

**SEPTEMBER 13, 2017 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated September 13, 2017. 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

2017 SEP -8 PM 5:11

CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 13, 2017
CITY OF DALLAS
1500 MARILLA STREET
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.**

REVISED ORDER OF BUSINESS

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

9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 65

CONSENT ADDENDUM

None

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 66 - 76

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 77 - 118

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."

**ADDENDUM
CITY COUNCIL MEETING
SEPTEMBER 13, 2017
CITY OF DALLAS
1500 MARILLA STREET
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A.M.**

ADDITIONS:

Closed Session

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

- Kenneth E. Albert, et al. v. City of Dallas, Cause No. 199-00697-94; Anthony Arredondo, et al. v. City of Dallas, Cause No. 199-1743-99; David L. Barber, et al. v. City of Dallas, Cause No. 199-624-95; David S. Martin, et al. v. City of Dallas, Cause No. 1-95-506; George G. Parker, et al. v. City of Dallas, Cause No. 1-95-107; Kevin Michael Willis, et al. v. City of Dallas, Cause No. 199-200-95.

CORRECTION:

Mayor and City Council

73. Authorize a resolution honoring the achievements of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council; and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas - Financing: No cost consideration to the City (via Council Members Felder, Griggs, Medrano, Narvaez, Felder, Greyson)

REVISED AGENDA ITEM # 14

STRATEGIC PRIORITY: Public Safety
Mobility Solutions, Infrastructure, and Sustainability
Human and Social Needs
Quality of Life
Government Performance and Financial Management

AGENDA DATE: September 13, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Equipment & Building Services
Aviation
Convention and Event Services
Park & Recreation

CMO: Jody Puckett, 670-3390
Joey Zapata, 670-3009
Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize the third of three, one-year renewal options, to the Job Order Services contract with **(1)** Brown & Root Industrial Services, LLC, for construction services in the amount of \$4,358,053, from \$12,202,549 to \$16,560,602; and **(2)** METCO Engineering, Inc. for mechanical, electrical and plumbing improvements in the amount of \$1,875,000, from \$5,250,000 to \$7,125,000 - Total not to exceed \$6,233,053 - Financing: Aviation Current Funds (\$2,000,000) (subject to appropriations), Convention and Event Services Capital Construction Funds (\$3,000,000), Park and Recreation Program Funds (\$500,000) and 2006 Bond Funds (\$733,053)

BACKGROUND

The subject contracts were competitively bid in October 2012 and the bidders provided coefficients deliver discounts when multiplied by pre-set unit prices from a uniform price book, which is periodically updated to reflect current market conditions. On June 12, 2013, the base contract for twenty-four months was authorized by Resolution No. 13-0967. On September 22, 2015, the first of three one-year renewal options to the two contractors was authorized by Resolution No. 15-1771, and on September 28, 2016, the second of three renewal options to the two contractors was authorized by Resolution No. 16-1620.

BACKGROUND (continued)

~~The M/WBE participation for the work performed to date for Brown & Root Industrial Services, LLC is 46/61 percent, and for METCO Engineering, Inc., it is 37 percent. Job Order Contracting is an alternative contracting method that is used to provide for construction, repair, rehabilitation, and alterations at City facilities. This contracting methodology was made available to Texas municipalities effective September 1, 2001 by the Texas Local Government Code; Section 271.120 was added by Acts 2001, 77th Leg., Chapter 1409, Section 5.~~

The contracts allow for delivery of fixed price projects of indefinite delivery and indefinite quantity. The contract amount is buying power and makes no representation regarding the amount of work a contractor will receive.

The amount for a particular project is not encumbered until it is decided Job Order Contracting should be used and a Job Order is executed.

The Job Order Contracts allow construction services to be provided by Brown & Root Industrial Services, LLC for general construction and METCO Engineering, Inc. for mechanical, electrical, and plumbing. The contract's pre-agreed pricing establishes a known basis for costs and the coefficients (multipliers) provide a reduction in costs to the City. The City is able to have construction performed by consistent, proven, and dependable contractors. With Job Order Contracting, the contractors can respond more rapidly to urgent and unforeseen needs and assist City workforces with maintenance and major maintenance.

This action will authorize the third of three one-year renewal options to the Job Order Services contracts with **(1)** Brown & Root Industrial Services, LLC for construction services; and **(2)** METCO Engineering, Inc. for mechanical, electrical and plumbing improvements related to the job order services project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 12, 2013, City Council authorized a twenty-four month construction service contract with Chamberlin Dallas, LLC, Kellogg Brown & Root, LLC, and METCO Engineering, Inc. by Resolution No. 13-0967.

On September 22, 2015, City Council authorized the first one-year renewal option of three to the contract with Kellogg, Brown & Root, LLC for construction services related to the job order contracting services project and METCO Engineering, Inc. for mechanical, electrical and plumbing improvements related to the job order services project by Resolution No. 15-1771.

Information about this item was provided to the Budget, Finance and Audit Committee on September 19, 2016.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSION) (continued)

On September 28, 2016, City Council authorized the second one-year renewal option of three to the Job Order Services contract with Brown & Root Industrial Services, LLC for construction services and METCO Engineering, Inc. for mechanical, electrical and plumbing improvements by Resolution No. 16-1620.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 11, 2017.

FISCAL INFORMATION

Aviation Current Funds - \$2,000,000 (subject to appropriations)

Convention and Event Services Capital Construction Funds - \$3,000,000

Park and Recreation Program Funds - \$500,000

2006 Bond Funds - \$733,053

This action does not encumber funds. Upon approval of a job order, the funds for services are to be encumbered from project funds, operating funds of a project, or funds from the department receiving services.

M/WBE INFORMATION

See attached.

OWNERS

Brown & Root Industrial Services, LLC

Rick Farrag, Vice President

METCO Engineering, Inc.

Barry Bagheri, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize the third of three, one-year renewal options, to the Job Order Services contract with **(1)** Brown & Root Industrial Services, LLC, for construction services in the amount of \$4,358,053, from \$12,202,549 to \$16,560,602; and **(2)** METCO Engineering, Inc. for mechanical, electrical and plumbing improvements in the amount of \$1,875,000, from \$5,250,000 to \$7,125,000 - Total not to exceed \$6,233,053 - Financing: Aviation Current Funds (\$2,000,000) (subject to appropriations), Convention and Event Services Capital Construction Funds (\$3,000,000), Park and Recreation Program Funds (\$500,000) and 2006 Bond Funds (\$733,053)

Brown & Root Industrial Services, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforces.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$4,358,053.00	100.00%
TOTAL CONTRACT	\$4,358,053.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize the third one-year renewal option of three, to the Job Order Services contract with **(1)** Brown and Root Industrial Services, LLC, for construction services in the amount of \$4,358,053, from \$12,202,549 to \$16,560,602; and **(2)** METCO Engineering, Inc. for mechanical, electrical and plumbing improvements in the amount of \$1,875,000, from \$5,250,000 to \$7,125,000 - Total not to exceed \$6,233,053 - Financing: Aviation Current Funds (\$2,000,000) (subject to appropriations), Convention Center Capital Construction Funds (\$3,000,000), Park and Recreation Program Funds (\$500,000) and 2006 Bond Funds (\$733,053)

METCO Engineering, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$880,000.00	46.93%
Total non-local contracts	\$995,000.00	53.07%
TOTAL CONTRACT	\$1,875,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Axium Solar, Inc.	WFWB74102N0419	\$525,000.00	52.76%
Total Minority - Non-local		\$525,000.00	52.76%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$525,000.00	28.00%
Total	\$0.00	0.00%	\$525,000.00	28.00%

September 13, 2017

WHEREAS, the State of Texas Local Government Code, Section §271.113 provides for Job Order Contracting by local municipalities; and

WHEREAS, Job Order Contracting is desirable and necessary to perform construction, repair, rehabilitation, and alterations at City facilities; and

WHEREAS, it is desirable for the Public Works Department to continue to provide Job Order Contracting construction services to its client departments; and

WHEREAS, on June 12, 2013, City Council authorized a twenty-four month construction services contract with three twelve-month renewal options to perform job order contracting services with Chamberlin Dallas, LLC, in the amount of \$1,500,000.00, Kellogg, Brown & Root, LLC, in the amount of \$3,486,443.00; and METCO Engineering, Inc. in the amount of \$1,500,000.00, by Resolution No. 13-0967; and

WHEREAS, on September 22, 2015, City Council authorized the first one-year renewal option of three, to the contract with Kellogg, Brown & Root, LLC, in the amount of \$6,500,000.00, from \$3,486,443.00 to \$9,986,443.00; and METCO Engineering, Inc., in an amount not to exceed \$1,875,000.00, from \$2,000,000.00 to \$1,500,000.00 to \$3,500,000.00, by Resolution No. 15-1771; and

WHEREAS, the amounts of the first one-year renewal option of three, to the Job Order Contracting services contracts, were reduced to be in compliance with Texas State Statutes and executed as follows, Kellogg, Brown & Root, LLC, in the amount of \$4,358,053.00, from \$3,486,443.00 to \$7,844,496.00; and METCO Engineering, Inc., in the amount of \$1,8975,000.00, from \$1,500,000.00 to \$3,375,000.00; and

WHEREAS, on September 12, 2016, Administrative Action No. 16-6629 authorized the contract assignment of the Job Order Contracting services contract with Kellogg, Brown & Root, LLC to Brown & Root Industrial Services, LLC; and

WHEREAS, on September 28, 2016, City Council authorized the second one-year renewal option of three, to the Job Order Services contracts with Brown & Root Industrial Services, LLC for construction services, in the amount of \$4,358,053.00, from \$7,844,496.00 to \$12,202,549.00; and METCO Engineering, Inc. for mechanical, electrical and plumbing improvements, in the amount of \$1,875,000.00, from \$3,375,000.00 to \$5,250,000.00 by Resolution No. 16-1620; and

WHEREAS, it is now desirable to authorize the third of three one-year renewal options to the Job Order Services contracts with **(1)** Brown & Root Industrial Services, LLC for construction services, in the amount of \$4,358,053.00, from \$12,202,549.00 to \$16,560,602.00; and **(2)** METCO Engineering, Inc. for mechanical, electrical and plumbing improvements, in the amount of \$1,875,000.00, from \$5,250,000.00 to \$7,125,000.00.

September 13, 2017

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the third of three one-year renewal options to the Job Order Services contracts with **(1)** Brown & Root Industrial Services, LLC for construction services, in the amount of \$4,358,053, from \$12,202,549 to \$16,560,602; and **(2)** METCO Engineering, Inc. for mechanical, electrical and plumbing improvements, in the amount of \$1,875,000, from \$5,250,000 to \$7,125,000, total third renewal amount not to exceed \$6,233,053, approved as to form by the City Attorney.

SECTION 2. That the Director of the Equipment and Building Services Department or his designees are authorized to request services as needed with any of the contracted firms in accordance with the contract terms.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$6,233,053 in accordance with the terms and conditions of the contracts from the applicable project fund for the individual construction for which the services are being performed, subject to annual appropriation of funding as follows:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>
0130	AVI	Various	Various	\$2,000,000.00
0082	CCT	Various	Various	\$3,000,000.00
2T33	EBS	Various	Various	\$ 366,526.50
2T42	EBS	Various	Various	\$ 366,526.50
0395	PKR	Various	Various	\$ 500,000.00

SECTION 4. That each contract shall provide for termination by the City Manager, without liability, in the event of non-appropriation of funding available for these contracts by the City Council.

SECTION 5. That the contract with Brown & Root Industrial Services LLC, Vendor VC15293, be designated as Contract No. EBS-2017-00003184. That the contract with METCO Engineering, Inc., Vendor VS0000025965, be designated as Contract No. EBS-2017-00003185.

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

REVISED AGENDA ITEM # 73

STRATEGIC PRIORITY:

Government Performance and Financial Management

AGENDA DATE:

September 13, 2017

COUNCIL DISTRICT(S):

All

DEPARTMENT:

Mayor and City Council

CMO:

T.C. Broadnax, 670-3297

MAPSCO:

N/A

SUBJECT

Authorize a resolution honoring the achievements of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council; and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas - Financing: No cost consideration to the City (via Council Members Felder, Griggs, Medrano, Narvaez, ~~Felder~~, Greyson)

BACKGROUND

The City of Dallas is governed by an elected body of 14 single member districts and an at-large Mayor, known as 14-1. This form of government is attributed to the tireless efforts of community activists Mr. Marvin E. Crenshaw, and Mr. Roy H. Williams, represented by attorneys Mr. Michael Daniel and Ms. Betsy Julian. It is the desire at this time to honor the efforts of these individuals.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

September 13, 2017

WHEREAS, Marvin E. Crenshaw and Roy H. Williams dedicated their lives to the fight for equal rights for minorities in areas such as fair housing, economic disparity, and equal representation in government; and

WHEREAS, Marvin E. Crenshaw and Roy H. Williams were both United States Army veterans, having both served their country in Germany; and

WHEREAS, Marvin E. Crenshaw and Roy H. Williams both successfully fought for an ordinance for the City of Dallas to sever all business ties with companies that did business in or with South Africa and the Soviet Union; and

WHEREAS, Michael Daniel and Betsy Julian have successfully litigated numerous cases concerning renters' rights, such as the 1975 judgement declaring unconstitutional the rules on eviction appeal procedure as set out in the Texas Rule of Civil Procedure, the 1978 judgement against illegal retaliatory evictions, and the 1978 judgement in which it was found that a renter has an implied warranty on the habitability of the dwelling; and

WHEREAS, Michael Daniel and Betsy Julian have also won many cases in racial discrimination in government-supported housing, exclusionary zoning, and voting rights, as well as environment protection; and

WHEREAS, Michael Daniel and Betsy Julian agreed to represent Marvin E. Crenshaw and Roy H. Williams in the lawsuit to reorganize the composition of the Dallas City Council from an 8-3 system to a 14-1 system, which gave minorities better representation on the Dallas City Council; and

WHEREAS, although Roy H. Williams passed away on March 18, 2017, he along with Marvin E. Crenshaw, Michael Daniel and Betsy Julian will continue to stand as examples of those who are not afraid to fight against social injustices.

Now, Therefore,

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

SECTION 1. That the efforts of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian to provide minorities with the opportunity to serve on the Dallas City Council are applauded by the City of Dallas.

SECTION 2. That the City Manager is hereby directed to erect a plaque with pictures of Marvin E. Crenshaw and Roy H. Williams, on the first floor of Dallas City Hall on the same wall underneath the Dallas City Council pictures, honoring the achievements of Marvin E. Crenshaw and Roy H. Williams.

September 13, 2017

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.

Memorandum

RECEIVED

2017 AUG 10 PM 4: 19

CITY SECRETARY
DALLAS, TEXAS



DATE: August 9, 2017

TO: The Honorable Mike Rawlings, Mayor
T. C. Broadnax, City Manager

SUBJECT: **Request for Placement of Item on Agenda**

In accordance with Section 6.2 (a) of the City Council Rules of Procedures, please direct the following item be placed for City Council consideration:

A resolution honoring the achievements of Roy H. Williams, Marvin Crenshaw, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of Roy H. Williams and Marvin Crenshaw to the City of Dallas.

Please move forward with this request and place the item on the next available agenda in accordance with the Texas Open Meetings Act. Thank you for your attention to this request.

Kevin Selden

Adam Medrano

Omar Navarro

Sandy Greyson

Scott

- c: Honorable Dallas City Council
- Larry E. Casto, City Attorney
- Craig Kinton, City Auditor
- Rosa Rios, City Secretary
- Kimberly Bizer Tolbert, Chief of Staff to the City Manager

RESOLUTION

WHEREAS, Mr. Marvin E. Crenshaw and Mr. Roy H Williams dedicated their lives to the fight for equal rights for minorities in areas such as fair housing, economic disparity, and equal representation in government; and

WHEREAS, Marvin Crenshaw and Roy Williams were both United States Army veterans, having both served their country in Germany; and

WHEREAS, Mr. Crenshaw and Mr. Williams both successfully fought for an ordinance for the City of Dallas to sever all business ties with companies that did business in or did business with South Africa and the Soviet Union; and

WHEREAS, Mr. Mike Daniel and Ms. Betsy Julian have successfully litigated numerous cases concerning renters' rights such as the 1085 judgment declaring unconstitutional the rules on eviction appeal procedure as set out in the Texas Rule of Civil Procedure, the 1978 judgment against illegal retaliatory evictions, and the 1978 judgment in which it was found that a renter has an implied warranty on the habitability of the dwelling; and

WHEREAS, Mr. Daniel and Ms. Julian have also won many cases in racial discrimination in government-supported housing, exclusionary zoning and voting rights, as well as environmental protection; and

WHEREAS, Mr. Daniel and Ms. Julian agreed to represent Mr. Crenshaw and Mr. Williams in the lawsuit to reorganize the composition of the Dallas City Council from an 8-3 system to a 14-1 system, which gave minorities better representation on the Dallas City Council; and

WHEREAS, although Mr. Williams passed away on March 18, 2017, he along with Mr. Crenshaw and Mr. Daniel and Ms. Julian will continue to stand as examples of those who are not afraid to fight against social injustices.

NOW, THEREFORE,

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

Section 1: That the efforts of Marvin E. Crenshaw, Roy H. Williams, Mike Daniel and Betsy Julian to provide minorities with the opportunity to serve on the Dallas City Council are applauded by the City of Dallas.

Section 2: That the City Manager is hereby directed to erect a plaque with pictures of Roy Williams and Marvin Crenshaw honoring their achievement. This plaque will be placed under the pictures of Dallas City Council Members on the first floor of Dallas City Hall.

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.