for City's Federal Insurance Contributions Act costs related to the overtime expenditure from Fund 0001, Department DPD, Unit 2127, Object Codes 1302 and 1306.

SECTION 5. That the Chief Financial Officer is hereby authorized to reimburse funds in the amount of \$84,990.00 from the "Click It or Ticket" FY19 Mobilization Grant Fund, Fund F574, Department DPD, Unit 3879, Object 3090 to Fund 0001, Department DPD, Unit 2127, Object 5011 after the overtime expenditure is incurred.

May 8, 2019

SECTION 6. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 7. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 8. That this contract is designated as Contract No. DPD-2019-00010163.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 19-680

Item #: 8.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

BACKGROUND

On April 24, 2019, the City Council called the public hearing for May 8, 2019. However, we inadvertently left it off the regular agenda; therefore, we are including it on the addendum.

Each year the City of Dallas holds public hearings to provide the residents of Dallas the opportunity to speak on the upcoming year's budget. This public hearing is one of three to be held. The first was held at Dallas City Hall on March 27, 2019. This one, the second, will be at the Kleberg-Rylie Recreation Center on May 8, 2019. The third public hearing will be held at Dallas City Hall on August 28, 2019. Resident input is an important part of the budget development process.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 24, 2019, City Council authorized a public hearing to be held on May 8, 2019, by Resolution No. 19-0595.

FISCAL INFORMATION

No cost consideration to the City.



Agenda Information Sheet

File #: 19-645

Item #: 29.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE: May 8, 2019
COUNCIL DISTRICT(S): 6
DEPARTMENT: Department of Sustainable Development and Construction
EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)

Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions

Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions

Z167-180(JM)

Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was deferred held under advisement until May 8, 2019, with the public hearing open

FILE NUMBER: Z167-180(JM)

DATE FILED: January 12, 2017

LOCATION: North line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)

COUNCIL DISTRICT: 6

MAPSCO: 13 X

SIZE OF REQUEST: 4.17 acres

CENSUS TRACT: 96.05

APPLICANT/OWNER: LBJ Metroplex LP/Howard L. Lawson

REPRESENTATIVE: William S. Dahlstrom, Jackson Walker, LP

REQUEST: An application for **(1)** a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** termination of the existing deed restrictions [Z845-227]; and, **(3)** a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard).

SUMMARY: The applicant proposes to redevelop the property to allow for a mini-warehouse and retail project in the existing two buildings at the site, with the addition of a third, two-story building. Termination of existing deed restrictions on the property would remove: **1)** the required landscape plan; **2)** height limitations stipulating a maximum of 221 feet in height along LBJ Freeway and 120 feet in height along Forest Lane; and, **3)** floor area maximum of 432,694 square feet. The SUP would allow for the proposed mini-warehouse to operate with a maximum floor area of 179,032 square feet.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions; **approval** of the termination of existing deed restrictions [Z845-227]; and, **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions; **approval** of the termination of existing deed restrictions [Z845-227]; and, **approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions.

BACKGROUND INFORMATION:

- The subject site was rezoned from GR General Retail to O-2 Office with deed restrictions volunteered by the applicant in 1985. The property is currently developed with two 55-foot tall, four-story office buildings with 128,962 square feet of floor area.
- At the time of this application, the site is noncompliant with the landscape plan from the deed restrictions. This is due to the expansion of Interstate 635.
- The current request is to:
 - Terminate the existing deed restrictions which would remove **1)** the required landscape plan; **2)** height limitations stipulating a maximum of 221 feet in height along LBJ Freeway and 120 feet in height along Forest Lane; and, **3)** floor area maximum of 432,694 square feet.
 - Allow a PD for GO(A) General Office and certain nonresidential uses to allow for a mixed-use development.
 - Reduce the minimum front yard will be reduced from 15 feet to 10 feet, but all other yard, lot, and space regulations for the GO(A) District still apply.
 - Provide a parking reduction for certain personal service uses.
 - Allow the use of a shared parking table.
 - Grant an SUP for a mini-warehouse use with a maximum floor area of 179,032 square feet, subject to a landscape plan and elevations with design criteria.

Zoning History: There have been four zoning requests in the area in the past five years.

1. **Z178-322:** On October 16, 2018, SUP No. 1925 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned MU-2 Mixed Use District with a D-1 Liquor Control Overlay generally located on the northwest corner of Forest Lane and Josey Lane was auto-renewed for a five-year period. *Not shown on the map.*
2. **Z167-208:** An application for a planned development district for CR Community Retail District, multifamily, retirement housing, and permanent supportive housing uses on property zoned MU-1(SAH) Mixed Use District, located on the northeast corner of Forest Lane and Dennis Road. *Withdrawn on June 8, 2017.*
3. **Z156-284:** On December 14, 2016, the City Council approved PD No. 978 for MF-1(A) Multifamily District uses on property zoned an R-10(A) Single Family District, located on the north side of Modella Avenue, east of Dennis Road.
4. **Z156-177:** On May 11, 2016, the City Council approved SUP No. 2194 for a hotel or motel use on property zoned a CR Community Retail District, on property located along the south line of Forest Lane, east of Dennis Road.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Interstate 635 (LBJ Freeway)	Principal Arterial	Variable
Bankway Lane	Local	60 feet
Forest Lane	Principal Arterial	90 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

Surrounding Land Uses:

Area	Zone	Use
Site	GO(A) and SUP No. 2071 with Deed restrictions	Office and Non-premise (billboard) sign
North	City of Farmer's Branch	Interstate 635 and commercial parking lot
East	PD No. 140 and CR with Deed restrictions	Office
South	CR with SUP Nos. 2194, 1369 and MU-1(SAH) with Deed restrictions	General merchandise or food store 3,500 square feet or less, hotel, and retirement housing
West	MU-2 with a D Liquor Control Overlay	Retail and personal service

STAFF ANALYSIS:**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan*, was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request complies with land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT:**GOAL 2.1 PROMOTE BALANCED GROWTH**

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use Compatibility:

The site is currently developed with two 55-foot tall, four-story office buildings with 128,962 square feet of floor area. The current proposal is to convert the structure identified as Building 1 on the development plan, into a mixed-use building or possibly a mini-warehouse use. The remaining Building 2 would have an existing level of parking converted into usable floor area for a total increase of 22,420 square feet. The entirety of Building 2 is identified as being for the mini-warehouse use. Finally, there may be an addition with the proposed Building 3, a two-story structure with up to 27,650 square feet of mini-warehouse floor area. The total combined floor area for the three structures is 179,032 square feet, of which all could be used for the mini-warehouse use. Per the PD provisions, a mini-warehouse use requires a Specific Use Permit. An SUP is requested with this zoning application.

Surrounding land uses include the City of Farmer's Branch and Interstate 635 (LBJ Freeway) to the north; office to the east; general merchandise or food store 3,500 square feet or less, hotel, and retirement housing to the south; and, retail and personal service uses to the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The proposed mini-warehouse use will have requirements to enhance the quality of the project. For example, architectural standards proposed in the SUP conditions include building articulation and exterior material requirements for all new buildings. A minimum of 80 percent of the exterior facades must be composed of masonry (stone, pre-cast concrete, poured-in place concrete, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick) excluding doors and windows. Masonry

screening walls must be eight feet in height to block dumpsters, loading zones, and false overhead display doors from the view of public streets as shown on the SUP Site Plan. Only access gates may be of tubular steel. Finally, the screening walls also have articulation requirements to limit the monotony of blank walls on the street frontages.

The mini-warehouse office may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday; and between 8:00 a.m. and 6:00 p.m. on Saturday. Finally, outside storage of vehicles, and parking for vehicles for rent, boats, and/or equipment is prohibited.

While staff supports the proposed mini-warehouse use as regulated by the provisions of the proposed SUP; however, we propose a ten-year time period with eligibility for automatic renewals for additional ten-year periods. The applicant has elected to request a 15-year time period with 15-year autorenewals. Staff cannot support the extended time period for the new use being introduced into the area. The initial ten-year is already a long term, yet standard for this use.

The proposed mini-warehouse use is compatible with the surrounding uses. This use will not be a detriment to the public health, safety or general welfare of the community.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing:							
GO(A), deed restrictions	14'-15'	20' adj.res. 0' Others	4.0 432,694 SF	221' on LBJ Fwy 120' on Forest Ln.	80%.	RPS, Urban Form, Tower Spacing Landscape Plan	Office
Base Zoning:							
GO(A)	15'	20' adj.res. 0' Others	4.0	270'	80%	RPS, Urban Form, Tower Spacing	Office
Proposed:							
PD for GO(A) and other nonresidential uses	10'	20' adj.res. 0' Others	4.0	270'	80%	Urban Form, Tower Spacing	Office and other nonresidential uses

Existing deed restrictions which the applicant seeks to terminate regulate the setbacks, total floor area, height of structures, and provide for a landscape plan. Overall, the request is to return the site to the GO(A) base zoning district with only one change being made to allow a reduced minimum front yard setback of 10 feet rather than 15 feet. This reduction in the minimum required front yard setback is to make the existing building conform, due to the expansion of Interstate 635 from 2012-2014 which removed 0.79 acres from the street frontage. This made the site noncompliant for landscaping as required per the deed restrictions, setbacks, and parking. The removal of the deed restrictions from 1985 will allow the site to be fully utilized, especially in light of the expansion of Interstate 635 and subsequent compliance with the deed restriction landscape plan no longer feasible. The proposed floor area ratio (0.98) and maximum

height (55 feet) per the proposed development plan are still significantly less than the existing zoning with the deed restrictions which allow up to 120 feet on Forest Lane and up to 221 feet on Interstate 635.

The most significant change is to allow 11 new uses as main uses. This is due to the restrictive nature of retail and personal service uses (limited uses) in an office district. In this district, a retail and personal service use: (1) must be contained entirely within a building; and (2) may not have a floor area that, in combination with the floor areas of other retail and personal service uses in the building, exceeds 10 percent of the total floor area of the building. The addition of the following uses is requested without limited restrictions: (1) alcohol beverage establishments; (2) broadcasting or recording studio; (3) commercial amusement (inside); (4) convenience store; (5) custom business service; (6) general merchandise or food store 3,500 square feet or less; (7) handcrafted art work studio; (8) instructional arts studio; (9) restaurant without drive-in or drive-through service; (10) theater; and, (11) mini-warehouse by SUP only.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the area of request is not within a designated MVA cluster, surrounding properties southward are categorized as being within a "E" MVA cluster.

Parking:

Parking will be in accordance with the parking regulations of Chapter 51A, proposed reductions per specific land uses established in the PD, a shared parking table in the PD, and by using delta credits from the expansion of Interstate 635. A parking study was provided and approved by the Engineering Division. The following table identifies uses with proposed reductions in parking:

Land Use per PD	Land Use per 51A	Sec. 51A	PD
Art gallery	Library, art gallery, or museum	1/600 SF	1/500 SF
Broadcasting or recording studio	Personal service	1/300 SF	1/500 SF
Handcrafted art work studio	Personal service	1/200 SF	1/500 SF
Instructional arts studio	Personal service	1/200 SF	1/500 SF

Additionally, shared parking is permitted for all non-residential uses on the lot. The shared parking concept was originally developed by the Urban Land Institute (ULI). The concept of shared parking acknowledges the efficiencies of observed, net parking demand within a common parking facility that is generated by multiple land uses. Efficiency is realized due to the time-of-day compatibility among individual tenants in mixed-use developments given that different uses peak at specific times during a typical day. In general, the calculation of shared parking demand applies an hourly profile obtained from reliable resources, such as published manuals or actual observed data.

After calculating hourly parking demand for each used based on its respective hourly adjustment, totals are tabulated to identify the overall parking demand by hour on a typical day. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off-street parking requirement for the development is the largest of the five “time-of-day” column sums.

Shared Parking Table (for calculating adjusted parking requirement)					
Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Office-related uses	100%	80%	100%	85%	35%
Retail related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

Finally, due to the expansion of Interstate 635, the site carries a delta credit of 73 parking spaces for the two existing office buildings. The current request is to convert the land uses to generally less intensive uses. The mini-warehouse use which may cover all of the floor area, up to 179,032 square feet, would only require six parking spaces regardless of the size. Through the use of delta theory, the number of nonconforming parking or loading spaces for a use may be carried forward when the use is converted or expanded; however, when a nonconforming use is converted to a less intensive use, the rights to any portion of the delta credits not needed, are lost.

The last parking request is to allow for a reduced parking ratio for office uses. The Dallas Development Code requires a ratio of one space per 333 square feet of floor area; the original office area which obtained deltas had 128,962 square feet of floor area and required 387 parking spaces. The difference after the credit of 73 spaces is applied equals 314 parking spaces. This is a ratio of one space per 410 square feet of floor area for an office use. A parking analysis was provided supporting a reduced ratio of one space per 418 square feet of floor area for an office use and found appropriate by the Engineering Division.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended. If operation of the site occurs solely within the two existing buildings, no additional landscape will be required. However, the SUP conditions state that along Forest Lane and Bankway Lane, sod must be planted within six months of approval of this specific use permit in the area between the back of parking lot pavement and back of curb of said streets, save and except sidewalks, utility facilities, and other impervious surfaces.

CPC Action
February 21, 2019

Motion: It was moved to recommend: 1) **approval** of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a revised development plan, and revised conditions to include a revised parking ratio for office uses of one space per 411 square feet; 2) **approval** of the termination of the existing deed restrictions Z845-227; and, 3) **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a revised site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Friendly Amendment: Commissioner Ridley offered a friendly amendment to limit the automatic renewals to one additional fifteen-year period. Commissioner Carpenter, the maker of the motion, and Commissioner Housewright, the seconder of the motion, accept the friendly amendment.

Maker: Carpenter
Second: Housewright
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter,
Lewis, Jung, Housewright, Schultz, Ridley,
Tarpley

Against: 0
Absent: 1 - Murphy
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: For: Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

CPC Action
March 21, 2019

Motion to Reconsider: It was moved to **reconsider** the action taken on March 7, 2019, which was to move to recommend 1) approval of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a revised development plan and revised conditions to include a revised parking ratio for office uses of one space per 411 square feet; 2) approval of the termination of the existing deed restrictions

Z845-227; and, 3) approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for one automatic renewal for an additional fifteen-year period, subject to a revised site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Maker: Carpenter
Second: Lewis
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Carpenter, Lewis,
Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Schultz
Vacancy: 3 - District 4, District 7, District 12

Motion: In considering an application for **1)** a Planned Development District for GO(A) General Office District and certain nonresidential uses; **2)** termination of the existing deed restrictions [Z845-227]; and, **3)** a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway), it was moved to **hold** this case under advisement until April 4, 2019, and to instruct staff to re-notify the case at the correct notification area of 500 feet.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Carpenter, Lewis,
Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Schultz
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

April 4, 2019

Motion: It was moved to recommend: 1) **approval** of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a development plan and conditions; 2) **approval** of the termination of existing deed restrictions [Z845-227]; and 3) **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Maker: Carpenter
Second: Shidid
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Lewis, Jung, Housewright, Schultz,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 500 Mailed: 27
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

List of Officers

LBJ METROPLEX LP

LBJ Metroplex GP, LLC,
General Partner

Howard L Lawson,
Member

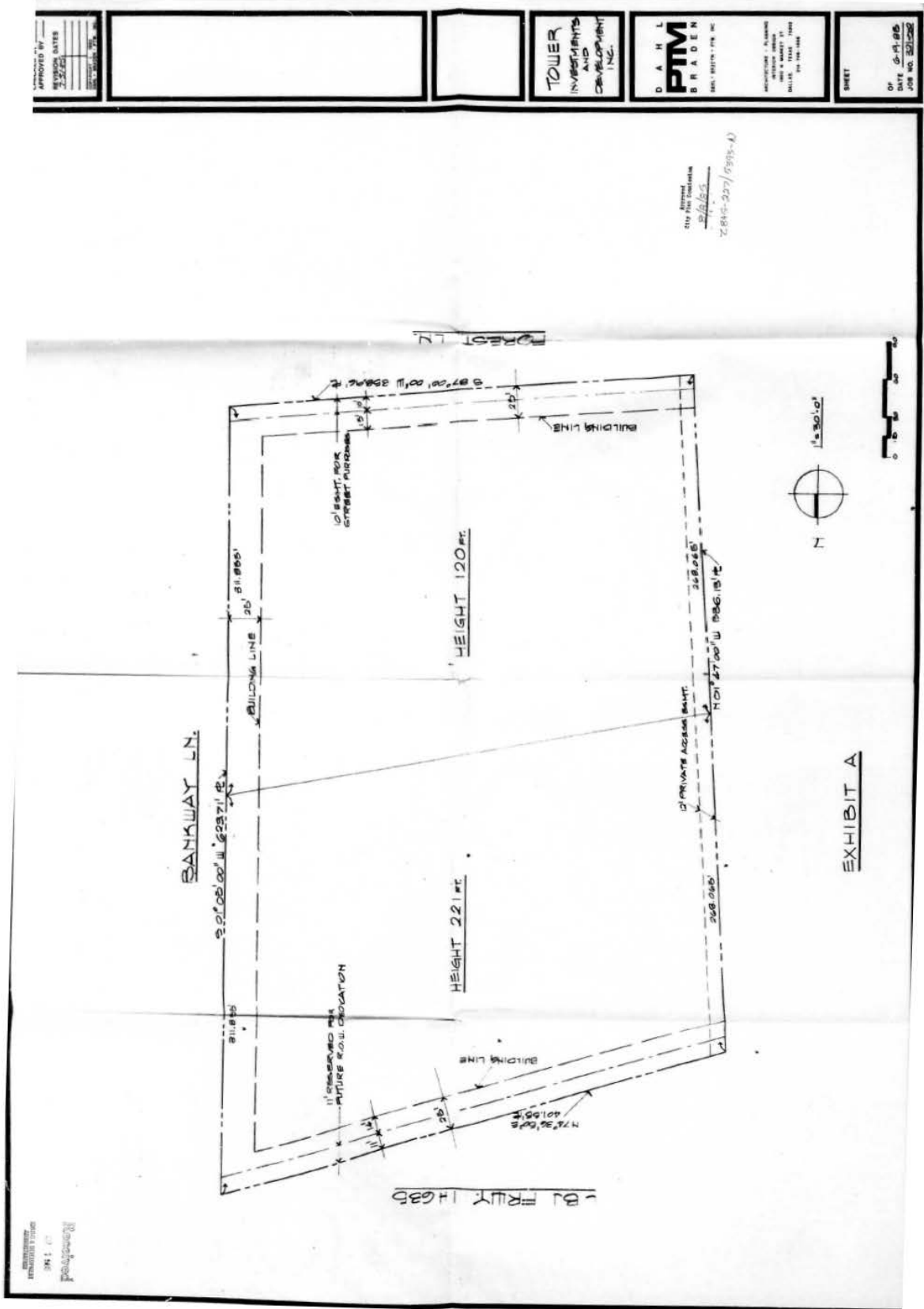
Z167-180

**Existing Deed Restrictions
Z845-227**

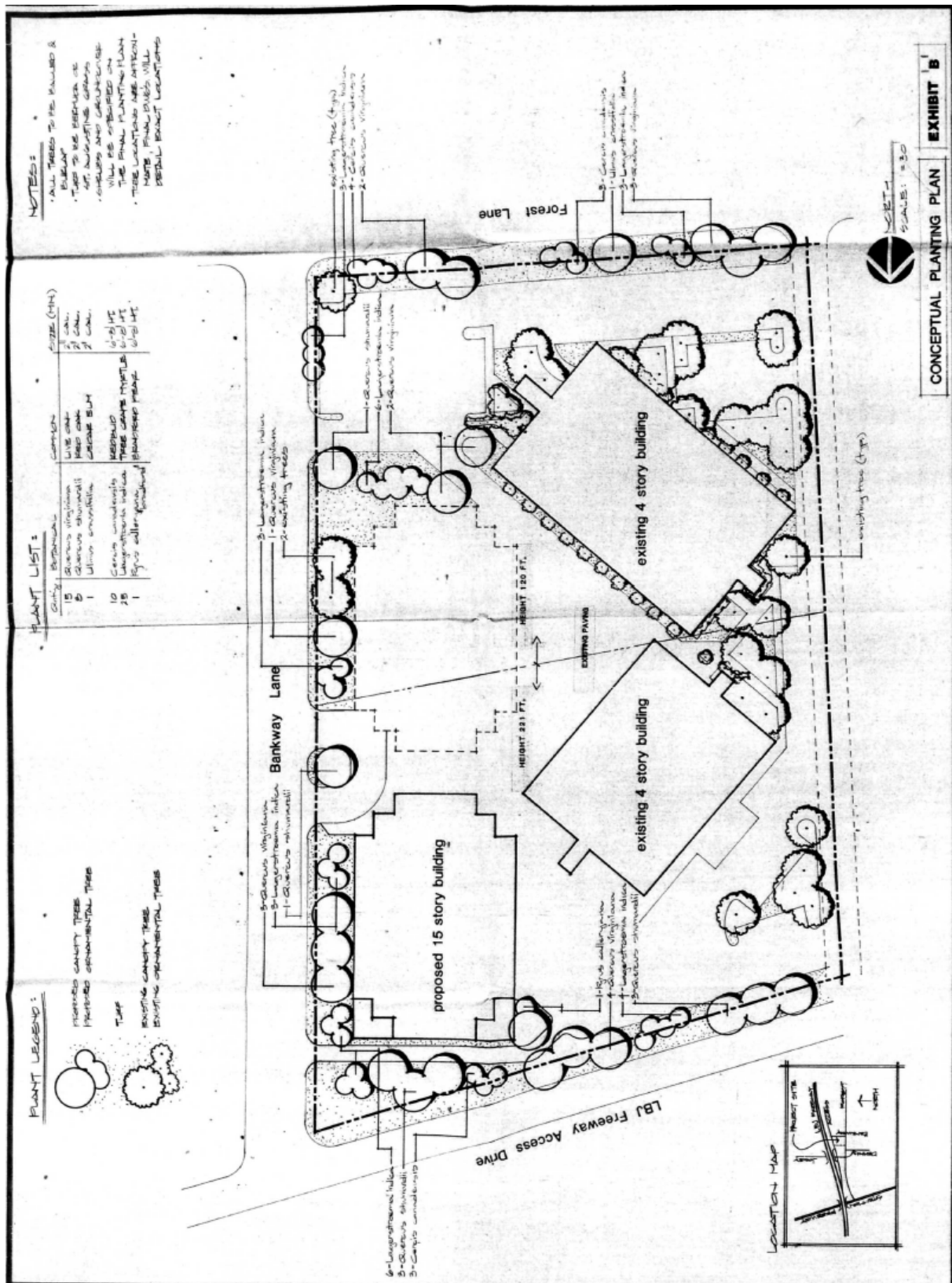
For purposes of these restrictions, all definitions of the Dallas Development Code, as amended, are incorporated into this document, as if recited verbatim herein.

- (1) The height of any structure on the northern half of the property, along the LBJ frontage road, may not exceed 221 feet as shown on the site plan attached hereto as Exhibit A.
- (2) The height of any structure on the southern half of the property may not exceed 120 feet as shown on the site plan attached hereto as Exhibit A.
- (3) The total floor area of uses permitted in an Office-2 zoning classification (Office-2 uses) located within the boundaries of the property, may not exceed 432,694 square feet with the following allocation: a total of 122,000 square feet for the existing four story buildings and no more than 310,694 square feet for the proposed sixteen story building as shown on Exhibit B.
- (4) Developer shall provide a ten foot wide easement for street purposes along the Forest Lane frontage.
- (5) Developer shall provide an eleven foot wide reservation for future dedication of right-of-way to the State Highway Department at no cost to the State or the City for an additional westbound service lane on LBJ, should the service lane be required by the State or the City.
- (6) The building setback lines, as shown on the site plan attached hereto as Exhibit A, shall be as follows: (a) Twenty-five feet from the existing right-of-way line on the LBJ frontage. After dedication of right-of-way as reserved in paragraph (5) above, the building setback line shall become fourteen feet. Notwithstanding the foregoing, no parking above grade or underground structure is permitted within 25 feet of any right-of-way after any required dedications. (b) Twenty-five feet from the existing right-of-way line on the Forest Lane frontage. After dedication of an easement for street purposes as required in paragraph (4) above, the building set back line shall become fifteen feet.
- (7) Landscaping must be provided as shown on the landscape plan attached hereto as Exhibit B, prior to the issuance of a Certificate of Occupancy for any Office-2 use on the property. Landscaping as shown on the landscape plan attached hereto as Exhibit B must be maintained in a healthy and growing condition at all times.

Deed Restrictions: Exhibit A



Deed Restrictions: Exhibit B



CPC Recommended PD Conditions

“ARTICLE ____.”

PD ____ .

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No.____, passed by the Dallas City Council on ____.

SEC. 51P- ____ .102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the northwest corner of Bankway Lane and Forest Lane. The size of PD ____ is approximately 4.17 acres.

SEC. 51P- ____ .103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this division, BROADCASTING OR RECORDING STUDIO means a facility for broadcasting live or prerecorded programs by radio or television;

(1) recording records, tapes, or video tapes by digital, electronic, or other suitable media; and

(2) recording, programming, and receiving radio or television signals.

(a) A broadcasting or recording studio use is considered a retail and personal service use.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P- ____ .104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ____A: development plan.

SEC. 51P- ____ .105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the GO(A) General Office District, subject to the same conditions applicable in the GO(A) General Office District, as set out in Chapter 51A. For example, a use permitted in the GO(A) General Office District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the GO(A) General Office District is subject to DIR in this district; etc.

(b) The following additional uses are permitted by right:

- Alcohol beverage establishments.
- Broadcasting or recording studio.
- Commercial amusement (inside).
- Convenience store.
- Custom business service.
- General merchandise or food store 3,500 square feet or less.
- Handcrafted art work studio.
- Instructional arts studio.
- Restaurant without drive-in or drive-through service.
- Theater.

(c) The following use is permitted by specific use permit (SUP) only:

- Mini-warehouse.

SEC. 51P-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the GO(A) General Office District apply.

(b) Front yard. Minimum front yard is 10 feet.

SEC. 51P- _____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulation in Division [51A-4.200](#) for the specific off-street-parking and loading requirements for each use.

(b) The entire property is considered one lot for parking purposes.

(c) An art gallery, broadcasting or recording studio, handcrafted art work studio, or instructional arts studio require a minimum of one space per 500 square feet.

(d) Shared parking is permitted for all nonresidential uses on the lot. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off street parking requirement for the development is the largest of the five “time-of-day” column sums.

Shared Parking Table (for calculating adjusted parking requirement)					
Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Office-related uses	100%	80%	100%	85%	35%
Retail related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

(d) For an office use, the required parking shall be provided at a ratio of one space per 418 square feet of floor area.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. LANDSCAPING.

Landscaping must be provided in accordance with Article X.

SEC. 51P- _____.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- _____.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

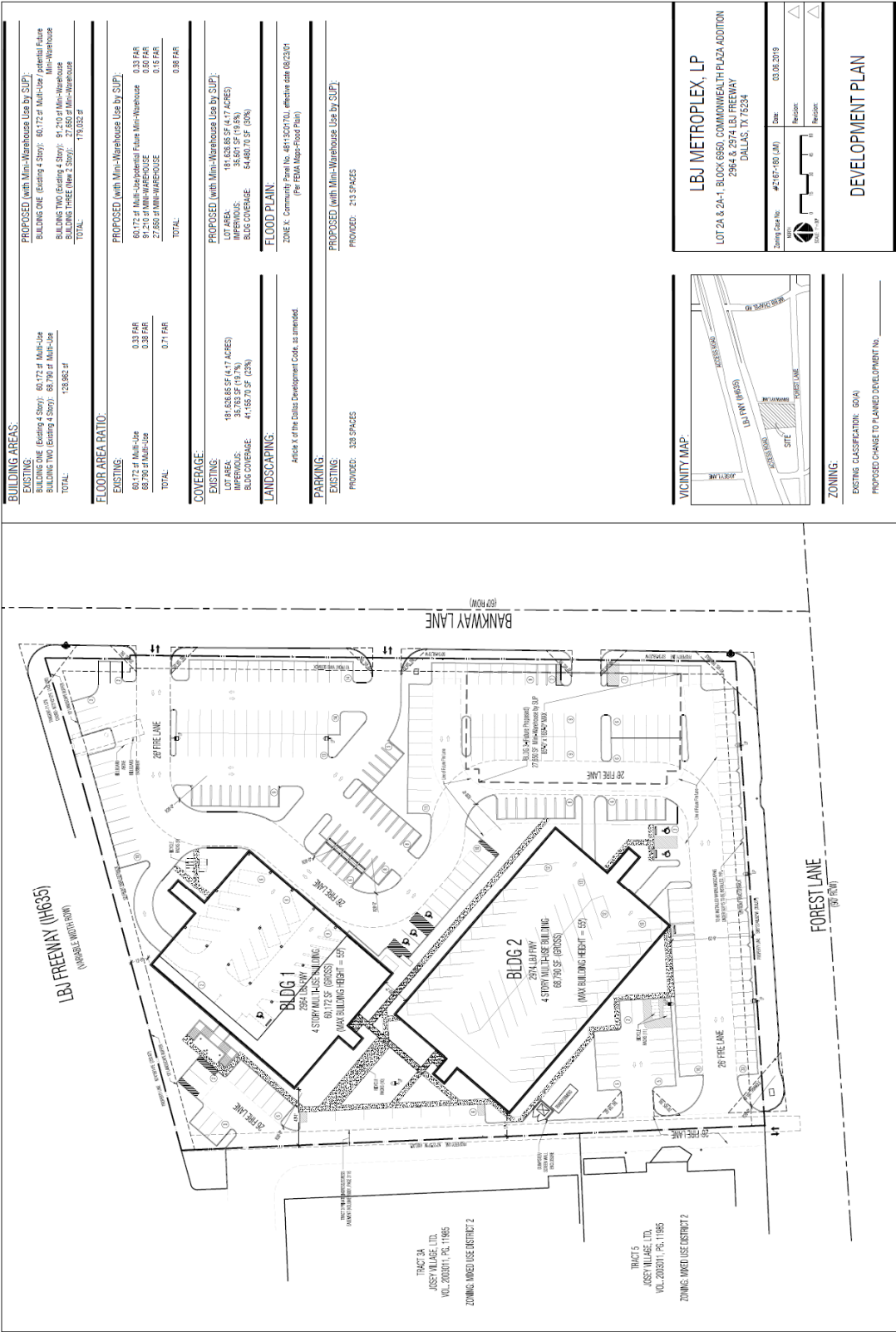
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.114. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

Proposed Development Plan



CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a mini-warehouse.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevations.

CPC Recommendation and Applicant's Request:

3. TIME LIMIT: This specific use permit expires on____, (fifteen-year period from the passage of this ordinance, but is eligible for one automatic renewal for an additional fifteen-year period pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Staff's Recommendation:

3. TIME LIMIT: This specific use permit expires on____, (ten-year period from the passage of this ordinance, but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING: Except as otherwise provided on the landscape plan attached hereto as Exhibit “_”, landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
 - A. Landscaping shown on the landscape plan must be installed prior to the issuance of a certificate of occupancy for a mini-warehouse use in Building 3 as shown on the Site Plan. Street trees along Bankway Lane that are within ten feet of a building shall be medium or small trees.
 - B. Along Forest Lane and Bankway Lane, sod must be planted within six months of approval of this specific use permit in the area between the back of parking lot pavement and back of curb of said streets, save and except sidewalks, utility facilities, and other impervious surfaces.

5. ELEVATIONS: Construction of Building 3 as shown on the Site Plan must generally comply with the elevations attached hereto as Exhibit” _ ”.
6. ARCHITECTURAL STANDARDS: Building 3, as identified on the Site Plan, shall conform to the following architectural standards:

A. Building Articulation:

1. The exterior facades of new buildings shall have a minimum of one horizontal articulation no lower than ten feet above finished floor that extends a minimum of seventy-five percent around the perimeter of the building to create a lower “base” and upper “top” around the building.
2. No façade shall extend longer than forty-five continuous feet along the lower base without a depth articulation of at least one foot deep that is a minimum of two feet wide.
3. No façade shall extend longer than seventy-five continuous feet without a minimum depth articulation of three feet deep that is a minimum of ten feet wide. The three-foot depth articulation shall extend vertically the full height of the building.
4. No parapet or roof length shall extend longer than seventy-five continuous feet in the same direction without a minimum height articulation of three feet that is a minimum of ten feet wide.
5. Display windows or glass shall be utilized on facades facing public streets and roadways as shown on the SUP Elevation Plan.
6. Offsets, projections, and reveals are required for material transitions.

B. Exterior Material Requirements

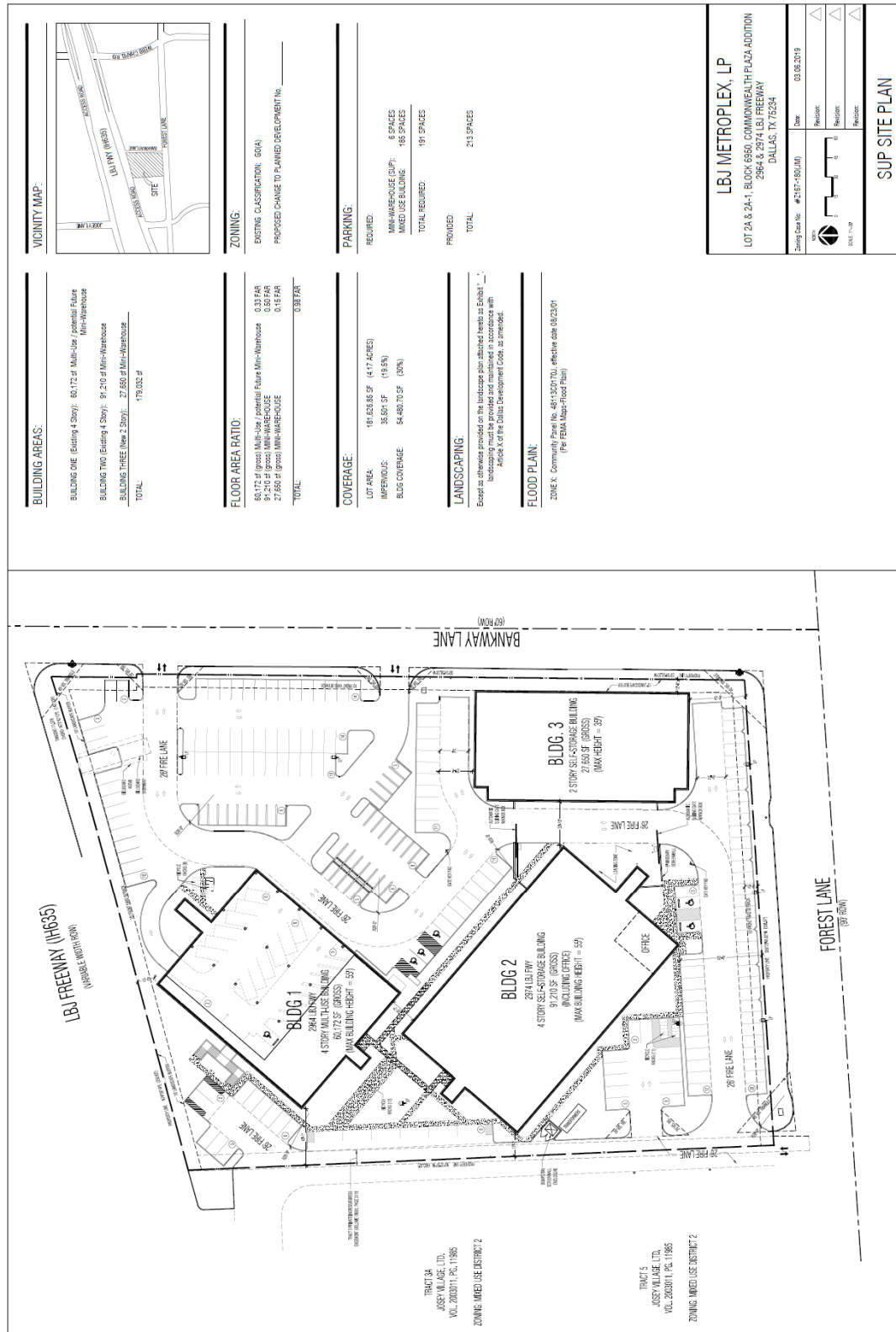
1. The exterior facades of a new building shall be constructed of eighty percent masonry, exclusive of doors and windows.
2. Masonry shall be defined as stone, pre-cast concrete, poured-in-place concrete with a similar appearance to stone, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick.
3. No single material shall cover more than sixty percent of each façade.
4. The use of architectural metal panels shall be limited to twenty percent of the total exterior façade.

7. SCREENING WALL REQUIREMENTS:

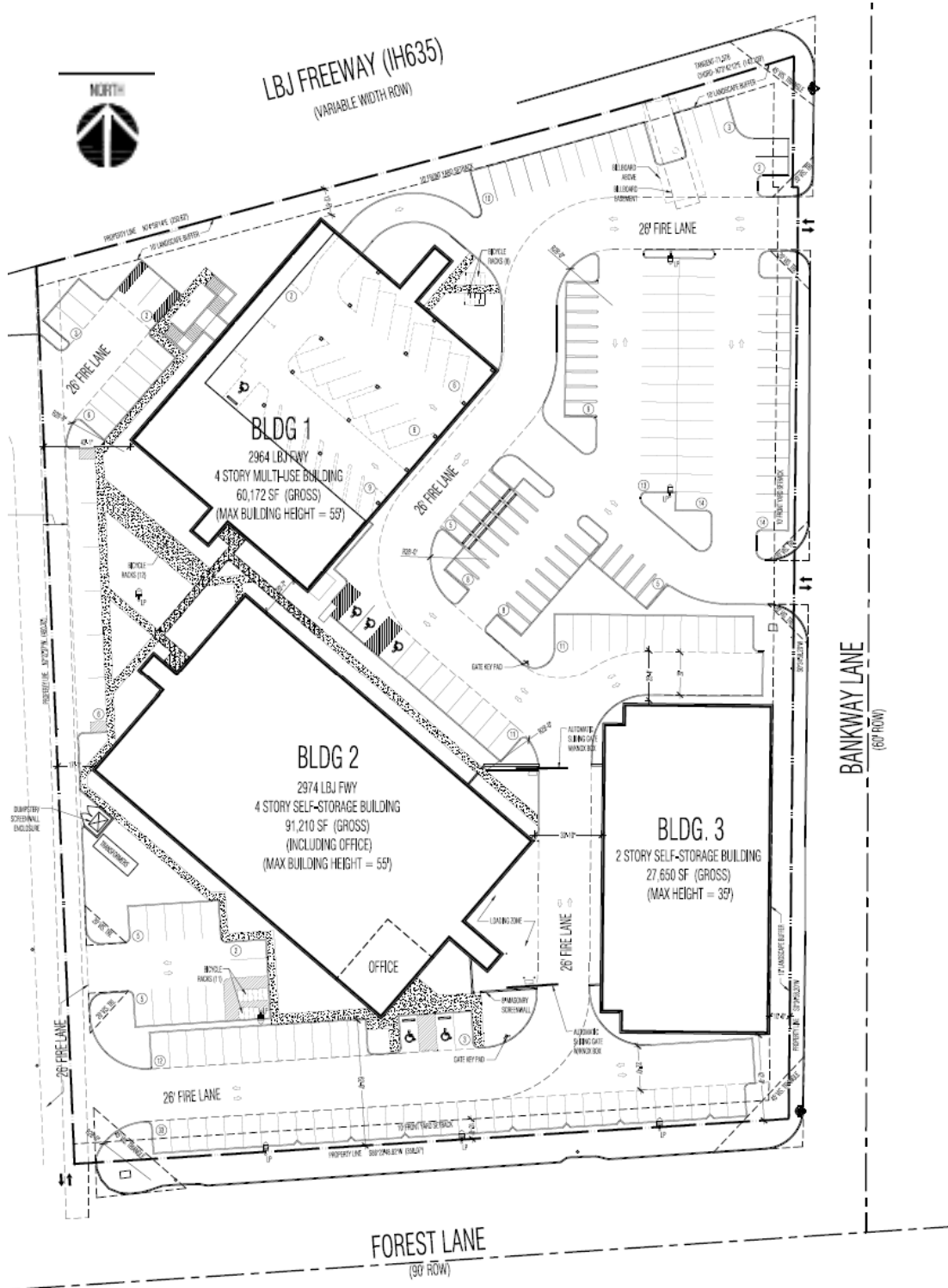
- A. Masonry screen walls to a height of eight feet are required to block dumpsters, loading zones, and false overhead display doors from the view of public streets as shown on the SUP Site Plan.

- B. All screen walls shall be constructed of stone, pre-cast concrete, poured-in-place concrete with a similar appearance to stone, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick.
 - 1. All walls shall be constructed with the same materials and masonry percentages as the new buildings.
 - 2. The decorative, patterned, or split-faced side of the wall must face out toward the public streets.
 - 3. Gates may be constructed of tubular steel.
 - 4. Tubular steel or painted steel may be used for operable gates, but are required to be infilled with metal panels of the same color.
 - C. No wall shall extend longer than four continuous feet without a depth articulation of twelve inches that is a minimum of sixteen inches wide.
- 8. INGRESS/EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
 - 9. PARKING: Off-street parking must be located as shown on the attached site plan and provided in accordance with PD No. XXX.
 - 10. FLOOR AREA: Total maximum floor area for the mini-warehouse buildings is 179,032 square feet inclusive of 400 square feet of office space for the storage buildings.
 - 11. HOURS OF OPERATION: The mini-warehouse office may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday; and between 8:00 a.m. and 6:00 p.m. on Saturday.
 - 12. OUTSIDE STORAGE: Outside storage of vehicles, parking for vehicles for rent, boats, and /or equipment is prohibited.
 - 13. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
 - 14. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

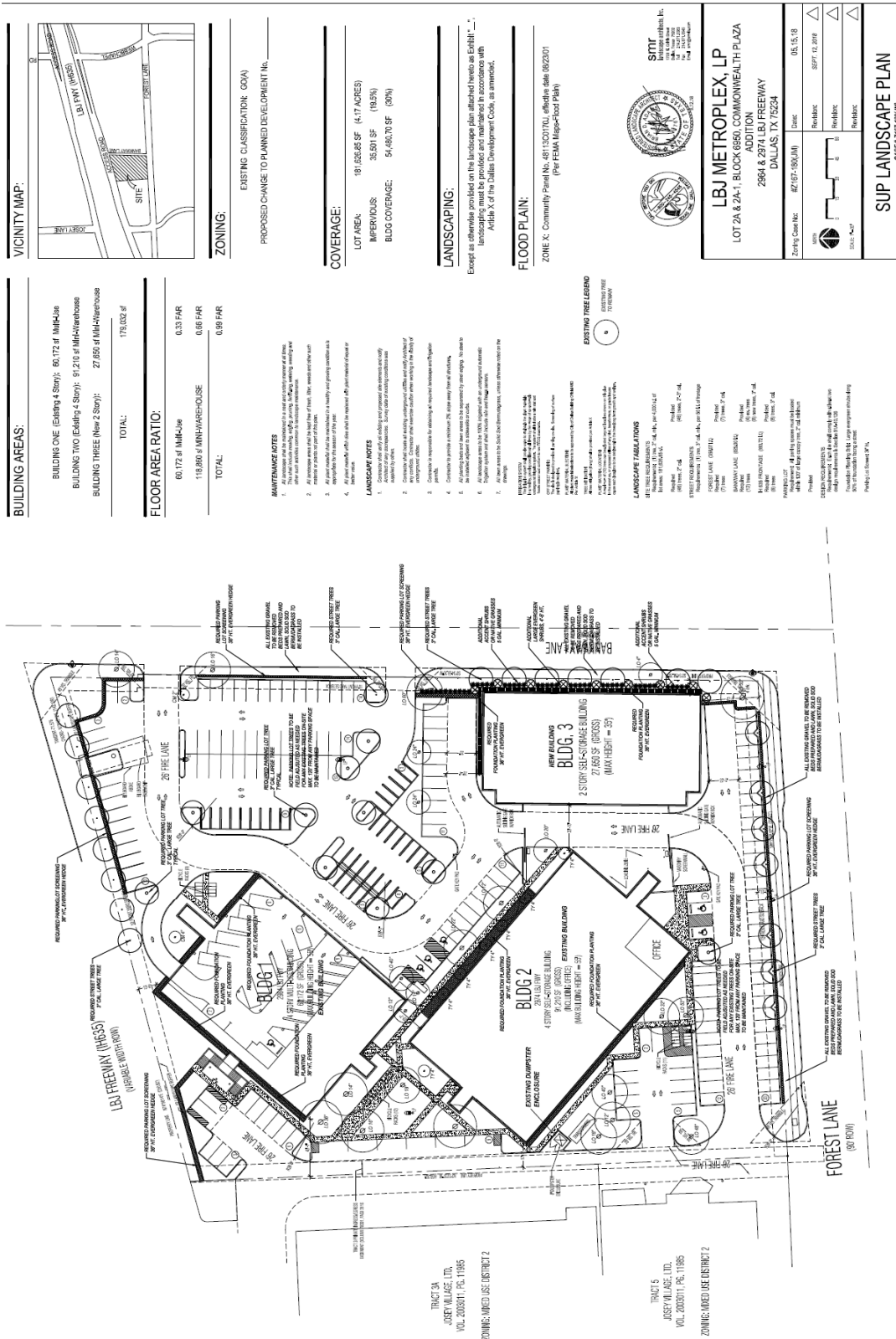
Proposed SUP Site Plan



Enlarged SUP Site Plan










Proposed SUP Landscape Plan

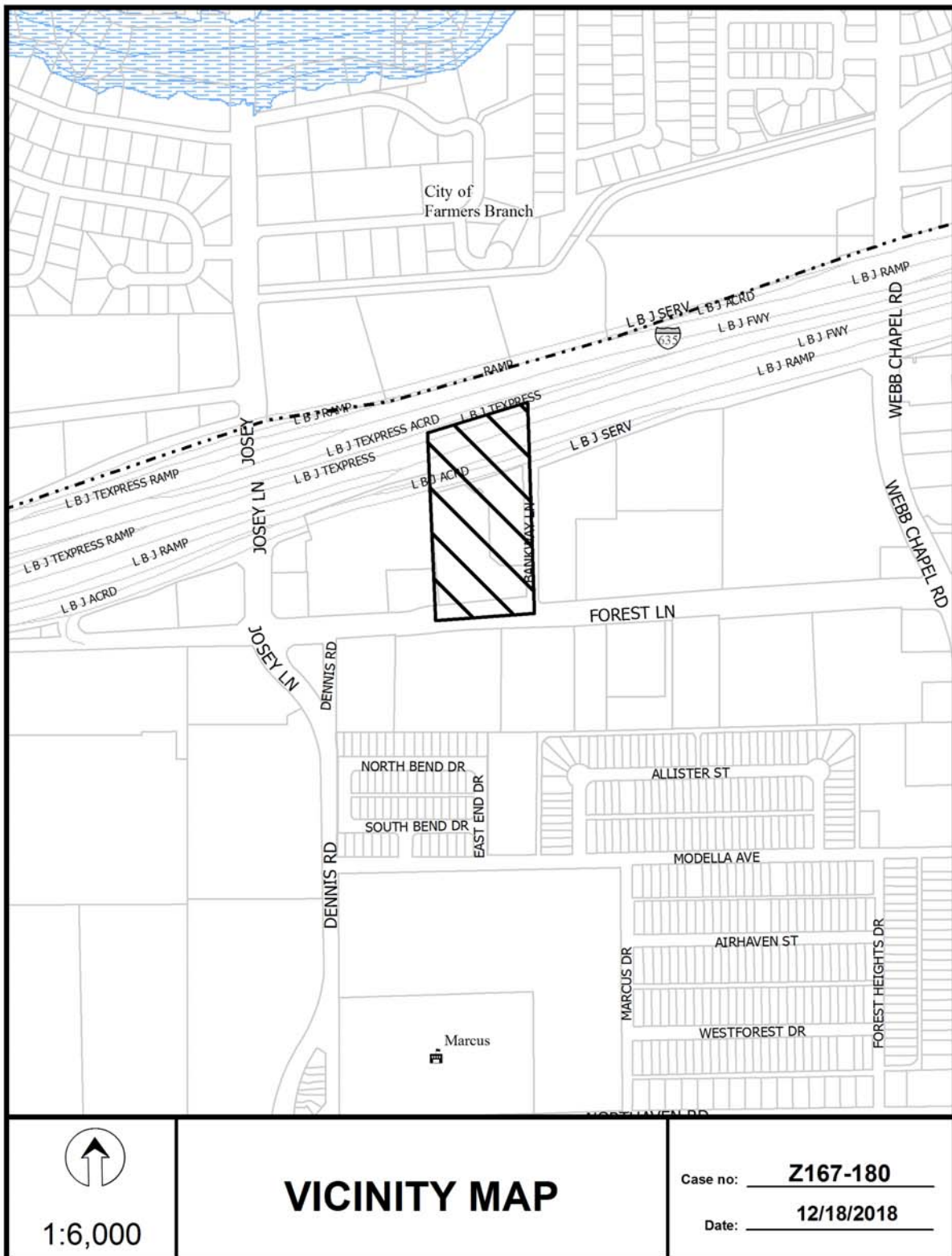


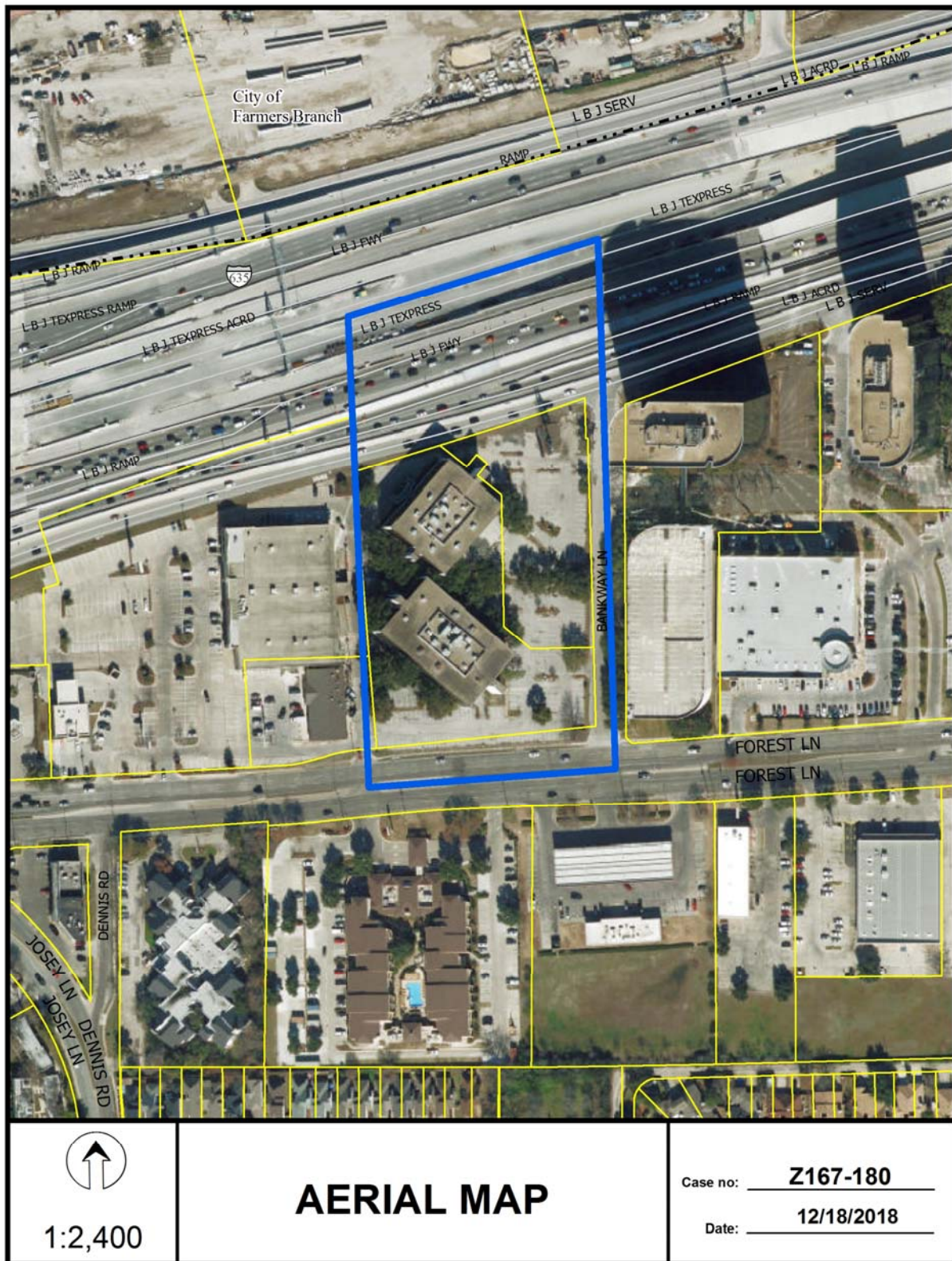


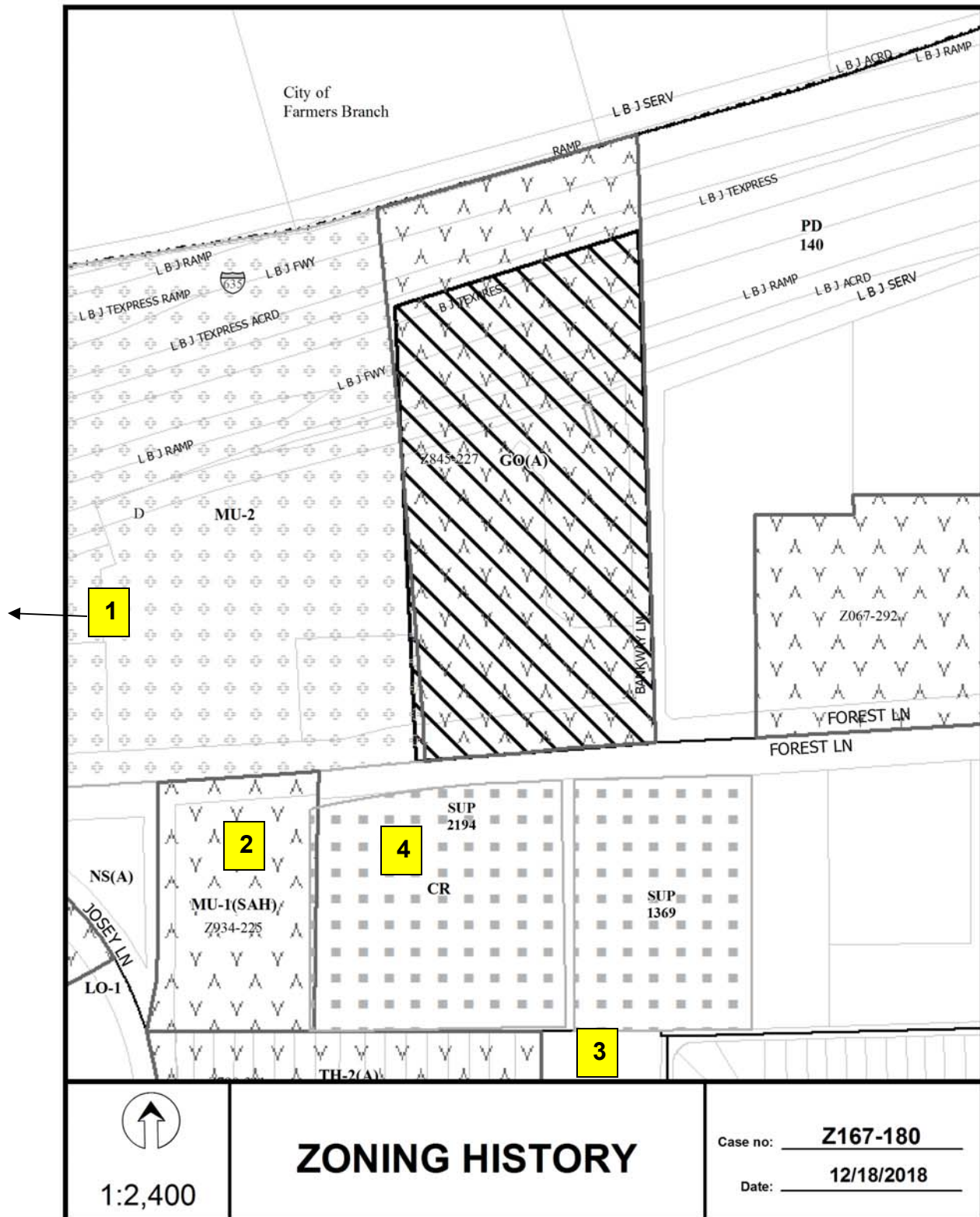


Drawing Code No.: #Z167-180(JM) Date: 12.18.2018			Revision: 
		Revision: 	
		Revision: 	

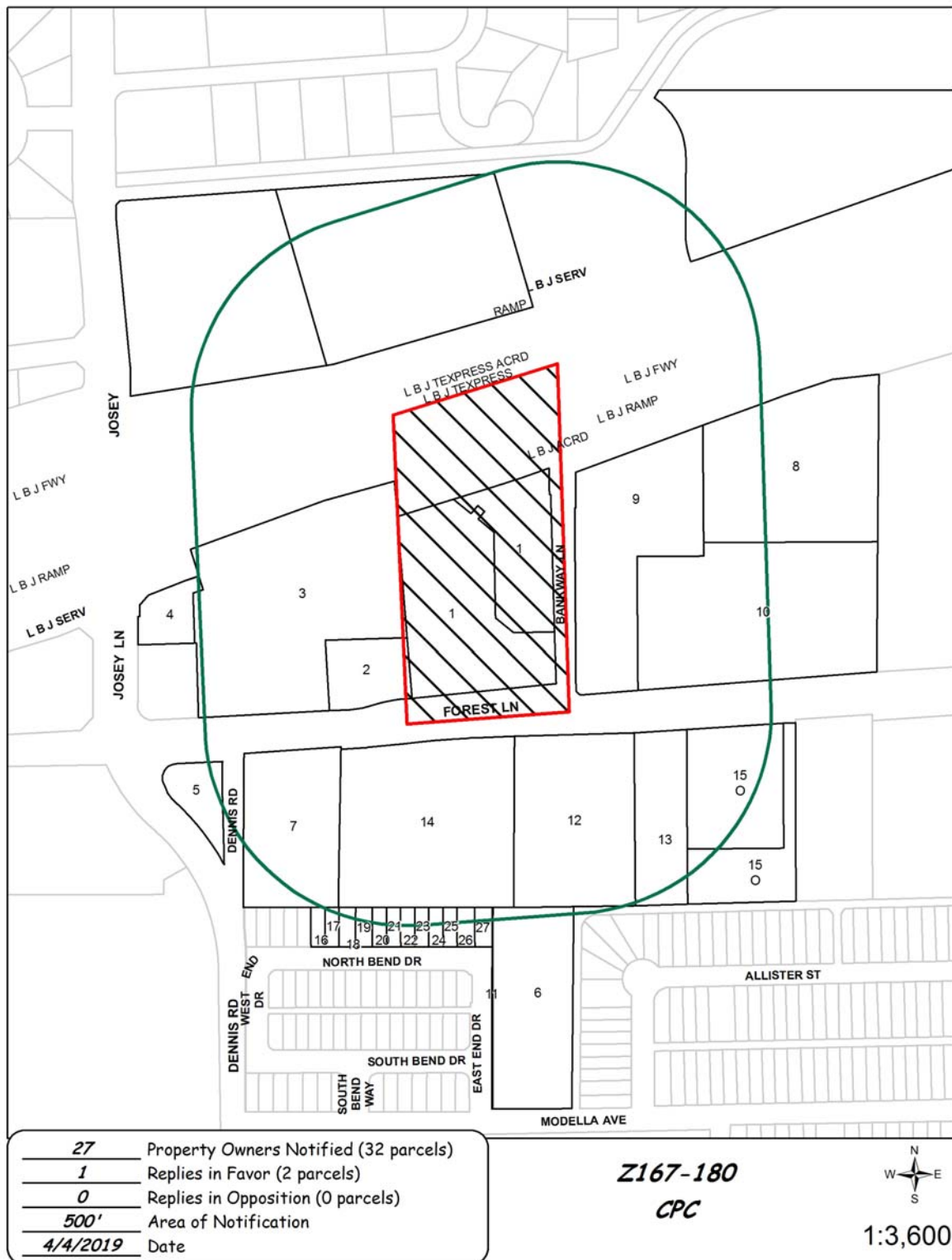
SUP ELEVATION PLAN







CPC RESPONSES



04/03/2019

Reply List of Property Owners***Z167-180******27 Property Owners Notified******1 Property Owner in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2964 LBJ FWY	LBJ METROPLEX LP
	2	2919 FOREST LN	JOSEY VILLAGE LTD
	3	2909 FOREST LN	JOSEY VILLAGE LTD
	4	11838 JOSEY LN	JOSEY VILLAGE LTD
	5	2880 FOREST LN	KNB ENTERPRISES INC
	6	2963 MODELLA AVE	OLERIO HOMES LLC
	7	2920 FOREST LN	ST JUDE INC
	8	3030 LBJ FWY	TRIWEST GREEN LP
	9	3010 LBJ FWY	GRAYSTONE GREEN LP
	10	3029 FOREST LN	COLE LA DALLAS TX LLC
	11	11600 DENNIS RD	NORTH TOWN SQUARE
	12	2968 FOREST LN	QUIKTRIP CORPORATION
	13	2976 FOREST LN	HALLE PROPERTIES LLC
	14	2930 FOREST LN	COVENTRY HOSPITALITY LLC
O	15	2992 FOREST LN	RUBINFELD SAMUEL LIVING TR &
	16	2925 NORTH BEND DR	GARCIA RICARDO ANTONIO & ALEJANDRA
	17	2929 NORTH BEND DR	SLOAN JAMIE L &
	18	2933 NORTH BEND DR	HARRISON SANDRA A
	19	2937 NORTH BEND DR	MCGEE FRANK HARDIN &
	20	2941 NORTH BEND DR	KAILEY BARBARA
	21	2945 NORTH BEND DR	ETIENNE PHILIPPE JEAN &
	22	2949 NORTH BEND DR	WEBB JEFFREY S
	23	2953 NORTH BEND DR	ROMERO MARCUS JOSHUA
	24	2957 NORTH BEND DR	MEDINA WAYNE R
	25	2961 NORTH BEND DR	RICE DAWN P
	26	2965 NORTH BEND DR	GILSON DAVID E &
	27	2969 NORTH BEND DR	FRAELICH EDWARD K JR