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## City of Dallas

1500 Marilla Street  
Dallas, Texas 75201

2019 AUG -2 PM 4:15

CITY SECRETARY  
DALLAS, TEXAS



## COUNCIL AGENDA

August 14, 2019

***Lake Highlands North Recreation Center  
9940 White Rock Trail  
Dallas, Texas 75238***

Public Notice

19 07 4 1

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 Secretaría 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, AUGUST 14, 2019  
LAKE HIGHLANDS NORTH RECREATION CENTER  
9940 WHITE ROCK TRAIL  
DALLAS, TX 75238  
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 - 54

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 2:15 p.m.

Items 55 - 58

**PUBLIC HEARINGS AND RELATED ACTIONS**

6:00 p.m.

Items 59 - 79

**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. 19-1092 Approval of Minutes of the June 26, 2019 City Council Meeting

CONSENT AGENDA

**City Attorney's Office**

2. 19-962 Authorize settlement of the lawsuit styled Rayvette Hannah v. The City of Dallas, Cause No. DC-18-00803 - Not to exceed \$70,000.00 - Financing: Risk Management Funds
3. 19-1017 Authorize Supplemental Agreement No. 2 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, for additional legal services in connection with the bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del) - Not to exceed \$105,000.00, from \$122,828.29 to \$227,828.29 - Financing: Dallas Water Utilities Funds

**Department of Aviation**

4. 19-907 Authorize a professional services contract with VAI Architects Incorporated to provide design and construction administration services for Emergency Medical Service Renovation Project at Dallas Love Field - Not to exceed \$156,000.00 - Financing: Aviation Capital Construction Fund
5. 19-905 Authorize Supplemental Agreement No. 2 to the professional services contract with Huitt-Zollars, Inc. to provide design revisions and construction administration services for Security Controls Enhancement Project at Dallas Love Field - Not to exceed \$229,741.67, from \$429,864.60 to \$659,606.27 - Financing: Aviation Capital Construction Fund

**Department of Dallas Animal Services**

6. 19-1060 Authorize the **(1)** acceptance of a grant from PetSmart Charities, Inc., to host the Clear the Shelters adoption event in the amount of \$5,000.00 for the period August 14, 2019 through February 14, 2020; **(2)** receipt and deposit of grant funds in an amount not to exceed \$5,000.00 in the PetSmart Charities Grant Fund; **(3)** establishment of appropriations in an amount not to exceed \$5,000.00 in the PetSmart Charities Grant Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed \$5,000.00 - Financing: PetSmart Charities Grant Funds

**Department of Public Works**

7. 19-429 Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of Street Reconstruction Group 17-4008 (list attached to the Agenda Information Sheet) - Not to exceed \$336,900.26 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$288,970.26) and Water Utilities Capital Improvement Funds (\$47,930.00)
8. 19-618 Authorize a professional services contract with Freese and Nichols, Inc. for the engineering design of Complete Street Reconstruction Project - Casa View Street Improvements - Not to exceed \$617,147.57 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$590,274.57) and Water Utilities Capital Improvement Funds (\$26,873.00)
9. 19-626 Authorize a twenty-four-month contract for the 2019 Sidewalk and Barrier Free Ramp Improvements that includes water and wastewater adjustments in Service Maintenance Areas 3 and 4 Contract No. 2 - Estrada Concrete Company, LLC, lowest responsible bidder of five - Not to exceed \$1,493,157.50 - Financing: Capital Assessment Fund (\$1,064,884.00), Street and Transportation (A) Fund (2017 Bond Funds) (\$377,273.50) and Water Utilities Capital Construction Funds (\$51,000.00)
10. 19-970 Authorize a construction contract for the construction of Tyler Street/South Polk Street two-way conversion from Canty Street to Pembroke Avenue - Rebcon, Inc., lowest responsible bidder of five - Not to exceed \$6,442,097.00 - Financing: General Fund (\$60,000.00), Street and Transportation Improvements Fund (2006 Bond Funds) (\$3,094,572.39), Street and Transportation Improvements Fund (2012 Bond Funds) (\$2,484,923.61), Water Utilities Capital Improvement Funds (\$763,827.00), and Water Utilities Capital Construction Funds (\$38,774.00)

**Department of Sanitation Services**

11. 19-1050 A resolution ratifying the City Manager's execution of an emergency service price agreement with Hurricane Waste Systems, LLC, lowest responsible bidder of five, for hauling of reduced vegetative debris related to the June 9, 2019 storm - Estimated amount of \$1,945,000.00 - Financing: Sanitation Operation Fund

**Department of Sustainable Development and Construction**

12. 19-944 Authorize acquisition from Margaret Laverne Carathers, of approximately 7,137 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$33,000.00 (\$30,00.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Water Construction Fund
13. 19-554 Authorize an actual reasonable moving and related expenses payment for Master Video System, Inc., who will be displaced as a direct result of property acquisition located at 4334 Scottsdale Drive in conjunction with the Dallas Water Utilities Distribution Scottsdale Project - Not to exceed \$142,813.00 - Financing: Water Capital Improvement Fund
14. 19-625 Authorize an actual reasonable moving and related expenses payment for Crown Castle, USA, Inc., who was displaced as a direct result of property acquisition of the property located at 603 South Riverfront Boulevard in conjunction with the Levee Drainage System Sump A (Able Pump Station) Project - Not to exceed \$64,900.00 - Financing: Flood Protection and Storm Drainage Facilities (2012 Bond Funds)
15. 19-940 A resolution authorizing the conveyance of a Special Warranty Deed and a Possession and Use Agreement, for a total of approximately 119,567 square feet of City-owned land to the State of Texas located near the intersection of Interstate Highway 30 and Dalrock Road - Revenue: \$1,818,505.00
16. 19-1025 Authorize an addition to Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction that would include approximately 77.978 acres on property located in Kaufman County on the west corner of University Drive and FM 548 - Financing: No cost consideration to the City
17. 19-643 An ordinance granting a private license to Jefferson West Love Owner - Phase 2, LLC, for the use of a total of approximately 230 square feet of land to occupy, maintain, and utilize twenty-nine trees with appurtenant irrigation system and fifteen light poles on portions of Forest Park Road and Hawes Avenue rights-of-way near its intersection with Forest Park Road - Revenue: \$400.00 one-time fee, plus the \$20.00 ordinance publication fee

18. 19-4 An ordinance abandoning portions of an alley to The Manhattan Project, LLC and Boltex Holdings, Ltd., the abutting owners, containing a total of approximately 3,500 square feet of land, located near the intersection of Yorktown and Haslett Streets; and authorizing the quitclaim; and providing for the dedication of approximately 3,027 square feet of land needed for right-of-way - Revenue: \$5,400.00, plus the \$20.00 ordinance publication fee
19. 19-769 An ordinance abandoning a portion of a utility easement to Olerio Homes, LLC, the abutting owner, containing approximately 1,718 square feet of land, located near the intersection of Southwestern Boulevard and Preston Park Drive - Revenue: \$5,400.00, plus the \$20.00 ordinance publication fee
20. 19-903 An ordinance abandoning a portion of a utility easement to Sulman Ahmed as Trustee of The SJD Trust, the abutting owner, containing approximately 3,793 square feet of land, located near the intersection of Alan Dale and Shadywood Lanes - Revenue: \$5,400.00, plus the \$20.00 ordinance publication fee

**Department of Transportation**

21. 19-792 Authorize the **(1)** acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0430-01-060, etc., CFDA No. 20.205) in the amount of \$572,991.89 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following nine on-system locations: Scyene Road (SH 352) and Prairie Creek Road, Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue, Scyene Road (SH 352) and St. Augustine Drive, Buckner Boulevard (Loop 12) and Samuell Boulevard, Buckner Boulevard (Loop 12) and Mercer Drive, Buckner Boulevard (Loop 12) and Lake Highlands Drive, Kiest Boulevard (Spur 303) and Duncanville Road, Lancaster Road (SH 342) and Camp Wisdom Road, and Harry Hines Boulevard (Loop 354) and Lombardy Lane; **(2)** establishment of appropriations in the amount of \$572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; **(3)** receipt and deposit of funds in the amount of \$572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of \$572,991.89 - Financing: Texas Department of Transportation Grant Funds



22. 19-933 Authorize the **(1)** acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0918-47-178, etc., CFDA No. 20.205) in the amount of \$207,085.26 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following five off-system locations: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, and Olive Street and San Jacinto Street; **(2)** establishment of appropriations in the amount of \$207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; **(3)** receipt and deposit of funds in the amount of \$207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of \$207,085.26 - Financing: Texas Department of Transportation Grant Funds
23. 19-900 Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 5 at the following five locations: North Prairie Creek Road at Forney Road; North Prairie Creek Road at Jennie Lee Lane; West Ledbetter Drive at Joseph Hardin Drive; West Illinois Avenue at Hollywood Avenue; and West Camp Wisdom Road at Eagle Ford Drive - Roadway Solutions, Inc., lowest bidder of three - Not to exceed \$1,297,982.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
24. 19-901 Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 6 at the following four locations: Singleton Boulevard at Kingbridge Street; Interstate Highway 20 Eastbound/Westbound at St. Augustine Drive; Interstate Highway 20 Eastbound/Westbound at Mountain Creek Parkway; and Lemmon Avenue at Travis Street - Roadway Solutions, Inc., lowest responsible bidder of three - Not to exceed \$1,337,393.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

25. 19-954 Adopt a resolution to **(1)** support funding for the Rosemont Safe Routes to School (SRTS) and Southwest Pleasant Grove SRTS Projects as described in the City of Dallas' detailed applications to the 2019 Texas Department of Transportation (TxDOT) Safe Routes to School Program including the construction budget, TxDOT's administrative cost, and the required local match, if any, and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing; and **(2)** authorize the City Manager to enter into an agreement with TxDOT should the Rosemont SRTS Project and/or Southwest Pleasant Grove SRTS Project be selected for funding - Financing: No cost consideration to the City (see Fiscal Information)

#### **Housing & Neighborhood Revitalization**

26. 19-1052 Authorize a five-year subscription contract for software licenses, hosting services and technical support for various Department of Housing and Neighborhood Revitalization programs with Benevate Inc. dba Neighborly Software through an Intergovernmental Agreement with the City of Waco - Not to exceed \$266,714.40 - Financing: General Fund (\$62,400.00) and Community Development Block Grant Fund (\$204,314.40) (subject to annual appropriations)

#### **Office of Budget**

27. 19-682 Authorize a public hearing to be held on August 28, 2019 to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

#### **Office of Community Care**

28. 19-930 Authorize the **(1)** acceptance of five donated vehicles from the U.S. Department of Agriculture through the Texas Health and Human Services, Health and Human Services Commission and the South Plains Community Action Associations, Inc. consisting of four Lone Star Conversion Vans and one 2019 Ford Escape for the City of Dallas; and **(2)** classification and reporting of the donated vehicles into City records as a donation to be used for the Special Supplemental Nutrition Program for Women, Infants and Children - Financing: This action has no cost consideration to the City (see Fiscal Information)

29. 19-977 Authorize **(1)** the acceptance of donations from electric and energy providers in the amount of \$500,000.00, through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center, to provide temporary financial assistance to individuals and families who are experiencing a temporary financial crisis for the period August 30, 2019 through September 30, 2020; **(2)** the receipt and deposit of funds in an amount not to exceed \$500,000.00 in the OCC Energy Assistance Fund; and **(3)** an increase in appropriations in an amount not to exceed \$500,000.00 in the OCC Energy Assistance Fund - Not to exceed \$500,000.00 - Financing: OCC Energy Assistance Fund
30. 19-1026 Authorize the **(1)** acceptance of grants from the Texas Health and Human Services, Department of State Health Services (DSHS) for the Lactation Support Center Services Program (Contract No. HHS000455600001) in the amount of \$320,000.00 from DSHS (Contract No. HHS000455600001) and \$45,000.00 from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (HHSCDC) through DSHS (Contract No. HHS000455600001/Federal ID No. 6 NU58DP006501-01-01/CFDA No. 93.439) for a total amount of \$365,000.00 to **(a)** develop and implement the Lactation Support Center Services - Strategic Expansion Program; **(b)** provide a training center; and **(c)** provide lactation education, and counseling and referral services to women not currently participating in the Texas Special Supplemental Nutrition Program for Women, Infants and Children Lactation Services Center, for the period September 1, 2019 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed \$320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and \$45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund in a total amount not to exceed \$365,000.00; **(3)** receipt and deposit of grant funds in an amount not to exceed \$320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and \$45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund, for a total amount not to exceed \$365,000.00; and **(4)** execution of a contract with option to renew with DSHS and all terms, conditions, and documents required by the contract - Total not to exceed \$365,000.00 - Financing: Department of State Health Services Grant Funds

31. 19-976 Authorize the **(1)** fourth amendment to Contract No. 2017-049838-001 (Amendment No. 4, CFDA No. 10.557) with the Texas Health and Human Services Commission (HHSC) for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), to **(a)** extend the term of the contract from October 1, 2019 through September 30, 2020, to allow for successful completion of the WIC Program for FY 2020 grant allocations; **(b)** revise the budget for Contract No. 2017-049838-001, Amendment No. 2, to decrease the FY 2019 total budget amount by \$499,453.00 from \$14,529,596.00 to \$14,030,143.00; **(c)** reallocate funds from the FY 2019 Dietetic Internship unit to the FY 2019 Lactation Services unit in the amount of \$42,000.00 for the period of October 1, 2018 through September 30, 2019; and **(d)** accept grant funds from the U.S. Department of Agriculture passed through the HHSC for FY 2020 allocation (Contract No. 2017-049838-001 Amendment No. 4, CFDA No. 10.557), for the continuation of the Special Supplemental Nutrition Program for WIC in the amount of \$14,030,143.00 for the period October 1, 2019 through September 30, 2020; **(2)** establishment of appropriations in an amount not to exceed \$14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; and **(4)** execution of the contract amendment and all terms, conditions, and documents required by the contract - Total not to exceed \$13,530,690.00, from \$44,432,932.00 to \$57,963,622.00 - Financing: Health and Human Services Commission Grant Funds

**Office of Cultural Affairs**

32. 19-1048 Authorize a contract with Andrew Scott for the fabrication and installation of a freestanding, outdoor sculpture at Anderson Bonner Park located at 12000 Park Central Drive - Not to exceed \$68,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
33. 19-1046 Authorize a contract with Bernard Williams for the fabrication and installation of a site-specific, freestanding, outdoor sculpture at the South Lamar Street Gateway located at the intersection of Pine and South Lamar Streets - Not to exceed \$63,000.00 - Financing: Street System Facilities Fund (1995 Bond Funds)
34. 19-1047 Authorize a contract with PLS Mosaics, LLC for the fabrication and installation of freestanding outdoor sculptures at the Dallas Animal Services Main Shelter located at 1818 North Westmoreland Road - Not to exceed \$80,000.00 - Financing: Animal Control (7) Fund (2003 Bond Funds)

**Office of Homeless Solutions**

35. 19-950 Authorize the **(1)** acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in an amount not to exceed \$1,101,611.00 to provide services to the homeless through the Homeless Housing and Services Program ("HHSP"), for the period September 1, 2019 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed \$1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; **(4)** City Manager to enter into, represent the City with respect to, and execute, the contract with TDHCA for FY 2020 TDHCA-Homeless Housing and Services Program Grant Funds; and **(5)** Assistant City Manager to enter into, represent the City with respect to, and execute the contract on the City Manager's behalf - Not to exceed \$1,101,611.00 - Financing: Texas Department of Housing and Community Affairs Grant Funds
36. 19-951 Authorize **(1)** an amendment to Resolution No. 18-1380, previously approved on September 26, 2018, to accept additional grant funds from the Texas Health and Human Services Commission ("THHSC") for FY 2020 and FY 2021 (Contract No. 2016-049507-001C, Amendment No. 3), to provide services to homeless persons who have a mental illness, substance abuse use or co-occurring psychiatric disorder through the Healthy Community Collaborative Program in an amount not to exceed \$3,500,000.00 for the period September 1, 2019 through August 31, 2021; **(2)** a private 1:1 cash or in-kind match by the City, through its subcontractors in an amount not to exceed \$3,500,000.00; **(3)** the establishment of appropriations in an amount not to exceed \$3,500,000.00 in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; **(4)** the receipt and deposit of grant funds for reimbursement in an amount not to exceed \$3,500,000.00 by THHSC in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed \$3,500,000.00 - Financing: Texas Health and Human Services - Health and Human Services Commission Grant Funds

**Office of Procurement Services**

37. 19-921 Authorize a three-year service price agreement for hydraulic cylinder, pump, and valve repair - FLR Solutions, LLC in the amount of \$871,424.75 and Herco Equipment Company, Inc. in the amount of \$140,375.00, lowest responsible bidders of two - Total not to exceed \$1,011,799.75 - Financing: General Fund (\$183,132.00), Equipment and Fleet Management Fund (\$785,432.75), and Dallas Water Utilities Fund (\$43,235.00)

38. 19-935 Authorize a three-year service price agreement for removal and disposal of excavated materials from City facilities and work sites for the Water Utilities Department - Herdez Trucking Co., lowest responsible bidder of two - Estimated amount of \$1,935,450 - Financing: Dallas Water Utilities Fund
39. 19-1005 Authorize a three-year service price agreement for sports officiating services for the Park and Recreation Department - TOP Basketball Official Association in the estimated amount of \$1,066,500, Metro Fort Worth ASA dba USA Softball of DFW in the estimated amount of \$772,880, and Dallas Sports Alliance dba Oak Cliff Sports Group in the estimated amount of \$45,000, lowest responsible bidders of three - Estimated amount of \$1,884,380 - Financing: General Fund (\$750,000) and Park and Recreation Program Fund (\$1,134,380)
40. 19-1013 Authorize **(1)** rescinding the three-year service price agreement with The Ashelyn Group, LLC and Tremaine Hall, Individually dba Stellar Execucare Cleaning, previously approved on January 23, 2019, by Resolution No. 19-0187, for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties; and **(2)** a three-year service price agreement for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties for the Sanitation Services Department - Cross Plus Construction, LLC, lowest responsible bidder of six - Estimated amount of \$551,000 - Financing: Sanitation Operation Fund
41. 19-785 Authorize a three-year concession contract, with five one-year renewal options, for operation of food and beverage concessions, catering, and miscellaneous services at the Majestic Theatre - Ed Campbell Concessions Company, most advantageous proposer of two - Estimated Annual Revenue: \$225,000 (Revenue share 17.5 percent of gross food sales, less sales tax; 28.0 percent of gross non-alcoholic beverage sales, less sales tax; 28.0 percent of gross alcoholic beverage sales, less sales tax; 15.5 percent of gross catering sales, less sales tax; and 18.0 percent of all gross merchandise sales, less sales tax to the City)
42. 19-934 Authorize an acquisition contract for the purchase and installation of a modular building for the Water Utilities Department with Vanguard Modular Building Systems, LLC through The Interlocal Purchasing System cooperative agreement - Not to exceed \$199,273 - Financing: Water Capital Improvement Fund
43. 19-904 Authorize the purchase of six vehicles and equipment for the Fire-Rescue Department with Siddons-Martin Emergency Group, LLC in the amount of \$1,281,870 and Chastang Ford in the amount of \$149,825 through the Houston Galveston Area Council of Governments cooperative agreement - Total not to exceed \$1,431,695 - Financing: General Fund (\$1,281,870) and Master Lease-Equipment Fund (\$149,825)

44. 19-845 Authorize an eighteen-month master agreement for the purchase of advanced traffic controllers for the Department of Transportation with Texas Highway Products, LTD through the Texas Association of School Boards (BuyBoard) cooperative agreement - Estimated amount of \$5,187,600 - Financing: Street and Transportation Fund
45. 19-1003 Authorize a three-year master agreement for hydrofluosilicic acid for the Water Utilities Department - Solvay Fluorides, LLC, lowest responsible bidder of four - Estimated amount of \$1,163,625 - Financing: Dallas Water Utilities Fund
46. 19-947 Authorize **(1)** Supplemental Agreement No. 1 to increase the service contract with Global Information Systems, Inc. for temporary information technology staffing in the amount of \$200,097.70, from \$800,391.00 to \$1,000,488.70; **(2)** Supplemental Agreement No. 2 to increase the service contract with Sierra Digital, Inc. for temporary information technology staffing in the amount of \$732,281.25, from \$2,929,125.00 to \$3,661,406.25; and **(3)** Supplemental Agreement No. 2 to increase the service contract for the program to obtain specialized temporary information technology staffing through the use of the approved vendor list procured by the Department of Information Resources and to enter into contracts with selected vendors in the amount of \$571,498.25, from \$2,285,992.80 to \$2,857,491.05 - Total not to exceed \$1,503,877.20, from \$6,015,508.80 to \$7,519,386.00 - Financing: Data Services Fund (subject to appropriations)
47. 19-1126 Authorize Supplemental Agreement No. 4 to increase the service contract with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of \$1,394,515, from \$5,578,060 to \$6,972,575 and Clarence T. Crews dba Crews Service Company in the amount of \$22,500, from \$90,000 to \$112,500, for tree planting, tree removal, and stump grinding services related to the June 9, 2019 storm and to extend the term from August 27, 2019 to August 26, 2020 - Total not to exceed \$1,417,015, from \$6,502,060 to \$7,919,075 - Financing: Sanitation Operation Fund

**Park & Recreation Department**

48. 19-956 Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park - Loop Trail and Picnic Pavilion Project located at 12700 Hornbeam Drive - Not to exceed \$59,374.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

49. 19-1012 Authorize the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement - Not to exceed \$98,985.00 - Financing: Park Beautification Fund (\$9,105.00), P & R Athletic Field Maintenance Fund (\$35,900.00) and Recreation Program Fund (\$53,980.00)

**Water Utilities Department**

50. 19-929 Authorize a professional services contract with Halff Associates, Inc. for engineering services associated with the Floodplain Program Management Assistance Contract No. 1 - Not to exceed \$450,000.00 - Financing: Storm Drainage Management Capital Construction Fund
51. 19-838 Authorize a professional services contract with Terracon Consultants, Inc. to provide engineering and architectural services for the condition assessment and design of roof and heating, ventilation, air conditioning, and refrigeration systems at Dallas Water Utilities' 270 facilities - Not to exceed \$1,557,880.00 - Financing: Water Utilities Capital Improvement Funds (\$1,357,784.00) and Storm Drainage Management Capital Construction Fund (\$200,096.00)
52. 19-857 Authorize a construction contract for the installation of water and wastewater mains at 12 locations (list attached to the Agenda Information Sheet) - John Burns Construction Company of Texas, Inc., only bidder - Not to exceed \$23,704,542.00 - Financing: Water Utilities Capital Drinking Water TWDB Fund (\$15,248,542.00) and Water Utilities Capital Clean Water TWDB Fund (\$8,456,000.00)
53. 19-953 Authorize an increase in the construction services contract with Ark Contracting Services, LLC for additional work associated with the construction of Erosion Control Improvement Package C for nine erosion control improvement projects (list attached to Agenda Information Sheet) - Not to exceed \$1,095,234.55, from \$5,424,990.00 to \$6,520,224.55 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) (\$528,389.55) and Storm Drainage Management Capital Construction Fund (\$566,845.00)



54. 19-938 Authorize Supplemental Agreement No. 8 to the professional services contract with HDR Engineering, Inc. to provide additional engineering services for the design and construction of three bridges on Cadiz Street and Riverfront Boulevard to replace existing undersized box culverts within the Levee Drainage System - Sump A and to perform additional construction support services for the Able Storm Water Pump Station - Not to exceed \$262,579.00, from \$10,987,502.00 to \$11,250,081.00 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) (\$215,789.00) and Wastewater Capital Improvement Fund (\$46,790.00)

#### ITEMS FOR INDIVIDUAL CONSIDERATION

##### **City Secretary's Office**

55. 19-1093 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)

##### **Mayor and City Council Office**

56. 19-912 A resolution instructing the City Manager to not spend any city funds or resources demolishing structures within the Tenth Street Historic District - Financing: No cost consideration to the City (via Councilmembers Arnold, Greyson, Atkins, Medrano, and Thomas)

##### **Office of Economic Development**

57. 19-998 Authorize a New Markets Tax Credit transaction between the Dallas Development Fund and its subsidiaries, Capital One N.A. and its subsidiaries (Capital One), and Cristo Rey Dallas, and its affiliates (Cristo Rey) for improvements to the Cristo Rey Dallas campus located at 1064 North St. Augustine Drive - Financing: No cost consideration to the City

#### ITEMS FOR FURTHER CONSIDERATION

##### **Department of Sustainable Development and Construction**

58. 19-968 An ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street - Z178-368 - Financing: No cost consideration to the City (This item was deferred on June 26, 2019)

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

59. 19-1067 A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses and an ordinance granting the amendments  
Recommendation of Staff and CPC: Approval of the amendments  
Z178-223(CY)
60. 19-1069 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east line of South Fitzhugh Avenue, north of Lagow Street  
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions  
Z178-309(SM)
61. 19-1070 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast line of East Ledbetter Drive and the west line of Rocky Ridge Road  
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions  
Z189-154(SM)
62. 19-1071 A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for Eagle Ford School (1601 Chalk Hill Road) on property zoned an IM Industrial Manufacturing District on the west side of Chalk Hill Road, south of Tom Landry Freeway  
Recommendation of Staff and CPC: Approval, subject to preservation criteria  
Z189-162(LC)

63. 19-1072 A public hearing to receive comments regarding an application for and (1) an ordinance granting a D-1 Liquor Control Overlay; and (2) an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an NS(A)-D Neighborhood Services District with a D Liquor Control Overlay, on the southeast corner of Elam Road and Pleasant Drive  
Recommendation of Staff and CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions  
Z189-204(SM)
64. 19-1073 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 880, on the north line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane  
Recommendation of Staff and CPC: Approval, subject to conditions  
Z189-210(SM)
65. 19-1074 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 623, on the southeast corner of Royal Lane and Webb Chapel Road  
Recommendation of Staff and CPC: Approval, subject to a revised development plan, landscape plan, revised traffic management plan, and conditions  
Z189-213(SM)
66. 19-1075 A public hearing to receive comments regarding an application for and an ordinance granting a D(A) Duplex District on property zoned a CR Community Retail District on the southwest corner of Woodin Boulevard and Seevers Avenue  
Recommendation of Staff and CPC: Approval  
Z189-230(SM)
67. 19-1076 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 370 for a child-care facility and a community service center use on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast corner of Leland Avenue and Marburg Street  
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions  
Z189-236(AU)

68. 19-1077 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2150 for a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the northeast corner of Elm Street and South Good Latimer Expressway  
Recommendation of Staff and CPC: [Approval](#) for a three-year period, subject to conditions  
Z189-239(CY)
69. 19-1078 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility use on property zoned an R-7.5(A) Single Family Residential District, on the west line of East Lake Highlands Drive, north of Harter Road, and south of Peavy Road  
Recommendation of Staff and CPC: [Approval](#) for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions  
Z189-242(AU)
70. 19-1079 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center and a child-care facility on property zoned an MF-2(A) Multifamily District, on the southwest line of North Washington Avenue, northwest of Munger Avenue  
Recommendation of Staff and CPC: [Approval](#) for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions  
Z189-255(SM)
71. 19-1080 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 842 with Specific Use Permit No. 1289 for a bar, lounge, or tavern use and an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street  
Recommendation of Staff and CPC: [Approval](#) for a three-year period, subject to conditions  
Z189-261(SM)

ZONING CASES - INDIVIDUAL

72. 19-1082 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Community Retail District uses and a boutique hotel use on property zoned a CR Community Retail District on the southwest corner of West 7th Street and North Beckley Avenue  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval, subject to a development plan, landscape plan and conditions  
Z178-355(CY)
73. 19-1083 A public hearing to receive comments regarding an application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay, on the east line of Marvin D. Love Freeway, south of West Red Bird Lane with consideration being given to a D-1 Liquor Control Overlay  
Recommendation of Staff and CPC: Denial without prejudice  
Z189-159(CT)
74. 19-1084 A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north side of Ann Arbor Avenue, east of South Marsalis Avenue  
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions  
Recommendation of CPC: Denial without prejudice  
Z189-205(PD)
75. 19-1085 A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Oram Street  
Recommendation of Staff: Approval, subject to staff's recommended conditions  
Recommendation of CPC: Approval, subject to conditions  
Z189-206(SM)

76. 19-1086 A public hearing to receive comments regarding an application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue  
Recommendation of Staff: Approval  
Recommendation of CPC: Denial without prejudice  
Z189-224(CY)
77. 19-1087 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay, on the southwest corner of Greenville Avenue and Alta Avenue  
Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions  
Recommendation of CPC: Approval for a four-year period, subject to a site plan and conditions  
Z189-251(AU)

#### MISCELLANEOUS HEARINGS

#### Department of Sustainable Development and Construction

78. 19-1088 An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87 and Specific Use Permit No. 2127, on the north side of Main Street, east of Field Street - W189-004 - Financing: No cost consideration to the City

#### Office of Homeless Solutions

79. 19-949 A public hearing to receive comments on Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant ("ESG") Program, to reallocate FY17 ESG funds in the amount of \$333,895.00 from Emergency Shelter, Rapid Re-Housing, and Homeless Management Information System eligible activities to Street Outreach and Homelessness Prevention eligible activities; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan - Financing: No cost consideration to the City

**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]

**AUGUST 14, 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 August 14, 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  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Elizabeth Reich  
Chief Financial Officer  
\_\_\_\_\_  
Date



RECEIVED

2019 AUG -9 PM 5:38

CITY SECRETARY  
DALLAS, TEXAS

**ADDENDUM  
CITY COUNCIL MEETING  
WEDNESDAY, AUGUST 14, 2019  
LAKE HIGHLANDS NORTH RECREATION CENTER  
9940 WHITE ROCK TRAIL  
DALLAS, TX 75238  
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 - 54

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 2:15 p.m.

Items 55 - 58

Addendum Items 1 - 3

**PUBLIC HEARINGS AND RELATED ACTIONS**

6:00 p.m.

Items 59 - 79

## **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."*

ADDITIONS:

## Closed Session

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

- Yvette "Will Rap 4 Weed" Gbalazeh, v. City of Dallas, Civil Action No. 3:18-CV-00076.

- Energy Future Holdings Corp., et al. Case No. 14-10979 (CSS) (Bankr. D. Del).

- In Re Return Lee to Lee Park, Warren Johnson, and Katherine Gann, Relators, No. 05-19-00774-CV; Return Lee to Lee Park, et al. v. Mike Rawlings, et al. No. 05-19-00456-CV.

ITEMS FOR INDIVIDUAL CONSIDERATION**Department of Public Works**

1. 19-851 Authorize a construction contract for the construction of the Forest Green Branch Library replacement facility to be located at 9619 Greenville Avenue - J.C. Commercial, Inc., best value proposer of four - Not to exceed \$6,100,366.71 - Financing: Library (E) Fund (2017 Bond Funds)

**Office of Budget**

2. 19-1199 Authorize (1) public hearings to be held on Wednesday, September 4, 2019 and Wednesday, September 11, 2019 to receive comments on a proposed tax rate; and (2) a proposal to consider adoption of a \$0.7800/\$100 valuation tax rate, or a lower rate as may be proposed by the City Council on September 18, 2019 - Financing: No cost consideration to the City

**Office of Economic Development**

3. 19-1133 Authorize the following: (1) a business personal property tax abatement agreement for a five- year period; (2) a Chapter 380 economic development grant agreement in an amount not to exceed \$3,500,000.00 over a period of ten-years; (3) a Chapter 380 economic development grant agreement in an amount not to exceed \$5,000,000.00 associated with job creation; (4) a Chapter 380 economic grant agreement in an amount not to exceed \$100,000.00 associated with certain City fees; and (5) nomination to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Texas Government Code, Chapter 2303) to the Office of the Governor, Economic Development and Tourism division, through the Economic Development Bank; all with Uber Technologies, Inc. or an affiliate thereof in connection with the proposed expansion of certain corporate operations into a new two phase office development located at 2550 Pacific Avenue in accordance with the City's Public/Private Partnership Program - Total not to exceed \$9,345,633.00 - Financing: Estimated Revenue Foregone (\$745,633.00 over a five-year period) and Public/Private Partnership Funds (\$8,600,000.00)

**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: August 14, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	10	I	PBW	\$6,100,366.71	Authorize a construction contract for the construction of the Forest Green Branch Library replacement facility to be located at 9619 Greenville Avenue - J.C. Commercial, Inc., best value proposer of four - Not to exceed \$6,100,366.71 - Financing: Library (E) Fund (2017 Bond Funds)
2.	N/A	I	BMS	NC	Authorize (1) public hearings to be held on Wednesday, September 4, 2019 and Wednesday, September 11, 2019 to receive comments on a proposed tax rate; and (2) a proposal to consider adoption of a \$0.7800/\$100 valuation tax rate, or a lower rate as may be proposed by the City Council on September 18, 2019 - Financing: No cost consideration to the City
3.	2	I	ECO	\$9,345,633.00	Authorize the following: (1) a business personal property tax abatement agreement for a five- year period; (2) a Chapter 380 economic development grant agreement in an amount not to exceed \$3,500,000.00 over a period of ten-years; (3) a Chapter 380 economic development grant agreement in an amount not to exceed \$5,000,000.00 associated with job creation; (4) a Chapter 380 economic grant agreement in an amount not to exceed \$100,000.00 associated with certain City fees; and (5) nomination to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Texas Government Code, Chapter 2303) to the Office of the Governor, Economic Development and Tourism division, through the Economic Development Bank; all with Uber Technologies, Inc. or an affiliate thereof in connection with the proposed expansion of certain corporate operations into a new two phase office development located at 2550 Pacific Avenue in accordance with the City's Public/Private Partnership Program - Total not to exceed \$9,345,633.00 - Financing: Estimated Revenue Foregone (\$745,633.00 over a five-year period) and Public/Private Partnership Funds (\$8,600,000.00)

**TOTAL \$15,445,999.71**



## Agenda Information Sheet

**File #:** 19-851

**Item #:** 1.

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** August 14, 2019

**COUNCIL DISTRICT(S):** 10

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

Authorize a construction contract for the construction of the Forest Green Branch Library replacement facility to be located at 9619 Greenville Avenue - J.C. Commercial, Inc., best value proposer of four - Not to exceed \$6,100,366.71 - Financing: Library (E) Fund (2017 Bond Funds)

### **BACKGROUND**

Dallas voters approved funding to complete the design and construction of the Forest Green Branch Library replacement facility in the 2017 Bond Program.

J.C. Commercial, Inc. is recommended for award of this construction contract as the 'Best Value' Proposer following an evaluation process of the four Requests for Competitive Sealed Proposals (RFCSP) received to provide construction services for the approximately 18,000 square feet new neighborhood library.

### **ESTIMATED SCHEDULE OF PROJECT**

Began Design	September 2018
Completed Design	March 2019
Project Advertisement	April 2019
Contract Awarded	August 2019
Begin Construction	October 2019
Complete Construction	May 2021

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 8, 2010, City Council authorized the acquisition of property at 9619 Greenville Avenue for the Forest Green Branch Library replacement facility by Resolution No. 10-2299.

On January 26, 2011, City Council authorized a professional services contract with HKS, Inc. for architectural and engineering design services and construction administrative services for the Forest Green Branch Library replacement facility by Resolution No. 11-0270.

On August 22, 2018, City Council authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for the continuation of architectural, engineering design services and construction administration services for the Forest Green Branch Library replacement facility by Resolution No. 18-1132.

### **FISCAL INFORMATION**

Library (E) Fund (2017 Bond Funds) - \$6,100,366.71

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$6,100,366.71	Construction	25.00%	31.53%	\$1,923,438.16
• This contract exceeds the M/WBE goal.				

### **PROCUREMENT INFORMATION**

A RFCSP was publicly advertised on April 10, 2019, for submittals by qualified contractors for evaluation by a Selection Committee comprised of City staff familiar with design and construction of City facilities. Four competitive sealed proposals were received on May 3, 2019. Following an independent review and ranking of each proposal by the Selection Committee, their final ranking of the proposals resulted in a recommendation of J.C. Commercial, Inc. being the Best Value Proposal for this contract.

The submitted proposals were evaluated and ranked according to criteria published in the Forest Green Branch Library project specifications. The Evaluation Criteria categories with respective weighting factors were as follows:

Proposed Construction Cost	40%
Schedule	5%
Experience/References	30%
Project Team	5%
Financial Sufficiency	5%
Business Inclusion and Development Requirements	<u>15%</u>
	100%

J.C. Commercial, Inc. provided the lowest responsive initial base bid proposal of \$6,267,777.00. The list of all submitted proposals is provided below:

<b><u>Proposers</u></b>	<b><u>Initial Base Bid Proposal</u></b>	<b><u>Ranking</u></b>
J.C. Commercial, Inc.	\$6,267,777.00	1
RJM Contractors, Inc.	\$6,418,000.00	2
O'Haver	\$7,000,000.00	3
Sedalco	\$7,120,000.00	4

After further negotiation with J.C. Commercial, Inc. and the addition of Alternate No. 1, Alternate No. 2, and Alternate No. 4, the best and final offer was \$6,100,366.71.

### **OWNER**

**J.C. Commercial, Inc.**

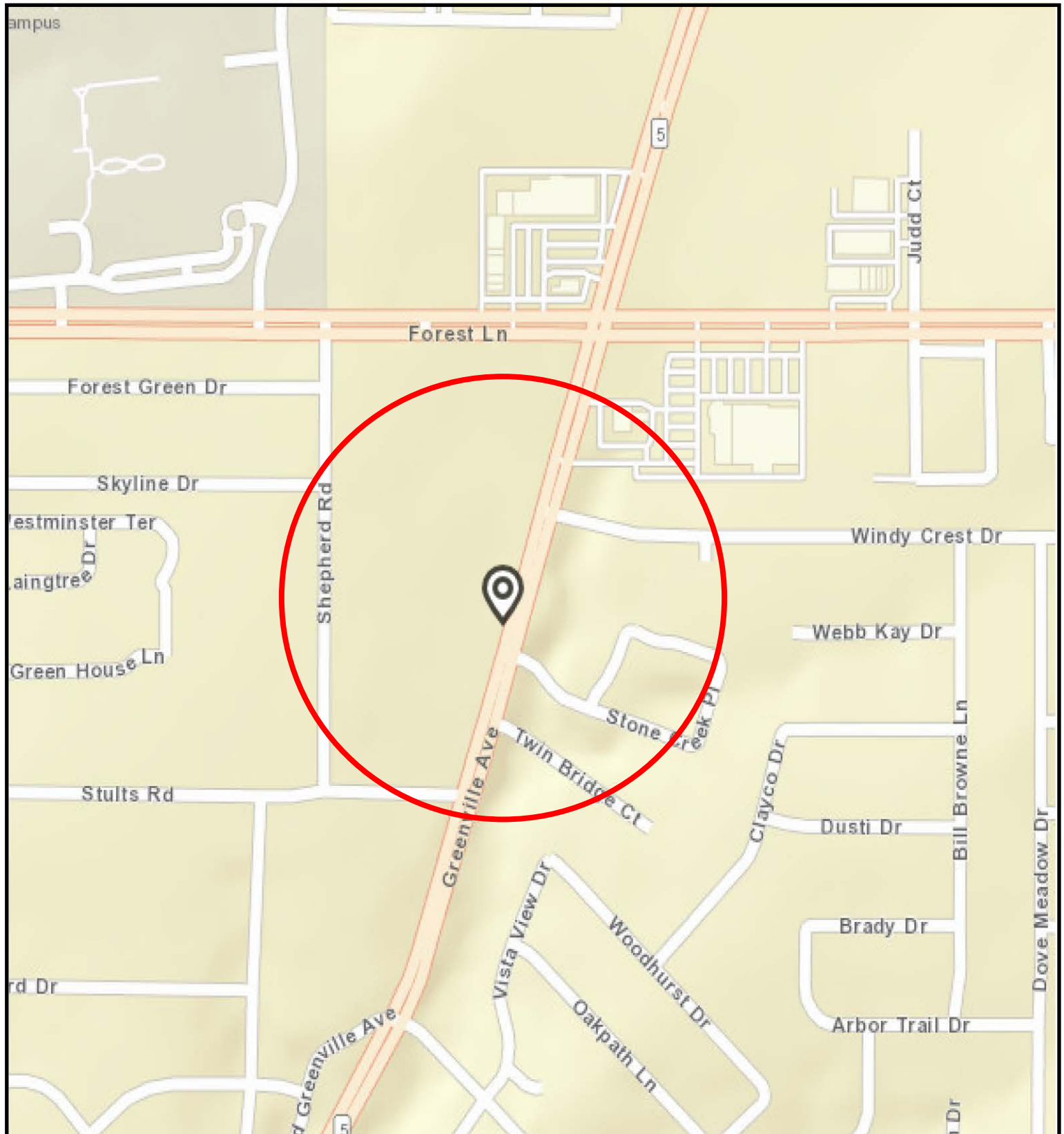
Larry Wagnor, President

### **MAP**

Attached



# FOREST GREEN BRANCH LIBRARY REPLACEMENT FACILITY - 9619 GREENVILLE AVENUE



**COUNCIL DISTRICT 10**

August 14, 2019

**WHEREAS**, the citizens of Dallas approved funding in the 2006 Bond Program for the land acquisition, design and construction of a replacement library facility for the Forest Green Service Area; and

**WHEREAS**, on September 8, 2010, City Council authorized acquisition of land at 9619 Greenville Avenue for the Forest Green Branch Library replacement facility by Resolution No. 10-2299; and

**WHEREAS**, on January 26, 2011, City Council authorized a professional services contract with HKS, Inc. for architectural and engineering services and construction administration service for the Forest Green Branch Library replacement facility, located at 9616 Greenville Avenue, in an amount not to exceed \$459,000.00, by Resolution No. 11-0270; and

**WHEREAS**, the citizens of Dallas approved funding in the 2017 Bond Program for the design and construction of the Forest Green Branch Library replacement facility to be located at 9619 Greenville Avenue; and

**WHEREAS**, on August 22, 2018, City Council authorized Supplemental Agreement No. 1 to the professional service contract with HKS, Inc. for the continuation of architectural, engineering design services and construction administration services for the Forest Green Branch Library replacement facility, in an amount not to exceed \$219,644.00, from \$459,000.00 to \$678,644.00, by Resolution No. 18-1132; and

**WHEREAS**, four Request for Competitive Sealed Proposals were received and opened on May 3, 2019; and

**WHEREAS**, the four responsive proposers were evaluated and ranked as follows:

<u>Proposers</u>	<u>Base Bid</u>	<u>Ranking</u>
J.C. Commercial, Inc.	\$6,267,777.00	1
RJM Contractors, Inc.	\$6,418,000.00	2
O'Haver	\$7,000,000.00	3
Sedalco	\$7,120,000.00	4

**WHEREAS**, J.C. Commercial, Inc. provided an original base bid of \$6,267,777.00 and after further negotiation with the contractor, with the addition of three alternatives, the final contract amount is now \$6,100,366.71; and

**WHEREAS**, J.C. Commercial, Inc. was selected as the best value proposer of the four responsive proposers; and

August 14, 2019

**WHEREAS**, it is now desirable to authorize a construction contract with J.C. Commercial, Inc., best value proposer of four, for construction of the Forest Green Branch Library replacement facility to be located at 9619 Greenville Avenue, in an amount not to exceed \$6,100,366.71.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to execute a construction contract with J.C. Commercial, Inc., best value proposer of four, approved as to form by the City Attorney, for the construction of the Forest Green Branch Library replacement facility to be located at 9619 Greenville Avenue, in an amount not to exceed \$6,100,366.71.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$6,100,366.71 to J.C. Commercial, Inc., in accordance with the terms and conditions of the contract from the Library (E) Fund, Fund 1V42, Department BSD, Unit VE01, Activity LIBF, Object 4310, Program EB17VE01, Encumbrance/Contract No. CX-BON-2019-00010659, Vendor VS0000012563.

**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 #:** 19-1199

**Item #:** 2.

**STRATEGIC PRIORITY:** Government Performance and Financial Management

**AGENDA DATE:** August 14, 2019

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** Office of Budget

**EXECUTIVE:** Elizabeth Reich

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### **SUBJECT**

Authorize **(1)** public hearings to be held on Wednesday, September 4, 2019 and Wednesday, September 11, 2019 to receive comments on a proposed tax rate; and **(2)** a proposal to consider adoption of a \$0.7800/\$100 valuation tax rate, or a lower rate as may be proposed by the City Council on September 18, 2019 - Financing: No cost consideration to the City

### **BACKGROUND**

This item is on the addendum in compliance with Chapter 26 of the Texas Property Tax Code that requires two public hearings should a tax rate above the lower of the effective or rollback rate be considered.

The City Manager's recommended FY 2019-20 budget includes a tax rate of \$0.7800/\$100. To set a property tax rate above the effective rate of \$0.7472/\$100, State law requires the following:

- Specify a proposed desired rate; take record vote and schedule two special public hearings;
- Publish "Notice of 2019 Tax Year Proposed Property Tax Rate" (quarter-page notice) at least seven days before public hearing (by August 23, 2019);
- Minimum 72-hour notice for public hearing;
- Hold two special public hearings, schedule and announce meeting to adopt tax rate 3-14 days from this date (Wednesday, September 4, 2019 and Wednesday, September 11, 2019);
- Minimum 72-hour notice for meeting at which Council will adopt tax rate; and
- Meeting to adopt tax rate (September 18, 2019).

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

City Council will be briefed on the City Manager's Proposed Budget on August 13, 2019.

**FISCAL INFORMATION**

No cost consideration to the City.

August 14, 2019

**WHEREAS**, the City Manager's proposed FY 2019-20 Budget includes a \$0.7800/\$100 tax rate; and

**WHEREAS**, Chapter 26 of the Texas Property Tax Code requires the publication of one notice and holding two public hearings should a tax rate above the lower of the effective or rollback rate be considered; and

**WHEREAS**, the City's FY 2019-20 effective rate is calculated to be \$0.7472/\$100; and

**WHEREAS**, the City Council desires to reserve the option to set a tax rate that exceeds the calculated effective rate of \$0.7472/\$100; and

**WHEREAS**, the City Council is committed to providing the citizens with the opportunity to speak on the City's FY 2019-20 tax rate.

**Now, Therefore,**

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

**SECTION 1.** That public hearings on the City's FY 2019-20 proposed tax rate be held on Wednesday, September 4, 2019 after 9:00 a.m. and Wednesday, September 11, 2019 after 1:00 p.m. at Dallas City Hall.

**SECTION 2.** That the City Council will consider adoption of a \$0.7800/\$100 valuation property tax rate, or a lower rate as may be proposed by the City Council on September 18, 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.



## Agenda Information Sheet

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**File #:** 19-1133

**Item #:** 3.

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**STRATEGIC PRIORITY:** Economic and Neighborhood Vitality

**AGENDA DATE:** August 14, 2019

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Office of Economic Development

**EXECUTIVE:** Michael Mendoza

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### **SUBJECT**

Authorize the following: **(1)** a business personal property tax abatement agreement for a five- year period; **(2)** a Chapter 380 economic development grant agreement in an amount not to exceed \$3,500,000.00 over a period of ten-years; **(3)** a Chapter 380 economic development grant agreement in an amount not to exceed \$5,000,000.00 associated with job creation; **(4)** a Chapter 380 economic grant agreement in an amount not to exceed \$100,000.00 associated with certain City fees; and **(5)** nomination to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Texas Government Code, Chapter 2303) to the Office of the Governor, Economic Development and Tourism division, through the Economic Development Bank; all with Uber Technologies, Inc. or an affiliate thereof in connection with the proposed expansion of certain corporate operations into a new two phase office development located at 2550 Pacific Avenue in accordance with the City's Public/Private Partnership Program - Total not to exceed \$9,345,633.00 - Financing: Estimated Revenue Foregone (\$745,633.00 over a five-year period) and Public/Private Partnership Funds (\$8,600,000.00)

### **BACKGROUND**

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

Uber Technologies, Inc. or an affiliate thereof ("Uber") has been evaluating sites within Dallas and Arizona for a new shared service center that will expand various corporate operations. The Dallas location under final consideration is The Epic development ("Epic") in Deep Ellum. The Epic developer will construct a second office tower to accommodate Uber.

Based in San Francisco, Uber is an American multinational transportation network company ("TNC") offering services that include peer-to-peer ridesharing, ride service hailing, food delivery, and a bicycle-sharing system.

Uber would sign a minimum ten-year lease with renewal options by the end of 2019 if the Epic office tower location is chosen. Uber will initially lease 168,000 square feet at the Epic office tower currently under construction, and will occupy that space for approximately three years while the second office tower is constructed. This lease represents 60.6% of the space in the first tower. Once the second 500,000 square foot Epic office tower is constructed, Uber will lease 450,000 square feet of that building and move all of their operations into the new second tower. Uber anticipates moving into the second Epic office tower by 2023. Currently, the towers share the address located at 2550 Pacific Avenue. Upon completion, the second tower may receive its own address.

In addition to the developer's investment in constructing the second tower construction, Uber will invest a minimum of \$60,000,000.00 in leasehold improvements associated with the two buildings, along with \$50,000,000.00 in business personal property, by 2023.

Uber plans to have 3,000 employees at the Epic in Deep Ellum by the end of 2024. The average annual salary will be \$100,000.00.

(1) Uber is requesting City Council consideration of economic development incentives to secure Uber's selection of Dallas for the new facility. Proposed incentives include:

- (i) A business personal property tax abatement for a period of five-years in an amount equal to the City taxes assessed on fifty percent (50%) of the increased value of the Uber's business personal property;
- (ii) An economic development investment grant of \$350,000.00 per year for a period of ten-years not to exceed a total of \$3,500,000.00 ("Investment Grant"); and
- (iii) An economic development job grant ("Job Grant") of up to \$5,000,000.00 valued at up to \$2,000.00 per net new full-time equivalent employee (FTE) job that is created by December 31, 2023; An economic development grant of up to \$100,000.00 to fund an expedited permitting process (coordinated with the Department of Sustainable Development and Construction) and City of Dallas fee reimbursement; and The City of Dallas will nominate this project for designation as a Texas Enterprise Zone Project, a state sales and use tax refund program.

In the context of the City's Market Value Analysis ("MVA"), the proposed project is located on non-residential tracts within close proximity to MVA Market Categories A, C, D, and E. Uber's proposed office service center in Deep Ellum will provide significant high wage, high technology local employment to this mixed use, mid-market area which otherwise would be lost to an out-of-state location in Arizona. The Epic site is located in an Opportunity Zone and is adjacent to the Deep Ellum DART Station.

Staff is recommending approval of the proposed incentives.



**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

City Council will be briefed in Executive Session to discuss the offer of a financial or other incentive for Uber Technologies, Inc. or an affiliate thereof under Section 551.087 of the Texas Government Code on August 7, 2019.

**FISCAL INFORMATION**

Estimated Revenue Foregone: \$745,633.00 over a five-year period (business personal property abatement)

Public/Private Partnership Funds - \$8,600,000.00 (Chapter 380 real property tax grant, Chapter 380 economic development job creation grant, Chapter 380 economic development permit reimbursement grant)

Total incentive valuation is estimated to be up to \$9,345,633.00. The estimated net present value of City revenues is \$7,484,399.00 over the ten-year period.

**TENANT/LEASEE**

**Uber Technologies, Inc. or an affiliate thereof**, Michael Huaco, Vice President, Global Workplace and Real Estate

**MAP**

Attached

## LOCATION MAP



August 14, 2019

**WHEREAS**, the City of Dallas ("City") recognizes the importance of its role in local economic development; and

**WHEREAS**, it is in the interest of the City to support and secure the expansions and relocations 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**, the proposed project will not occur within the city of Dallas without an offer of economic development incentives from the City; and

**WHEREAS**, on June 12, 2019, City Council authorized the re-adoption of the City of Dallas' Public/Private Partnership Program Guidelines and Criteria through December 31, 2019, which (1) 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; 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, (Texas Tax Code, Chapter 312) ("Tax Abatement Act") by Resolution No. 19-0891; and

**WHEREAS**, the City desires to support the proposed expansion and relocation of select corporate functions of Uber Technologies, Inc. or an affiliate thereof (hereafter referred to as "Uber") located at 2550 Pacific Avenue and in accordance with the City's Public/Private Partnership Program; and

**WHEREAS**, the proposed development site is located in an existing Texas Enterprise Zone; and

**WHEREAS**, pursuant to Section 312.2011 of the Texas Tax Code, the Property Redevelopment and Tax Abatement Act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

**WHEREAS**, the City desires to enter into a business personal property tax abatement agreement with Uber for added value to business personal property located within City of Dallas as further described by the metes and bounds legal description attached as **Exhibit B (Metes and Bounds Legal Description)**; and

**WHEREAS**, the Dallas City Council has previously passed Ordinance No. 30376 on February 22, 2017 electing to participate in the Texas Enterprise Zone Program; and

August 14, 2019

**WHEREAS**, the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 30376; and

**WHEREAS**, the Office of the Governor, Economic Development and Tourism division, through the Economic Development Bank, will consider Uber as an enterprise zone project pursuant to a nomination and an application made by the City; and

**WHEREAS**, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones, economically disadvantaged individuals and veterans; and

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), Uber has applied to the City for designation as an enterprise zone project; and

**WHEREAS**, the City finds that Uber meets the criteria for designation as an enterprise project under the Act; and

**WHEREAS**, the City finds that it is in the best interest of the City to nominate Uber as an enterprise project pursuant to the Act; and

**WHEREAS**, the City finds that Uber meets the criteria for tax relief and other incentives adopted by the City.

**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.

August 14, 2019

**SECTION 2.** That the City Manager is hereby authorized to execute the following: (1) a business personal property tax abatement agreement for a five-year period; (2) a Chapter 380 economic development grant agreement in an amount not to exceed \$3,500,000.00 over a period of ten-years; (3) a Chapter 380 economic development grant agreement in an amount not to exceed \$5,000,000.00 associated with job creation; (4) a Chapter 380 economic grant agreement in an amount not to exceed \$100,000.00 associated with fee reimbursement funding; and (5) the nomination to receive designation as an Enterprise Zone Project under the Texas Enterprise Zone Act, as amended (Texas Government Code, Chapter 2303) to the Office of the Governor, Economic Development and Tourism division, through the Economic Development Bank; all with Uber in connection with the proposed project which will be comprised of a two phase, two office tower development located at 2550 Pacific Avenue, approved as to form by the City Attorney's Office. Currently, the towers share the address 2550 Pacific Avenue. It is acknowledged that, upon completion, the second tower may receive its own address.

**SECTION 3.** That the approval and execution of the business personal property tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

**SECTION 4.** That at least seven days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each other taxing unit that includes in its boundaries the real property that is the subject of this agreement.

**SECTION 5.** That the tax abatement agreement and grant agreements shall include the following terms, as applicable:

- (a) None of the property subject to the business personal property tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.
- (b) The business personal property tax abatement will only be applicable to the business personal property owned by Uber located on the real property depicted on the attached site map **Exhibit A (Map)** and as legally described by **Exhibit B (Metes and Bounds Legal Description)**.
- (c) Development of the property shall conform to all requirements of the City's zoning ordinance and that the use of the property is consistent with the general purpose of encouraging development or redevelopment in the City of Dallas during the period the business personal property tax abatement and grant abatements are in effect.

August 14, 2019

**SECTION 6.** That the City of Dallas shall provide Uber a five-year abatement of 50% of the added value to the business personal property within the area of land depicted on the attached site map **Exhibit A (Map)** and as legally described in **Exhibit B (Metes and Bounds Legal Description)**. Key terms shall include:

- (a) The business personal property abatement period will begin on or before January 1, 2024.
- (b) Uber will invest a minimum of \$50,000,000.00 in business personal property improvements on or before December 31, 2023.
- (c) If the leased space is not fully occupied by Uber during a given year within the five-year tax abatement period, the abatement shall be lost for that year. Furthermore, if the abatement is lost for two years in a row, then the business personal property tax abatement agreement shall be terminated.
- (d) A description of the kind, number, location, and costs of all proposed business personal property to be placed in service on the Property shall be provided to the City's Director of the Office of Economic Development ("Director") by Uber.
- (e) Access to the Property shall be provided to allow for inspection by City inspectors and officials to ensure that the improvements are made according to the specification and terms of the tax abatement agreement.
- (f) The owner of the property shall certify annually to the City that the owner is compliant with each applicable term of the tax abatement agreement.
- (g) The Dallas City Council may terminate or modify the tax abatement agreement if the property owner fails to comply with the tax abatement agreement.
- (h) The business personal property tax revenue foregone by the City because of the tax abatement agreement shall be recaptured from Uber by the City if investment of business property is not made and maintained as provided by the tax abatement agreement.
- (i) The abatement agreement shall only be assignable upon written approval of the assignment by the Director.

**SECTION 7.** That Uber shall satisfy and agree to the following terms as associated with the Chapter 380 real property/leasehold investment grant ("Investment Grant"):

- (a) The Investment Grant will be contingent upon Uber documenting a minimum capital investment of \$60 million by December 31, 2023.
- (b) The Investment Grant payment shall be \$350,000.00 per year and shall not exceed a total of \$3,500,000.00 over a period of ten-years.
- (c) The Investment Grant's first year payment will be in the first quarter of each year beginning in the year that the Job Grant (defined in Section 8) is paid.
- (d) The Rebate Grant term is ten-years.

**SECTION 7.** (continued)

- (e) The Rebate Grant's payments will be consecutively paid. Grant payments will not be allowed to be rolled over as payment credits for future years. If a payment is not made in any given year over the ten year period, Uber will forfeit that year's payment and the forfeited year's payment will be deducted from the total grant amount.

**SECTION 8.** That Uber shall satisfy and agree to the following terms associated with the Chapter 380 economic development job grant ("Job Grant"). The Chapter 380 economic development job grant shall be valued at up to \$2,000.00 per net new permanent full-time equivalent employee ("FTE") job that is created by December 31, 2023, in an amount not to exceed \$5,000,000.00.

- (a) A minimum 2,500 FTE jobs are required to be created or relocated by Uber by December 31, 2023. FTE is defined as an employee scheduled to work at least 35 hours per week with benefits.
- (b) Employees shall be paid a minimum average annual salary of \$100,000.00 by December 31, 2023, and Uber shall continuously maintain at least 2,500 permanent FTE jobs in Dallas earning the minimum average annual salary through December 31, 2033.
- (c) Uber will provide and maintain a minimum salary for hourly FTE workers equal to or greater than \$15.00/hour and an annual minimum salary for salaried FTE workers of \$31,200.00. These minimum salary requirements are wages only and are not inclusive of overtime, bonuses or benefits.
- (d) The average FTE salary figures and minimum FTE hourly wage requirements will be applicable through December 31, 2031.
- (e) Additionally, Uber will conduct or participate in two job fairs by December 31, 2022 at locations within the City of Dallas as approved by the Director to facilitate the recruitment and hiring of residents of the City of Dallas.
- (f) The total awarded Job Grant amount will be paid in two equal and consecutive payments based upon the percentage of the 2,500 minimum employees who are resident of the City of Dallas as described in the chart below. Fractional percentages will be rounded to the nearest whole number for purposes of determining payment:

**SECTION 8.** (continued)

Percentage of minimum 2,500 employees who are residents of the City of Dallas	Per Job Grant Amount	Total Job Grant
40% or greater	\$2,000.00	\$5,000,000.00
31% - 43%	\$1,600.00	\$4,000,000.00
21% - 30%	\$1,200.00	\$3,000,000.00
15% - 20%	\$800.00	\$2,000,000.00
0% - 14%	\$0.00	\$0.00

- (g) Payment One of the Job Grant will be equal to half of the total grant amount will be paid as soon as the minimum 2,500 permanent jobs are created or relocated and once grant compliance is completed.
- (h) Payment Two of the Job Grant will be equal to half of the total grant amount will be paid on or before October 31 of the subsequent calendar year, subject to ongoing compliance.

**SECTION 9.** That Uber shall satisfy and agree to the following terms associated with a Chapter 380 economic development of up to \$100,000.00 to fund an expedited permitting process (coordinated with the Department of Sustainable Development and Construction) and fee reimbursement ("Permitting Grant").

- (a) The Office of Economic Development will reimburse Uber up to \$100,000.00 for any City of Dallas Department of Sustainable Development and Construction's Q-TEAM fees, permitting fees, or other City of Dallas fees incurred by Uber and associated with the new Dallas facility.
- (b) The Director is authorized to determine the documentation required to verify fees eligible for reimbursement fulfillment associated with this grant.

**SECTION 10.** That Uber is a qualified business and meets the criteria for designation as an Enterprise Project under Chapter 2303, Subchapter F of the Enterprise Zone Act on the following grounds:

- (a) Uber is a "qualified business" under Section 2303.402 of the Enterprise Zone Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located outside an enterprise zone and at least 35% of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals or veterans.
- (b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area.
- (c) The designation of Uber as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.



August 14, 2019

**SECTION 11.** That the City finds that Uber meets the criteria for incentives adopted by the City and nominates Uber for Enterprise Zone project status on the grounds that it will create or retain a higher level of employment and create economic activity and stability.

**SECTION 12.** That the designation of Uber will contribute significantly to the achievement of the plans of the City of Dallas for development.

**SECTION 13.** That the City finds that it is in the best interest of the City to nominate Uber as an Enterprise Project pursuant to the Enterprise Zone Act and hereby authorizes the Director to prepare and submit an application to the Office of the Governor, Economic Development and Tourism division, through the Economic Development Bank for designation of Uber as an Enterprise Project.

**SECTION 14.** That the Enterprise Project shall take effect on the date of designation of the Enterprise Project by the Office of the Governor, Economic Development and Tourism division, through the Economic Development Bank and terminate five years after date of designation.

**SECTION 15.** That in addition to the terms highlighted elsewhere in this resolution, Uber shall also satisfy and agree to the following terms:

- (a) Uber will execute a lease for office space located at 2550 Pacific Avenue by December 31, 2019 for a minimum term of ten-years with options for a minimum extension of the term for an additional five-years.
- (b) Uber will execute formal agreements with Dallas Independent School District and Richardson Independent School District by the end of 2020 to participate as an Industry Partner in each district's Pathway to Technology Early College High School Program.
- (c) Uber will undertake a good faith/best effort to comply with the City's Business Inclusion and Development goal of 25% participation by Minority/Women-owned Business Enterprises for construction and construction-related expenditures incurred by Uber in Dallas. Compliance will be coordinated with the City's Office of Business Diversity.

**SECTION 16.** That the Chapter 380 grants as noted within Sections 7 through 9 within this Resolution are subject to annual verification, audit, or other necessary procedures deemed appropriate by the City. The Director is authorized to make appropriate arrangements with Uber to meet the verification, audit, or other necessary requirements to fulfill the purposes described herein.

**SECTION 17.** That the Chapter 380 grants and business personal property abatement as noted within this Resolution are personal to Uber and cannot be sold or assigned to non-affiliated companies without written approval by the Director.

August 14, 2019

**SECTION 18.** That pursuant to Section 6 of this Resolution, the business personal property tax abatement agreement is identified by the City as Contract No. ECO-2019-00011033.

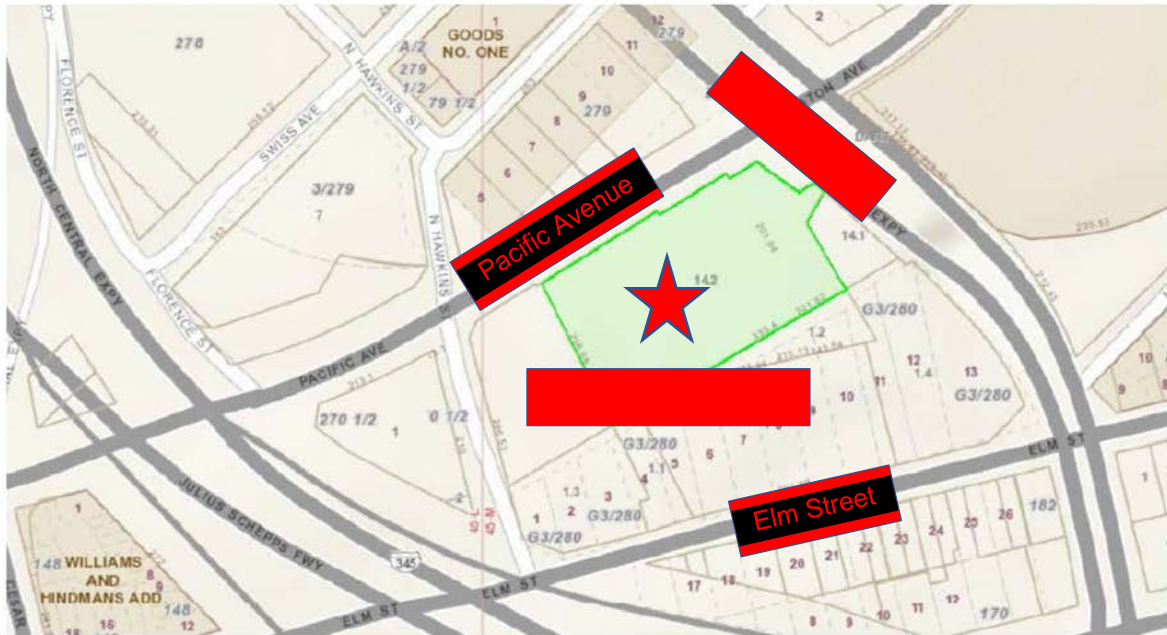
**SECTION 19.** That pursuant to Section 7 of this Resolution, upon City approval of annual appropriation, that the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,500,000.00 from Public/Private Partnership Fund, Fund 0352, Department ECO, Unit W470, Object 3016, Activity PPPF, Contract No. ECO-2019-00011034, Vendor VC20384.

**SECTION 20.** That pursuant to Section 8 of this Resolution, upon City approval of annual appropriation, the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$5,000,000.00 from Public/Private Partnership Fund, Fund 0352, Department ECO, Unit W470, Object 3016, Activity PPPF, Contract No. ECO-2019-00011035, Vendor VC20384.

**SECTION 21.** That pursuant to Section 9 of this Resolution and upon City approval of annual appropriation, the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$100,000.00 from Public/Private Partnership Fund, Fund 0352, Department ECO, Unit W470, Object 3016, Activity PPPF, Contract No. ECO-2019-00011036, Vendor VC20384.

**SECTION 22.** 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 – MAP



## EXHIBIT B

### **METES and BOUNDS LEGAL DESCRIPTION:- PHASE 1**

**BEING** a tract of land situated in the John Grisby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and being part of Lot 2, Block A/280, Westdale Epic Addition, an addition to the City of Dallas according to the plat recorded in Instrument No. 201900183767, Official Public Records of Dallas County, Texas and being part of a called 2.332 acre tract of land described in Special Warranty Deed to Epic Dallas Office, LP recorded in Instrument No. 201700027376 of said Official Public Records and being part of a tract of land described in Corrected Quitclaim Deed recorded in Instrument No. 201700321863 of said Official Public Records and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with plastic cap stamped "KHA" found at the south end of a right-of-way corner clip located at the intersection of the southeast right-of-way line of Pacific Avenue (a variable width right-of-way) with the east right-of-way line of Jett Way;

**THENCE** with said right-of-way corner clip, North 15°44'53" East, a distance of 9.15 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the north end of said right-of-way corner clip;

**THENCE** with said southeast right-of-way line of Pacific Avenue, the following courses and distances:

North 58°35'30" East, a distance of 138.05 feet to a "X" cut in concrete found for corner;  
South 31°25'13" East, a distance of 6.75 feet to a "X" cut in concrete found for corner;  
North 58°35'30" East, a distance of 110.62 feet to a "X" cut in concrete found for corner;  
South 31°12'54" East, a distance of 9.08 feet to a "X" cut in concrete found for corner;  
North 58°36'09" East, a distance of 45.49 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of said southeast right-of-way line of Pacific Avenue and the west right-of-way line of Good-Latimer Expressway (a variable width right-of-way);

**THENCE** with said west right-of-way line of Good-Latimer Expressway, the following courses and distances:

South 53°38'33" East, a distance of 73.45 feet to 5/8" iron rod with plastic cap stamped "KHA" found for corner;  
North 58°36'09" East, a distance of 24.47 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;  
South 53°38'33" East, a distance of 16.14 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the easternmost northeast corner of said 2.332 acre tract;

**THENCE** departing said west right-of-way line of Good-Latimer Expressway and with the east and south lines of said 2.332 acre tract, the following courses and distances:

South 28°47'05" West, a distance of 50.70 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;  
South 31°24'30" East, a distance of 188.40 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

## EXHIBIT B

South 75°24'25" West, a distance of 345.54 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner in said east right-of-way line of Jett Way;

**THENCE** with said east right-of-way line of Jett Way, North 27°05'45" West, a distance of 206.78 feet to the **POINT OF BEGINNING** and containing 1.9400 acres or 84,508 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

## EXHIBIT B

### METES and BOUNDS LEGAL DESCRIPTION - PHASE 2

**BEING** a tract of land situated in the John Grisby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and being part of City of Dallas Block Nos. 270 1/2 and 272 and being all of Lot 1, Block A/280, Westdale Epic Addition, an addition to the City of Dallas according to the plat recorded in Instrument No. 201900183767, Official Public Records of Dallas County, Texas and being all of an abandoned portion of Hawkins Street pursuant to Ordinance Number 31178 and being part of a called 2.332 acre tract of land described in Special Warranty Deed to Epic Dallas Office, LP recorded in Instrument No. 201700027376 of said Official Public Records and being part of a called 1.232 acre tract of land described in Special Warranty Deed to Epic Dallas Phase 2, LP recorded in Instrument No. 201700027377 of said Official Public Records and being part of a tract of land described in Corrected Quitclaim Deed recorded in Instrument No. 201700321863 of said Official Public Records and being part of a called 1.295 acre tract of land described in Special Warranty Deed to Westdale Properties America I, Ltd. recorded in Instrument No. 201600085773 of said Official Public Records and being part of a called 0.012 acre tract of land described in Special Warranty Deed to Epic Dallas Phase 2, LP recorded in Instrument No. 201800057900 of said Official Public Records and being part of a called 0.568 acre tract of land described in Special Warranty Deed to Epic Dallas Phase 2, LP recorded in Instrument No. 201800071892 of said Official Public Records and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with plastic cap stamped "KHA" found at the south end of a right-of-way corner clip located at the intersection of the north right-of-way line of Elm Street (a 60-foot wide right-of-way) and the west right-of-way line of Jett Way (a 50-foot wide right-of-way);

**THENCE** with said north right-of-way line of Elm Street, South 75°24'25" West, passing the southwest corner of said 2.332 acre tract and the southeast corner of said 1.232 acre tract at a distance of 5.58 feet and continuing in all a total distance of 126.09 feet to a 1/2-inch iron rod found at the intersection of said north right-of-way line of Elm Street with the northeast right-of-way line of Interstate Highway No. 345, being the northeast corner of a tract of land described in Agreed Judgment to the State of Texas, recorded in Volume 70086, Page 2002 of the Deed Records of Dallas County, Texas and being a south corner of said 1.232 acre tract;

**THENCE** with said northeast right-of-way line of Interstate Highway No. 345, the following courses and distances:

North 69°56'39" West, a distance of 61.41 feet to a "X" cut in concrete found for the northwest corner of said State of Texas tract, for the southwest corner of said 1.232 acre tract and being at the southeast corner of said abandoned portion of Hawkins Street;

North 71°14'09" West, a distance of 60.11 feet to a "X" cut in concrete found at the southwest corner of said portion of abandoned Hawkins Street and being the south corner of said 0.012 acre tract;

North 63°48'38" West, passing a 5/8" iron rod with cap stamped "City of Dallas" found for the northwest corner of said 0.012 acre tract and being the south corner of said 0.568 acre tract at a distance of 45.81 feet and continuing with said northeast right-of-way line of Interstate Highway No. 345 and the southwest line of said 0.568 acre tract in all a total distance of 197.60 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

## EXHIBIT B

North 54°19'24" West, a distance of 58.13 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the south end of a right-of-way corner clip located at the intersection of said northeast right-of-way line of Interstate Highway No. 345 with the southeast right-of-way line of Pacific Avenue (a variable width right-of-way);

**THENCE** with said right-of-way corner clip, North 7°10'09" East, a distance of 32.46 feet to a mag nail found at the beginning of a non-tangent curve to the left having a central angle of 9°49'11", a radius of 1185.90 feet, a chord bearing and distance of North 62°55'14" East, 203.00 feet and being the northernmost westerly corner of said 0.568 acre tract;

**THENCE** with said southeast right-of-way line of Pacific Avenue, the following courses and distances:

In a northeasterly direction, with the north line of said 0.568 acre tract and with said curve to the left, passing a "X" cut in concrete found for the northeast corner of said 0.568 acre tract and the northwest corner of said portion of abandoned Hawkins Street at an arc distance of 177.19 feet and continuing with the north line of said abandoned portion of Hawkins Street in all a total arc distance of 203.25 feet to a "X" cut in concrete found for corner;

North 14°57'00" West, a distance of 3.92 feet to a mag nail found for corner;

North 41°29'33" East, a distance of 30.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the northwest corner of said Lot 1;

North 44°07'30" East, a distance of 2.10 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 58°35'30" East, passing the northwest corner of said 1.232 acre tract at a distance of 12.96 feet and continuing with the north line of said Lot 1 in all a total distance of 103.27 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the west end of a right-of-way corner clip located at the intersection of said southeast right-of-way line of Pacific Avenue with said west right-of-way line of Jett Way and being the north corner of said Lot 1;

**THENCE** with said right-of-way corner clip, South 74°15'07" East, a distance of 8.49 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner at the east end of said right-of-way corner clip;

**THENCE** with said west right-of-way line of Jett Way and the east line of said Lot 1, South 27°05'45" East, a distance of 361.94 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner at the north end of said right-of-way corner clip located at the intersection of said west right-of-way line of Jett Way with said north right-of-way line of Elm Street;

**THENCE** with said right-of-way corner clip, South 24°09'20" West, a distance of 12.52 feet to the **POINT OF BEGINNING** and containing 2.0696 acres or 90,150 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.