

Memorandum



CITY OF DALLAS

DATE May 20, 2022

TO Honorable Mayor and Members of the City Council

SUBJECT **May 25, 2022 City Council FINAL Agenda - Additions/Revisions/Deletions**

On May 13, 2022 a DRAFT City Council Agenda for May 25, 2022, was provided for your review. This memorandum outlines any additions, revisions or deletions made to the FINAL agenda after the distribution of the DRAFT agenda. In addition, we have highlighted agenda items which have been briefed to the City Council and/or Committee by briefing memorandums.

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

Additions:

- 39. 22-1199 A resolution suspending the effective date of the rate filing made by Oncor Electric Delivery Company LLC on May 13, 2022, for an additional 90 days - Financing: No cost consideration to the City
- 40. 22-1198 An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) provided pursuant to its January 15, 2022 Dallas Annual Rate Review (DARR) filing and setting rates as recommended by the City Manager - Financing: No cost consideration to the City
- 41. 22-1122 Authorize a Chapter 380 Economic Development Grant Agreement (Agreement) for up to \$5,250,000.00 as follows **(1)** in an amount not to exceed \$5,000,000.00 for job retention and creation; and **(2)** in an amount up to exceed \$250,000.00 for expedited permitting and soft cost expenditures; with NMG Holding Company, Inc. dba The Neiman Marcus Group LLC or an affiliate thereof for jobs created and retained related to a new office headquarters in accordance with the City's Public/Private Partnership Program - Not to exceed \$5,250,000.00 - Financing: Public/Private Partnership Fund (subject to current and annual appropriations)

Revisions:

- 20. 22-1170 Authorize a twenty-year facility use agreement, with two ten-year renewal options with Family Gateway, Inc for approximately 72,032 square feet of land improved with a 34,109 square foot former hotel located at 19373 Preston Road, to be used as a facility to promote and address the needs for families and individuals experiencing homelessness for the period July 1, 2023 through June 30, 2043 - Financing: No cost consideration to the City
This item is being revised to make updates to the Resolution. Please contact Christine Crossley, Director, Office of Homeless Solutions, at 214-671-1291, for more information.

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37. 22-1075 An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Street Seats; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code for the purpose of (1) addition of language to 42A-22 Location of a Neighborhood Market; and (2) extension of the Dallas Street Seats Pilot Program provisions from July 31, 2022 to July 31, 2023 in 42A-28.2 - Financing: No cost consideration to the City (see Fiscal Information)

This item is being updated to add an urgent exemption to the zoning requirements surrounding Neighborhood Markets: Sec. 42A-22 Location of a Neighborhood Market. Neighborhood Markets are headed into their busy summer season and this ordinance update is time sensitive to create food equity across the city. Please contact Rosa Fleming, Director, Department of Convention and Event Services, at 214-939-2755, for more information.

Agenda Item No. 28, File ID 22-1092 has been revised to update the M/WBE Information and OWNER section.

In addition, the following agenda item was inadvertently not included on the May 25, 2022 DRAFT Agenda and has now been placed under Miscellaneous Hearings as PH2.

PH2. 22-1098 A public hearing to receive comments on the FY 2022-23 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

Deletions:

11. 22-1059 Authorize acquisition from Wilbow-Timberlawn, LLC, of approximately four acres of land located near the intersection of Samuell Boulevard and Grove Hill Road for the 4600 Samuell Boulevard Future Park Project - Not to exceed \$1,207,600.86 (\$1,200,000.00, plus closing costs and title expenses not to exceed \$7,600.86) - Financing: Equity Revitalization Capital Fund (\$107,600.86) and General Fund (\$1,100,000.00)

This item is being deleted pending a development agreement for a future park. Please contact Adriana Castaneda, Director, Bond & Construction Management, at 214-671-8450, for more information.

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

7. 22-639 Authorize a decrease in the construction services Contract No. CCT-2020-00013016 with Sawyers Construction, Inc., for Change Order No. 2 reducing the contractor's scope of work for the Kay Bailey Hutchison Convention Center Dallas Elevator and Escalator Modernization project located at 650 South Griffin Street – Not to exceed (\$408,655.02) from \$6,503,498.00 to \$6,094,842.98 - Financing Convention Center Construction Fund

[Information about this item was provided to the Quality of Life Committee on May 16, 2022.](#)

8. 22-869 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing

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Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$35,000,000.00; proceeds of the Bonds will be loaned to Ash Creek Preservation Apartments, LLC to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Rosemont at Ash Creek and located at 2605 John West Road, Dallas, Texas (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on March 28, 2022 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on April 25, 2022.](#)

9. 22-712 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$30,000,000.00; proceeds of the Bonds will be loaned to S Zang, LP to finance a portion of the cost for the new construction of units for an affordable multifamily complex to be known as Highpoint at Wynnewood and located at 1911 Pratt Street, Dallas, Texas 75224 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on March 14, 2022 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

[The Housing and Homelessness Solutions Committee was briefed regarding this matter on April 25, 2022.](#)

14. 22-1051 Authorize Change Order No. 2 to the construction services contract with Heritage Materials, LLC to authorize reducing General Fund capacity by \$5,649,587.95 and Street and Alley Improvement Fund by \$5,649,587.95 and increasing Certificate of Obligation funding by \$11,299,175.90 for a zero-dollar change order, keeping the contract amount at \$193,566,066.60 - Financing: 2022 Certificate of Obligation Fund

[City Council was briefed by memorandum regarding this matter on September 20, 2019.](#)

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on March 29, 2022.](#)

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on May 16, 2022.](#)

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[The Transportation and Infrastructure Committee was briefed by memorandum regarding proposed amendments to the Special Events Ordinance - Chapter 42A on June 15, 2020.](#)
[The Transportation and Infrastructure Committee was briefed by memorandum regarding the proposed extension of the Temporary Parklet Program to April 30, 2021 on November 16, 2020.](#)
[The Transportation and Infrastructure Committee was briefed by memorandum regarding the proposed extension of the Temporary Parklet Program to September 30, 2021 on April 19, 2021.](#)
[City Council was briefed by memorandum regarding this matter on September 17, 2021.](#)
[The Transportation and Infrastructure as well as Quality of Life Committees was briefed by memorandum regarding this matter on May 16, 2022.](#)

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



T.C. Broadnax
City Manager

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

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