

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 19, 2013

13-1030

CITY COUNCIL BRIEFING
CITY HALL, ROOM 6ES
MAYOR MICHAEL RAWLINGS, PRESIDING

PRESENT: [15] Rawlings, Medrano, Atkins, Jasso (*9:28 a.m.), Griggs (*9:09 a.m.),
Caraway (*9:10 a.m.), Hill (*9:08 a.m.), Alonzo, Davis, Kadane,
Allen, Koop, Greyson (*9:15 a.m.), Margolin, Hunt (*9:15 a.m.)

ABSENT: [0]

The meeting was called to order at 9:05 a.m.

The assistant city secretary announced that a quorum of the city council was present.

The invocation was given by of the Reverend Robert C. Preece of Zion Lutheran Church.

Councilmember Koop led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered, the city council adjourned at 2:27 p.m.

Mayor

ATTEST:

Assistant City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the City Secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

* **Indicates arrival time after meeting called to order**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 19, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 19, 2013

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1031

Special Presentations

At the beginning of each briefing meeting of the city council a time is set aside for the mayor and city council to recognize special individuals or groups, to read mayoral proclamations, to confer honorary citizenships, and to make special presentations.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1032

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Lelando Gonzales, 837 Melba St. (handout provided)
SUBJECT: Sponsor a vacant property

SPEAKER: Anthony Rios, 5239 Clover Haven
SUBJECT: Crime/burglaries

SPEAKER: Eddie Propes, 2639 Exeter Ave.
SUBJECT: Tornado Sellers

SPEAKER: Judd Bradbury, 4520 Bordeaux Ave., Highland Park, TX
SUBJECT: Noise from Love Field

SPEAKER: Jada Wooten, 2308 Annex Ave.
SUBJECT: Freedom in this town

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Mary Gleeson, 1053 Cascade St., Mesquite, TX
SUBJECT: Wrongful termination

OPEN MICROPHONE – SPOKE IN THE LAST 30 DAYS:

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
REPRESENTING: God
SUBJECT: We're living in Revelation, Watch!

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Quality of life/West Dallas

SPEAKER: Lakolya London, 1753 Mockingbird Ln.
SUBJECT: Someone tried to get Ms. London

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1033

Item 1: Approval of Minutes of the June 5, 2013 City Council Meeting

Councilmember Kadane moved to adopt the minutes of the June 5, 2013 City Council Meeting.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1034

Item 2: 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)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1035

Item 3: A resolution appointing A.C. Gonzalez as Interim City Manager for the City of Dallas and setting the compensation

Mayor Rawlings stated that agenda item 3 would be considered later in the meeting.

Later in the meeting, agenda item 3 was brought up for consideration.

Councilmember Caraway moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1036

Item 4: Authorize Supplemental Agreement No. 1 to the professional services contract with Moses, Palmer & Howell, L.L.P. to provide additional legal services regarding laws pertaining to mineral rights and potential litigation - Not to exceed \$150,000, from \$50,000 to \$200,000 - Financing: Current Funds

Councilmember Hill moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

Note: This item was discussed in Executive Session under section 551.071 of the Texas Open Meetings Act (Attorney Briefings) as posted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1037

Item 5: Authorize an amendment to the City of Dallas Design District Grant Program (Grant Program), previously approved on August 9, 2006, by Resolution No. 06-2072 to: **(1)** clarify eligible uses including a provision for affordable housing; **(2)** receive and deposit funds in the amount of \$524,600 from Alta Block 1500, LLC, pursuant to Resolution No. 06-2072 for affordable housing to be used in accordance with the Grant Program; and **(3)** an increase in appropriations in the amount of \$524,600 - Financing: Design District TIF District Funds

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Koop and unanimously adopted.

Note: At the June 12, 2013 city council meeting, this item was remanded to the Housing Committee and deferred until the June 19, 2013 city council meeting. As agreed to by Councilmember Davis and city staff, the item was set for consideration at this meeting.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1038

Item 6: Authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs for improvements on Hatcher Street from Haskell Avenue to Spring Avenue – Not to exceed \$75,000 – Financing: 2003 Bond Funds (\$58,000) and General Obligation Commercial Paper Funds (\$17,000)

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1039

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

DESIGNATED ZONING CASES -INDIVIDUAL

Item 7: Zoning Case Z112-319(RB)

A public hearing to receive comments regarding an application for and granting a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District in an area generally bounded by Singleton Boulevard, both sides of Amonette Street, the Union Pacific Railroad, and Parvia Avenue

Recommendation of Staff: Approval, subject to an Area Regulating Plan and staff's recommended conditions

Recommendation of CPC: Approval, subject to an Area Regulating Plan and conditions

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," Assistant City Secretary Johnson read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

The following individual appeared in opposition to the city plan commission's recommendation:

William Hopkins, 2011 Leath St, spoke on agenda item 7

Following notification by staff, the assistant city secretary informed the city council agenda item 9 needed to be considered simultaneously with agenda item 7. The assistant city secretary subsequently read agenda item 9 into the record.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1039

Page 2

The following ♦individual appeared in opposition to the city plan commission's recommendations:

William Hopkins, 2011 Leath St., spoke on zoning agenda item 9

The following individual appeared in favor of the city plan commission's recommendation:

Susan Mead, 901 Main St., spoke on zoning agenda item 7 and agenda item 9

Councilmember Alonzo moved to close the public hearings for zoning agenda item 7 and agenda item 9, accept the recommendations of the city plan commission and pass the ordinances.

Motion seconded by Councilmember Davis and Deputy Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29043 to zoning agenda item 7

Assigned ORDINANCE NO. 29045 to agenda item 9

♦Ozumba Lnuke-X, 4106 Vineyard Dr., approached the podium to speak but was asked to step down by the presiding officer as he was not speaking to the topic and refused to keep his comments to the topic.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1040

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – INDIVIDUAL

Item 8: Zoning Case Z123-173(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Industrial Manufacturing District uses and outside metal salvage on property zoned an IM Industrial Manufacturing District on the west line of South Lamar Street, northeast of the Trinity River

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and conditions

The following individuals addressed the city council on the item:

Peter Kavanagh, 1620 Handley Dr., representing the applicant
Bruce M. Frazer, 2929 Westminster, representing Louis Okon
Marvin Crenshaw, 5134 Malcolm X Blvd.
Louis Okon, 6622 Glendora Ave.

Councilmember Davis moved to close the public hearing, accept the recommendation of the city plan commission with the following amendment:

- Remove the requirement for a traffic management plan

and pass the ordinance.

Motion seconded by Councilmember Caraway and unanimously adopted.

Assigned ORDINANCE NO. 29044

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1041

PUBLIC HEARINGS AND RELATED ACTIONS

Item 9: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to **(1)** change the dimensional classification of Singleton Boulevard from Sylvan Avenue to Canada Drive from a six lane divided {M-6-D(A)} roadway within 100 feet of right-of-way to a special four lane divided (SPCL 4D) roadway with bicycle lanes within 88 feet of right-of-way; **(2)** add Bataan Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way; **(3)** add Herbert Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 56 feet of right-of-way; and **(4)** add Amonette Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

Following notification by staff, the assistant city secretary informed the city council agenda item 9 needed to be considered simultaneously with agenda item 7. The assistant city secretary subsequently read agenda item 9 into the record. Agenda item 7 was previously read into the record and speakers were called for that item.

The following individual appeared in opposition to the city plan commission's recommendation:

William Hopkins, 2011 Leath St, spoke on agenda item 9

The following individual appeared in favor of the city plan commission's recommendation:

Susan Mead, 901 Main St., spoke on zoning agenda item 7 and agenda item 9

Councilmember Alonzo moved to close the public hearings for zoning agenda item 7 and agenda item 9, accept the recommendations of the city plan commission and pass the ordinances.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1041

Page 2

Motion seconded by Councilmember Davis and Deputy Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29043 to zoning agenda item 7

Assigned ORDINANCE NO. 29045 to agenda item 9

Note: Although agenda item 9 is not a Designated Zoning Case which (1) requires a certification statement to be read into the record by the city secretary and (2) two seconds to the motion to adopt the item, the two seconds are noted on agenda item 9 as it was considered simultaneously with zoning agenda item 7 which is a Designated Zoning Case.

♦Ozumba Lnuk-X, 4106 Vinyeard Dr., approached the podium to speak but was asked to step down by the presiding officer as he was not speaking to the topic and refused to keep his comments to the topic.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1042

MISCELLANEOUS HEARINGS

Item 10: A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned an NS(A) Neighborhood Service District with Specific Use Permit No. 1006 for a motor vehicle fueling station, on property bound by West Page Avenue, South Tyler Street (northbound), and South Tyler Street Connection (southbound) with consideration given to incorporating the property into a previously authorized hearing for Planned Development District No. 316, the Jefferson Area Special Purpose District and establishing appropriate zoning regulations including use, development standards, parking, landscape, sign, and other appropriate regulations - Financing: No cost consideration to the City (via Councilmembers Jasso, Alonzo, Kadane, Allen and Margolin)

No one addressed the city council on the item.

Councilmember Jasso moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1043

Briefing A: 2013 City of Dallas Community Survey Findings

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1044

Briefing B: Budget Workshop #3 – FY 2013 – 14 Budget Development Update

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1045

Briefing C: Proposed FY 2013 – 14 Consolidated Plan Budget Amendments and Straw
Votes

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 19, 2013

13-1046

Closed Session

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

- City of Dallas v. SLJ Company, LLC, et al., Cause No. CC-12-06223-B

At 11:40 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- City of Dallas v. SLJ Company, LLC, et al., Cause No. CC-12-06223-B

Mayor Rawlings reconvened the city council meeting after the closed session at 1:05 p.m. No other matters were discussed during the closed session.

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WEDNESDAY, JUNE 19, 2013

EXHIBIT C