

**“CORRECTED”**  
MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2013

13-1270

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR MICHAEL RAWLINGS, PRESIDING

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway,  
Callahan, Davis, Kadane, Allen, Kleinman, Greyson (\*9:11 a.m.),  
Gates, Kingston (\*9:07 a.m.)

ABSENT: [0]

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

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

The invocation was given by Reverend Ed Lantz of Tyler Street United Methodist Church.

Councilmember Kleinman 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 2:58 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

The annotated 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**

**Note:** Mayor Rawlings requested a moment of silence in honor of former Councilmember Leo Chaney Jr. (1999-2007) who passed away on August 12, 2013.

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2013

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1271

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: Richard Sheridan, 3022 Forest Ln.  
REPRESENTING: Awakening Citizens  
SUBJECT: JFK 50<sup>th</sup> memorial censorship

SPEAKER: Jennifer Land, 4905 Weeburn Dr. (handouts provided)  
REPRESENTING: Concerned Citizens for Safer Mosquito Control  
SUBJECT: Mosquito spray issue

SPEAKER: Susie Marshall, 3866 Highgrove Dr.  
REPRESENTING: Texas Organic Farmer & Gardeners Association  
SUBJECT: Mosquito spray issue

SPEAKER: Brandon Tollard, 5829 Reiger Ave.  
REPRESENTING: Texas Honey Bee Guild  
SUBJECT: Mosquito spray issue

SPEAKER: Veletta Lill, 622 Blair Blvd.  
SUBJECT: Arts District

**OPEN MICROPHONE – ALL AGENDA ITEMS:**

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
SUBJECT: All agenda items (comments referenced only agenda items 28, 31, 44, 45, 46 and addendum item 3)

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: William Hopkins, 2011 Leath St. (handouts provided)  
SUBJECT: Mattie Nash Recreation Center

SPEAKER: Isis Brantley, 2642 N. Beckley Ave. (handouts provided)  
SUBJECT: Naturally Isis natural hair parade/festival

**OPEN MICROPHONE – END OF MEETING:**

(Continued)

SPEAKER: Reggie Ruffin, 2703 Exeter Ave.  
REPRESENTING: Texas Males Foundation  
SUBJECT: Domestic violence and police brutality

SPEAKER: Carlos Rovelo, 3030 North Dallas Ave., Lancaster, TX  
SUBJECT: Arts District

SPEAKER: Joseph Buentello, 1906 Montana Trl., Grand Prairie, TX  
SUBJECT: A move that will benefit the city

**OPEN MICROPHONE – SPOKE IN THE LAST 30 DAYS:**

SPEAKER: Robert Ceccareli, 2218 Norwood Dr. (handouts provided)  
SUBJECT: Lincoln High School/DISD Superintendent

SPEAKER: Herbert Wilborn, 3200 Deep Well Rd., Balch Springs, TX  
REPRESENTING: The Creator  
SUBJECT: Taking Land

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1272

Item 1: Approval of Minutes of the June 24, 2013 (Special and Inauguration Meetings) and June 26, 2013 City Council Meeting

The city secretary read the following corrections into the record:

- June 24, 2013 (Special and Inauguration Meeting)
  - Councilmember Jasse Alonzo seconded Councilmember Hill's nomination of Councilmember Atkins as Mayor Pro Tem.
  
- June 26, 2013 City Council Meeting
  - Councilmember Greyson and Councilmember Kingston requested addendum addition consent agenda item 21 be considered as an individual item.

Councilmember Kadane moved to adopt the minutes of the June 24, 2013 (Special and Inauguration Meetings) and June 26, 2013 City Council Meeting with corrections.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1273

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-62 and addendum addition consent agenda items 1-7, were presented for consideration.

Earlier in the meeting, prior to consideration of the consent agenda, the city secretary requested the following speakers be allowed to speak on consent agenda items; there was no objection voiced to her request. As a result, the following individuals spoke on the noted agenda items:

Tony Casanova, 2639 Walnut Hill Ln., spoke on consent agenda item 27  
Carlos Marroquin, 5106 Cedar Springs Rd., spoke on consent agenda item  
27

Councilmember Gates noted for the record she had consulted with the city attorney's office regarding a possible conflict on addendum addition consent agenda item 4; they determined no conflict existed and would therefore be voting on the consent agenda.

Councilmember Davis requested consent agenda item 18 be considered as individual item later in the meeting; there was no objection voiced to her request.

Councilmember Medrano requested consent agenda items 32 and 33 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda item 54 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Mayor Pro Tem Atkins requested addendum addition consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Caraway moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 18, 32, 33 and 54 and addendum addition consent agenda item 2.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1274

Item 2: Authorize the first of three one-year renewal options for car rental concession services at Dallas Love Field Airport with The Hertz Corporation, Avis Rent A Car System, LLC, Budget Rent A Car System, Inc., Alamo Rental (US), Inc., Enterprise Leasing Company of DFW dba Enterprise Rent-A-Car, National Rental (US), Inc., DTG Operations, Inc. dba Dollar Rent A Car, Simply Wheelz, LLC dba Advantage Rent A Car and DTG Operations, Inc. dba Thrifty Car Rental - Estimated Annual Revenue: \$5,877,000 (minimum annual guarantee or 10% of gross sales, whichever is greater)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1275

Item 3: Authorize a three-year service contract for feral hog control and abatement from City property - Osvaldo Rojas dba City Trapping - most advantageous proposer of five - Not to exceed \$284,700 - Financing: Current Funds (\$142,350), Stormwater Drainage Management Current Funds (\$71,175) and Water Utilities Current Funds (\$71,175) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1276

Item 4: Authorize **(1)** a three-year service contract for wildlife management services within the City limits - 911 Wildlife, LLC in the amount of \$286,242, lowest responsible bidder of three; and **(2)** ratification of wildlife management services in the amount of \$170,800 - Total not to exceed \$457,042 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1277

Item 5: Authorize a three-year service contract for printing and mailing of certified notices for the Dallas Police Department Auto Pound - Statement Systems, Inc., most advantageous proposer of four - Not to exceed \$464,888 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1278

Item 6: Authorize a five-year service contract for maintenance and support of equipment tracking and deployment software for Dallas Fire-Rescue - Deccan International, sole source - Not to exceed \$152,300 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1279

Item 7: Authorize a three-year master agreement for the purchase of pumps and parts - DXP Enterprises in the amount of \$436,800, Master Pumps & Equipment in the amount of \$102,300, West Coast Rotor, Inc. in the amount of \$53,500, Texas Underground, Inc. in the amount of \$25,000 and HD Supply Facilities Maintenance dba USA Bluebook in the amount of \$19,600, lowest responsible bidders of five - Total not to exceed \$637,200 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1280

Item 8: Authorize a three-year master agreement for backup tapes, tape drive cleaning cartridges and tape labels - DTC Computer Supplies, lowest responsible bidder of six - Not to exceed \$538,230 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1281

Item 9: Authorize a three-year master agreement for steel and aluminum used in new construction and maintenance projects - Garland Steel, Inc. in the amount of \$1,093,318 and Willbanks Metals, Inc. in the amount of \$456,265, lowest responsible bidders of three - Total not to exceed \$1,549,583 - Financing: Current Funds (\$1,091,346), Water Utilities Current Funds (\$383,237), and Stormwater Drainage Management Current Funds (\$75,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1282

- Item 10: Authorize **(1)** a five-year master agreement for the purchase of ammunition and explosive ordnance for Dallas Police Department, Court and Detention Services and Equipment and Building Services - Precision Delta Corporation in the amount of \$5,196,000, GT Distributors, Inc. in the amount of \$1,445,650 and Engel Ballistic Research, Inc. in the amount of \$31,000, lowest responsible bidders of three; and **(2)** a five-year master agreement for the purchase of ammunition for Dallas Police Department, Court and Detention Services and Equipment and Building Services - Tactical & Survival Specialties, Inc. in the amount of \$144,148 and ProForce Marketing, Inc. in the amount of \$95,618, through the U.S. General Services Administration - Total not to exceed \$6,912,416 - Financing: Current Funds (\$6,765,894) and Confiscated Monies Funds (\$146,522)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1283

Item 11: Authorize an increase to the master agreement with DPC Industries Company for railcar liquid chlorine used by Dallas Water Utilities - Not to exceed \$120,000, from \$10,575,417 to \$10,695,417 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1284

Item 12: Authorize Supplemental Agreement No. 1 to exercise the first of three one-year renewal options of the professional services contract with MuniServices, LLC for sales tax compliance review and recovery services extending the term through September 7, 2014 - Estimated Net Annual Revenue: \$227,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1285

Item 13: Authorize settlement of the lawsuit styled Thomas D. Carroll and Krystal Dawn Nichols v. City of Dallas, Cause No. DC-11-03825-E - Not to exceed \$110,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1286

Item 14: Authorize Supplemental Agreement No. 1 to the professional services contract with Brown & Hofmeister, L.L.P. for additional legal services in the lawsuit styled Vickie Cook, et al. v. City of Dallas, et al., Civil Action No. 3:12-CV-03788-P - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1287

Item 15: Authorize Supplemental Agreement No. 2 to the professional services contract with White & Wiggins, L.L.P. for additional legal services in the lawsuit styled Vickie Cook, et al. v. City of Dallas, et al., Civil Action No. 3:12-CV-03788-P - Not to exceed \$100,000, from \$50,000 to \$150,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1288

Item 16: An ordinance authorizing the issuance and sale of Waterworks and Sewer System Revenue Refunding Bonds, Series 2013 in an amount not to exceed \$285,000,000; establishing parameters regarding the sale of the Bonds; approving the execution of the Bond Purchase Agreement and all other matters related thereto - Not to exceed \$571,650 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29069

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1289

Item 17: Authorize **(1)** the third of four twelve-month renewal options to the contract with the Southern Dallas Development Corporation to administer the Community Development Block Grant (CDBG) Business Revolving Loan Program, for the purpose of serving and making loans to area businesses creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and **(2)** any unexpended balances of program income from prior contract years be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1290

Item 18: Authorize a public hearing to be held on August 28, 2013 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 82 located at 5327 South Lamar Street, Dallas, Texas; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 82; and **(2)** a 75 percent real property tax abatement for eight years with Borden Dairy associated with the addition of new equipment and the addition of jobs at their southern Dallas plant - Financing: No cost consideration to the City

Councilmember Davis requested consent agenda item 18 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent agenda item 18 was brought up for consideration.

Councilmember Davis moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1291

Item 19: Authorize **(1)** the sale of one vacant lot located at 1527 South Denley Drive from the Dallas Housing Acquisition and Development Corporation to Carlos E. Casillas and Jenny L. Ceniceros; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1292

Item 20: Authorize **(1)** the sale of one vacant lot located at 1606 Hudspeth Avenue from the Dallas Housing Acquisition and Development Corporation to Jose Jesus Estrada and Yolanda Estrada; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1293

Item 21: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development in the amount of \$768,280, to provide permanent supportive housing assistance to provide tenant based rental assistance and case management for single chronically homeless persons and to provide funding for three staff positions to carry out the program for the period October 1, 2013 through September 30, 2014; **(2)** a local cash match in an amount not to exceed \$158,576; **(3)** an In-Kind contribution in the amount of \$33,494; and **(4)** execution of the grant agreement - Total not to exceed \$960,350 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$768,280), In-Kind Contributions (\$33,494) and Current Funds (\$158,576) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1294

Item 22: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Shelter Plus Care Grant I in the amount of \$923,966, to provide tenant-based rental assistance for permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2013 through September 30, 2014; **(2)** a local cash match in the amount of \$214,917; **(3)** an In-Kind contribution in the amount of \$16,075; and **(4)** execution of the grant agreement - Not to exceed \$1,154,958 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$923,966), In-Kind Contributions (\$16,075) and Current Funds (\$214,917) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1295

Item 23: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Shelter Plus Care Grant, Operation Relief Center, Inc. in the amount of \$90,008 to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2013 through September 30, 2014; **(2)** a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities for the period October 1, 2013 through September 30, 2014; and **(3)** execution of the grant agreement - Not to exceed \$90,008 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1296

Item 24: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Transitional Supportive Housing Program I Project in the amount of \$290,685, to provide tenant-based rental assistance and case management for homeless families and single homeless persons and to provide funding for one staff position to administer the program for the period October 1, 2013 through September 30, 2014; **(2)** a local cash match in an amount not to exceed \$72,671; and **(3)** execution of the grant agreement - Total not to exceed \$363,356 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$290,685) and Current Funds (\$72,671) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1297

Item 25: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Transitional Supportive Housing Program II Project in the amount of \$164,323, to provide tenant-based rental assistance and case management for homeless families and single homeless persons and to provide funding for one staff position to administer the program for the period December 1, 2013 through November 30, 2014; **(2)** a local cash match in an amount not to exceed \$41,081; and **(3)** execution of the grant agreement - Total not to exceed \$205,404 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$164,323) and Current Funds (\$41,081) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1298

Item 26: Authorize **(1)** a public hearing to be held October 23, 2013 to receive comments on the proposed City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan; and **(2)** at the close of the public hearing, consideration of approval of the City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1299

Item 27: Authorize a public hearing to be held on August 28, 2013 to receive comments on the proposed FY 2013-14 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

The following individuals spoke on the item at the beginning of the meeting:

Tony Casanova, 2639 Walnut Hill Ln.  
Carlos Marroquin, 5106 Cedar Springs Rd.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1300

Item 28: An ordinance amending Chapter 31 of the Dallas City Code to prohibit the placement, erection, or maintenance of a temporary shelter on designated public property, with certain defenses - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29070

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1301

Item 29: Authorize a professional services contract with Criado & Associates, Inc. for the engineering design of pedestrian lighting and new sidewalk along West Redbird Lane from South Hampton Road to Greenspan Avenue and South Polk Street from West Redbird Lane to Medalist Drive - Not to exceed \$69,945 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1302

Item 30: Authorize a contract with CORE Construction Services of Texas, Inc., best value proposer of five, for the construction of the Fire Station No. 32 replacement facility located at 4262 North Jim Miller Road - Not to exceed \$3,856,780 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1303

Item 31: Authorize a construction contract with Turner Construction Company, best value proposer of eight, for the construction of the Highland Hills Branch Library replacement facility located at 6200 Bonnie View Road - Not to exceed \$4,923,500 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1304

**Landscape Agreements Along IH-30  
at Winslow Ave and at Dolphin Rd**

**Note:** Item Nos. 32 and 33  
must be considered collectively.

Item 32: Authorize a Landscape Maintenance Agreement with the Texas Department of Transportation for the maintenance of landscape improvements within the Texas Department of Transportation right-of-way along IH-30 at Winslow Avenue and at Dolphin Road - Financing: No cost consideration to the City

Councilmember Medrano requested consent agenda items 32 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 32 was brought up for consideration.

Councilmember Medrano moved to defer the item indefinitely.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1305

**Landscape Agreements Along IH-30  
at Winslow Ave and at Dolphin Rd**

**Note:** Item Nos. 32 and 33  
must be considered collectively.

Item 33: Authorize a twenty-five year Landscape Maintenance Agreement with St. Luke “Community” United Methodist Church for the church to assume the responsibility for maintenance of landscape improvements within the Texas Department of Transportation right-of-way along IH-30 at Winslow Avenue and at Dolphin Road - Financing: No cost consideration to the City

Councilmember Medrano requested consent agenda items 33 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 33 was brought up for consideration.

Councilmember Medrano moved to defer the item indefinitely.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1306

Item 34: Authorize an additional payment to the Texas Department of Transportation for the City's share of final construction costs for Phase I of the East Dallas VeloWay (Tenison Trail) from Glasgow Street to Winsted Drive - Not to exceed \$56,289 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1307

Item 35: Authorize an increase in the contract with SYB Construction Company, Inc. for additional paving repairs and utility work associated with the storm drain and wastewater main improvements for Bexar Street, Phase II from C. F. Hawn Freeway (U.S. 175) to Carlton Garrett Street (formerly Municipal Street) - Not to exceed \$125,996, from \$4,159,477 to \$4,285,473 - Financing: 2003 Bond Funds (\$12,746) and Water Utilities Capital Construction Funds (\$113,250)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1308

Item 36: Authorize an increase in the contract with Texas Standard Construction, Ltd. for the construction of additional paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-622 (list attached) - Not to exceed \$377,517, from \$4,005,373 to \$4,382,890 - Financing: 2003 Bond Funds (\$375,387) and Water Utilities Capital Construction Funds (\$2,130)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1309

Item 37: Authorize **(1)** the receipt and deposit of funds in the amount of \$24,680 from 3000 Turtle Creek Plaza, LLC for construction of a proposed traffic signal at Cedar Springs Road and Turtle Creek Boulevard; and **(2)** an increase in appropriations in the amount of \$24,680 in the Capital Projects Reimbursement Fund - Not to exceed \$24,680 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1310

Item 38: An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** designate the direction of travel of vehicles on certain streets; and **(2)** designate school traffic zones (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29071

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1311

Item 39: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Pan Coastal Limited Partnership, et al., Cause No. CC-12-06225-C, pending in County Court at Law No. 3, for acquisition from Pan Coastal Limited Partnership, et al., of approximately 2,736 square feet of land located near the intersection of Cesar Chavez Boulevard and Pacific Street for the Central Expressway from Commerce to Live Oak Realignment project; and (2) settlement of the lawsuit for an amount not to exceed the amount of the Special Commissioner's award - Not to exceed \$116,997 (\$115,697 being the amount of the award, plus closing costs and title expenses not to exceed \$1,300) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1312

Item 40: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 12,714 square feet from Donald L. Hudgins, Jr., Trustee for the Ruth A. Hudgins Grandchildren's Trust located near the intersection of Chalk Hill Road and Singleton Boulevard for the Chalk Hill Street Improvement Project - Not to exceed \$121,768 (\$117,568, plus closing costs and title expenses not to exceed \$4,200) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1313

Item 41: Authorize acquisition, from Leticia Gonzalez of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of Pontiac and Morrell Avenues for the Cadillac Heights Future City Facilities Project - Not to exceed \$39,000 (\$37,000, plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1314

Item 42: Authorize acquisition, from Nicandro V. Villa and Guadalupe L. Villa of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of Pontiac and Morrell Avenues for the Cadillac Heights Future City Facilities Project - Not to exceed \$52,500 (\$50,500, plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1315

Item 43: Authorize acquisition from Vernon Linicomn, of two tracts of land containing a total of approximately 47,841 square feet located near the intersection of Bonnie View and Cleveland Roads for the IIPOD Cleveland Road Project - \$76,744 - (\$74,004, plus closing costs and title expenses not to exceed \$2,740) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1316

Item 44: Authorize a four-year lease agreement with Kaminski Holdings, Inc., for approximately 3,180 square feet of office space located at 5210 Bexar Street, Suite 102 to be used as a Southeast Code Compliance Services office for the period September 1, 2013 through August 31, 2017 - Not to exceed \$33,516 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1317

Item 45: A resolution authorizing the conveyance of an easement containing approximately 988 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of construction and maintenance of electric facilities across City owned land, located near the intersection of Bexar and Anderson Streets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1318

Item 46: An ordinance abandoning a portion of an alley to Dallas County Hospital District d/b/a Parkland Health and Hospital System, the abutting owner, containing approximately 15,634 square feet of land, located near the intersection of Butler and Redfield Streets and authorizing the quitclaim - Revenue: \$251,822, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29072

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1319

Item 47: An ordinance abandoning an alley to Holly 2 Investments, Inc., 2624 Douglas Partners, LP, Theodore H. Dahm, Margaret G. Dahm, Richard Tom Garrison and Mark E. Jones, the abutting owners, containing approximately 6,749 square feet of land, located near the intersection of Fairmount and Knight Streets and authorizing the quitclaim - Revenue: \$121,482, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29073

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1320

Item 48: An ordinance abandoning portions of Main Street to 1600 Main Street Holdings, LP and Dunhill 1530 Main, L.P., the abutting owners, containing a total of approximately 360 square feet of land, located near the intersection of Main and Ervay Streets - Revenue: \$45,000, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29074

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1321

Item 49: An ordinance abandoning a portion of a drainage easement to Old Parkland Unit F, L.L.C. and Old Parkland Unit H, L.L.C., the abutting owners, containing approximately 600 square feet of land, located near the intersection of the Dallas North Tollway and Oak Lawn Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29075

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1322

Item 50: An ordinance abandoning a portion of a water and wastewater easement to Old Parkland Unit A, L.L.C., Old Parkland Unit G, L.L.C. and Old Parkland Campus Condominium Association, Inc., the abutting owners, containing approximately 7,161 square feet of land, located near the intersection of the Dallas North Tollway and Oak Lawn Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29076



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1323

Item 51: An ordinance abandoning portions of three storm sewer easements to ATA Apartments Limited Partnership, the abutting owner, containing a total of approximately 1,385 square feet of land, located near the intersection of Dealey Avenue and Greenbriar Lane – Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29077

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1324

Item 52: An ordinance abandoning two water easements and two sanitary sewer easements to Preston Road QT, LLC, the abutting owner, containing a total of approximately 2,694 square feet of land, located near the intersection of Mapleshade Lane and Oxford Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29078

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1325

Item 53: Authorize a fifth amendment to the lease agreement with Galt II L.P., to extend the lease for an additional three-year period for the continued use of approximately 1,121 square feet of office space located at 8500 Stemmons Freeway, Suite 5040 by the Police Department's Psychological Services Unit for the period September 1, 2013 through August 31, 2016 - Not to exceed \$54,649 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1326

Item 54: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Rhadames Solano, et al., Cause No. CC-13-00464-C, pending in County Court at Law No. 3, for acquisition from Rhadames Solano et al of approximately 23 acres of land located on Elam Road near its intersection with Pemberton Hill Road for the Trinity River Corridor Project; and (2) settlement of the lawsuit for an amount not to exceed the amount of the Special Commissioners award - Not to exceed \$305,000 (\$300,000 being the amount of the award, plus closing costs and title expenses not to exceed \$5,000); an increase of \$47,329 from the amount the Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds

Councilmember Greyson requested consent agenda item 54 be considered as an individual item later in the meeting; there was no objection voiced to her request.

The following individuals addressed the city council on the item:

Rhadames Solano, 1452 Dent St., Garland, TX  
Victor Acero, 4532 Columbia Ave.  
Carlos Quintanilla, 421 S. Dwight Ave.  
Gilbert Sandoval, 5509 Jester Dr., Garland, TX

Councilmember Callahan moved to suspend Section 6.3 of the City Council Rules of Procedure to allow the following individual to speak on the item:

Yolanda Williams, 1012 Pindar Ave.

Motion seconded by Councilmember Hill and approved by consensus of the city council.

Councilmember Hill moved to adopt the item with the following considerations:

- The city deposit \$300,000 into the registry of the court, settlement negotiations continue with the land owner in an effort to settle this without going to trial, up to a sales price of \$300,000. If, by the time of trial, the city and the land owner have not settled for an amount not to exceed \$300,000 for this property, that the trial proceed.

Motion seconded by Councilmember Kingston.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1326

Page 2

After discussion, Mayor Rawlings called for a vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting “No.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1327

Item 55: Authorize an amendment to the contract with Oncor Electric Delivery Company for additional material and labor costs necessary to relocate and raise an existing 138 kilovolt electric transmission line tower on Oncor's Parkdale-Industrial Line - Not to exceed \$134,918, from \$86,000 to \$220,918 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1328

Item 56: Authorize **(1)** the receipt and deposit of funds from the Texas Department of Transportation in the amount of \$383,863 in the Santa Fe Trail Grant Fund; and **(2)** an increase in appropriations in the amount of \$383,863 in the Santa Fe Trail Grant Fund - Total not to exceed \$383,863 - Financing: Texas Department of Transportation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1329

Item 57: Authorize an increase in the contract with AUI Contractors, Inc., for modification of the intake wall, relocation of the emergency generator, deepening of the low flow sump pump, and galvanizing the roof trusses for the construction of the Baker No. 3 Storm Water Pumping Station - Not to exceed \$92,309, from \$37,869,184 to \$37,961,493 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1330

Item 58: Authorize Supplemental Agreement No. 3 to the contract with Jacobs Engineering Group Inc. (formerly doing business as Carter and Burgess, Inc.) for additional professional services for the submittal of a Letter of Map Revision application to FEMA for the revision of the Flood Insurance Rate Maps for the Dallas Floodway Levee System Interior Drainage, associated with the Levee recertification - Not to exceed \$282,600, from \$1,635,707 to \$1,918,307 - Financing: Stormwater Drainage Management Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1331

Item 59: Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the rehabilitation of the peak flow basins at the Central Wastewater Treatment Plant and hydraulic analysis of wastewater flows in the vicinity of north Dallas area - Not to exceed \$629,980 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1332

Item 60: Authorize a Utility Joint Use Acknowledgement Reimbursable Utility Adjustment Agreement with the State of Texas, acting through the Texas Department of Transportation (TxDOT) in conjunction with the water and wastewater main relocations and adjustments in Interstate Highway 635 (Lyndon B. Johnson Freeway) from Luna Road to U.S. Highway 75 (Central Expressway) and in Interstate Highway 35E (Stemmons Freeway) from Northwest Highway to Valwood Parkway for the Interstate Highway 635 Managed Lanes Project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1333

Item 61: Authorize an increase in the contract with AUI Contractors, LLC for additional work associated with odor control improvements at the Southside Wastewater Treatment Plant - Not to exceed \$291,663, from \$10,727,000 to \$11,018,663 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1334

Item 62: Authorize Supplemental Agreement No. 2 to the professional services contract with Carollo Engineers, Inc., (formally Carollo Engineers, P.C.), for additional engineering services associated with water quality improvements at the Bachman Water Treatment Plant - Not to exceed \$1,240,754, from \$7,459,668 to \$8,700,422 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1335

Item 63: 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)

The city secretary distributed a report showing all nominations and re-nominations received for city board and commission appointments for the 2013-2015 board term updated through AUGUST 14, 2013.

The city secretary noted the report indicated nominees and re-nominees for individual appointments cleared for city council action met all qualifications for service.

Councilmember Kingston moved to appoint nominees to "individual appointment" positions in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2015.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

**[Information on each newly-appointed member is located in the file shown next to the name of the board.]**

**13-5054 CDC COMMUNITY DEVELOPMENT COMMISSION**  
**13-5055 MLB MUNICIPAL LIBRARY BOARD**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1336

Item 64: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from RKCJ, LLC of four tracts of land totaling approximately 23,330 square feet located near Lancaster and Wheatland Roads for the Wheatland Road Project - Not to exceed \$10,900 (\$9,400, plus closing costs and title expenses not to exceed \$1,500) - Financing: 2003 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 64-67 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 64-67, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 64 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *RKCJ, LLC*, four tracts of land containing a total of approximately 23,330 square feet of land located near the intersection of Lancaster and Wheatland Roads, Dallas Block 7605, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Wheatland Road Project.

Mayor Pro Tem Atkins moved to adopt agenda items 64-67.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 64-67:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston

Absent when vote taken: [1] Griggs

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1337

Item 65: Authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary, from Eldorado Properties, Inc., of an improved tract of land containing approximately 7,345 square feet located at the intersection of Victor Street and North Carroll Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$49,000 (\$45,000 plus closing costs and title expenses not to exceed \$4,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 64-67 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 64-67, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 65 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Eldorado Properties, Inc.* an improved tract of land containing approximately 7,345 square feet, located near the intersection of Victor Street and North Carroll Avenue in Block E/802½ in the City of Dallas, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a storm drainage intake structure and connecting lines for the transmission of storm drainage, and a construction staging area for the intake structure and connecting lines, together with such appurtenant facilities as may be necessary.

Mayor Pro Tem Atkins moved to adopt agenda items 64-67.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 64-67:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston

Absent when vote taken: [1] Griggs

The city secretary declared the motion adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1338

Item 66: Authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary, from Lisa Marie Fouts, of an improved tract of land containing approximately 8,011 square feet located near the intersection of South Riverfront Boulevard and Old Zang Road for the Able Pump Station Project - Not to exceed \$399,962 (\$393,962 plus closing costs and title expenses not to exceed \$6,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 64-67 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 64-67, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 66 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Lisa Marie Fouts* an improved tract of land containing approximately 8,011 square feet, located near the intersection of South Riverfront Boulevard and Old Zang Road in City Block No. 1/416 in the City of Dallas, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Able Pump Station and to assist during emergency flood occurrences, together with such appurtenant facilities as may be necessary.

Mayor Pro Tem Atkins moved to adopt agenda items 64-67.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 64-67:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston

Absent when vote taken: [1] Griggs

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1339

Item 67: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Prescott Interests, Ltd., of an unimproved tract of land containing approximately 934 square feet located on Continental Avenue near its intersection with Riverfront Boulevard for the reconstruction of Continental Avenue - Not to exceed \$30,520 (\$28,020, plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 64-67 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 64-67, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 67 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Prescott Interests, Ltd.* an unimproved tract of land containing approximately 934 square feet, located on Continental Avenue near its intersection with Riverfront Boulevard in Block A/6828 in the City of Dallas, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the reconstruction, installation, use and maintenance of Continental Avenue, together with such appurtenant facilities as may be necessarily provided.

Mayor Pro Tem Atkins moved to adopt agenda items 64-67.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 64-67:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston  
Absent when vote taken: [1] Griggs

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1340

Item 68: A benefit assessment hearing to receive comments on street paving, storm drainage, and water and wastewater main improvements for Burbank Street from Harry Hines Boulevard to Denton Drive, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Tiseo Paving Company, lowest responsible bidder of four - Not to exceed \$3,373,240 - Financing: 2003 Bond Funds (\$1,655,329), Capital Projects Reimbursement Funds (\$885,201), Water Utilities Capital Improvement Funds (\$794,010) and Water Utilities Capital Construction Funds (\$38,700)

Councilmember Gates noted for the record she had consulted with the city attorney's office regarding a possible conflict on the item; they determined no conflict existed and would therefore be voting on the item.

No one addressed the city council regarding the item.

Councilmember Medrano moved to close the public hearing and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29079

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1341

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 69: Authorize a Chapter 380 economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program with Fairfield Investment Company, LLC related to the development of a new residential apartment project at 302 North Houston Street, Dallas, Texas 75202 - Not to exceed \$535,360 - Financing: Public/Private Partnership Funds

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1342

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 70: Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended with Frazier Revitalization Inc. (FRI), for the purpose of planning and preconstruction activities related to mixed-use development as part of the Hatcher Station Village development project - Not to exceed \$200,000 - Financing: HUD Community Challenge Planning Grant Funds

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1343

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 71: Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended, with the Urban League of Greater Dallas and North Central Texas (ULGDNCT), for the purpose of planning and preconstruction activities related to the facility expansion to create an enhanced job training center - Not to exceed \$200,000 - Financing: HUD Community Challenge Planning Grant Funds

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

Councilmember Hill moved to adopt the item.

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

**Note:** The item applies to District 1 as well as District 3.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1344

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 72: Authorize an amendment to Resolution No. 12-2401, previously approved on September 26, 2012, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the Davis Street Market project's deadlines by 12 months and clarify its payment priority among the approved projects in the Davis Garden TIF District - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1345

DESIGNATED PUBLIC SUBSIDY MATTERS

**Hall Lone Star Associates, L.P.**

**Note:** Item Nos. 73 and 74  
must be considered collectively.

Item 73: Authorize certain amendments to the reimbursement conditions for the development agreement with Hall Lone Star Associates, L.P., for the redevelopment of the Dallas Arts District Garage originally approved by the City Council on February 11, 2009, by Resolution 09-0441, to: **(1)** allow the developer to count the appraised land value of \$8,300,000 and the appraised garage value of \$18,200,000 towards the private investment requirement; and **(2)** allow for the collateral assignment of the TIF Subsidy to the Lender - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

Councilmember Medrano moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Kingston and unanimously adopted. (Allen absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1346

DESIGNATED PUBLIC SUBSIDY MATTERS

**Hall Lone Star Associates, L.P.**

**Note:** Item Nos. 73 and 74  
must be considered collectively.

Item 74: Authorize an amendment to the Amended and Restated Parking Sublease Agreement dated March 31, 2009, between the City (Landlord) and Hall Lone Star Associates, L.P., a Texas limited partnership, (Tenant) to allow the Tenant's Lender to have collateral assignment rights as a Leasehold Mortgage which in certain circumstances shall include the right to assume the position of the Tenant under the Sublease Agreement to avoid a forfeiture or termination of the Sublease - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

Councilmember Medrano moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Kingston and unanimously adopted. (Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1347

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

Agenda items 83, 84, 85 and 87 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 75: Zoning Case Z123-143(RB)  
Agenda item 76: Zoning Case Z123-198(RB)  
Agenda item 77: Zoning Case Z123-221(RB)  
Agenda item 78: Zoning Case Z123-224(CG)  
Agenda item 79: Zoning Case Z123-232(MW)  
Agenda item 80: Zoning Case Z123-235(WE)  
Agenda item 81: Zoning Case Z123-240(WE)  
Agenda item 82: Zoning Case Z123-241(WE)  
Agenda item 83: Zoning Case Z123-242(RB) [considered individually]  
Agenda item 84: Zoning Case Z123-243(MW) [considered individually]  
Agenda item 85: Zoning Case Z123-256(RB) [considered individually]  
Agenda item 86: Zoning Case Z123-257(WE)  
Agenda item 87: Zoning Case Z123-261(WE) [considered individually]  
Agenda item 88: Zoning Case Z123-284(WE)

In the zoning cases on the consent zoning docket, the city plan commission recommended approval of the proposed changes in zoning.

No one appeared in opposition to or in favor of the city plan commission's recommendations.

Mayor Pro Tem Atkins moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

Motion seconded by Councilmember Kadane and unanimously adopted. (Griggs, Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1348

Item 75: Zoning Case Z123-143(RB)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Recycling buy-back center limited to the collection of household metals, on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northeast line of C. F. Hawn Freeway, west of Garden Springs Drive.

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions with retention of the D-1 Liquor Control Overlay.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29080

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1349

Item 76: Zoning Case Z123-198(RB)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 855, on property zoned a CR Community Retail District, an R-7.5(A) Single Family District, and Planned Development District No. 855 on property generally bounded by Mentor Avenue, Lancaster Road, both sides of Atlas Drive, and Denley Avenue.

Recommendation of Staff and CPC: Approval, subject to a conceptual plan, Tract 1A development plan and revised conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29081

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1350

Item 77: Zoning Case Z123-221(RB)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

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 for a monopole cellular tower on property zoned an R-7.5(A) Single Family District east of La Prada Drive and north of Oates Drive.

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29082

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1351

Item 78: Zoning Case Z123-224(CG)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1796 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the south side of Main Street, west of North Ervay Street.

Recommendation of Staff and CPC: Approval for a six-year period, subject to a revised site plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29083

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1352

Item 79: Zoning Case Z123-232(MW)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a handicapped group dwelling unit on property zoned an R-5(A) Single Family District on the north side of Talco Drive, east of Bronx Avenue.

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29084

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1353

Item 80: Zoning Case Z123-235(WE)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1858 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of Great Trinity Forest Way (Loop 12), southwest of C.F. Hawn Freeway.

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.

Recommendation of CPC: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29085



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1354

Item 81: Zoning Case Z123-240(WE)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

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 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 line of Lake June Road, west of North Jim Miller Road.

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29086

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1355

Item 82: Zoning Case Z123-241(WE)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to, and expansion of, Specific Use Permit No. 1197 for a restaurant with drive-in or drive-through service on property within Subarea 12 of Planned Development District No. 298, the Bryan Area Special Purpose District on the east corner of North Washington Avenue and Gaston Avenue.

Recommendation of Staff and CPC: Approval, subject to a revised site plan, revised landscape plan, and revised conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29087

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1356

Item 83: Zoning Case Z123-242(RB)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 457 for a Home improvement center, lumber, brick, or building material sales yard and certain Mixed Uses on the east line of Inwood Road, north of Forest Lane.

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

Councilmember Gates requested zoning consent agenda item 83 be considered as an individual item later in the meeting; there was no objection voiced to her request.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Gates moved to close the public hearing, accept the city plan commission's recommendation with a revised development plan and pass the ordinance.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29088

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1357

Item 84: Zoning Case Z123-243(MW)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Planned Development District No. 323, the Urbandale Special Purpose District, on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northwest side of Hunnicut Road, southwest of Lawnview Avenue.

Recommendation of Staff and CPC: Approval, subject to conditions and retention of the D-1 Liquor Control Overlay.

Councilmember Davis requested zoning consent agenda item 84 be considered as an individual item later in the meeting; there was no objection voiced to her request.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Davis moved to close the public hearing, accept the city plan commission's recommendation and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29089

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1358

Item 85: Zoning Case Z123-256(RB)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1854 for a Metal salvage facility on property zoned an IM Industrial Manufacturing District on the northeast line of South Central Expressway, north of Loop 12.

Recommendation of Staff and CPC: Approval of the renewal of Specific Use Permit No. 1854 for a four-year period, with eligibility for automatic renewal for additional four-year periods, subject to a revised site plan and revised conditions.

Councilmember Davis requested zoning consent agenda item 85 be considered as an individual item later in the meeting; there was no objection voiced to her request.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Davis moved to close the public hearing, accept the city plan commission's recommendation and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29090

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1359

Item 86: Zoning Case Z123-257(WE)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1857 for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the north side of Commerce Street, west of Pryor Street.

Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Medrano moved to close the public hearing, accept the city plan commission's recommendation with the following change:

- Specific Use Permit will expire in 3 years

and pass the ordinance.

Motion seconded by Councilmember Davis and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29091

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1360

Item 87: Zoning Case Z123-261(WE)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a TH-2(A) Townhouse District and a resolution accepting the termination of the deed restrictions on property zoned an NO(A) Neighborhood Office District on the northwest corner of Levelland Road and Gold Dust Trail.

Recommendation of Staff and CPC: Approval for a TH-2(A) Townhouse District and approval of the termination of the deed restrictions.

No one appeared in opposition to the city plan commission's recommendation.

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

Michael R. Coker, 7809 Glenneagle Dr., representing the applicant

Councilmember Greyson moved to close the public hearing, adopt the zoning change, terminate the deed restrictions, accept the new volunteered deed restrictions, with the ordinance and the new volunteered deed restrictions to come back to city council for approval at a later date.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1361

Item 88: Zoning Case Z123-284(WE)

The consent zoning docket, consisting of agenda items 75-88, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 7 for a private school on property zoned an R-16(A) Single Family District on the west line of Inwood Road, between Forest Lane and Welch Road.

Recommendation of Staff and CPC: Approval, subject to a site plan, revised traffic management plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29093



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1362

Item 89: Zoning Case Z123-222(MW)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bank or saving and loan office with a drive-in window on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Lemmon Avenue and Douglas Avenue.

Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site/landscape plan and conditions.

Recommendation of CPC: Approval for a fifteen-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site/landscape plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Kingston moved to close the public hearing, accept the city plan commission's recommendation and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29094

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1363

Item 90: Zoning Case Z123-229(WE)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1750 for commercial motor vehicle parking on property zoned a CS Commercial Service District located on the northwest corner of Chalk Hill Road and Fitchburg Street.

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions.

Recommendation of CPC: Approval for a two-year period, subject to a revised site plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and ~~hold under advisement until~~ defer the item to the August 28, 2013 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1364

Item 91: Zoning Case Zoning Case Z123-234(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Swap or buy shop on property zoned a CR Community Retail District on the southeast corner of Midway Road and Frankford Road.

Recommendation of Staff: Approval for a three-year period, subject to site plan and conditions.

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions.

No one appeared in opposition to the city plan commission's recommendation.

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

Cynthia Clark, 2009 Stefani Ct., Carrollton, TX

Councilmember Greyson moved to close the public hearing, accept the city plan commission's recommendation and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29095

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1365

Item 92: Zoning Case Z123-252(MW)

A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict within Subdistrict 1 (Bishop Avenue) of Planned Development District No. 830, the Davis Street Special Purpose District on the northwest corner of North Bishop Avenue and West 5<sup>th</sup> Street.

Recommendation of Staff and CPC: Approval, subject to conditions.

This item was deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1366

Item 93: Zoning Case Z123-255(RB)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1913 for a Bar, lounge or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south line of Elm Street, east of Good Latimer Expressway.

Recommendation of Staff: Approval for a three-year period, subject to revised conditions.

Recommendation of CPC: Approval for a five-year period, subject to revised conditions.

No one appeared in opposition to the city plan commission's recommendation.

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

Audra Buckley, 416 S. Ervay, representing the applicant

Councilmember Medrano moved to close the public hearing, accept the city plan commission's recommendation with the following change:

- Specific Use Permit will expire in three years

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29096

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1367

Item 94: Zoning Case Z123-313(JH)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multifamily uses on property zoned a MF-1(A) Multifamily District on the southeast corner of South Zang Boulevard and West Louisiana Avenue.

Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Griggs moved to close the public hearing, accept the city plan commission's recommendation, subject to a revised conceptual plan that shows:

- maximum structure height of 55 feet in Height Zone 1;
- maximum structure height of 36 feet in Height Zone 2; and
- maximum structure height of 45 feet in Height Zone 3

and pass the ordinance.

Motion seconded by Councilmember Davis and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29097

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1368

Item 95: Zoning Case Z123-164(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District and an MU-3 Mixed Use District on the west line of Newberry Street, north of Crown Road.

Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Deputy Mayor Pro Tem Alonzo moved to close the public hearing, accept the city plan commission's recommendation and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29098

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1369

DESIGNATED ZONING CASES - INDIVIDUAL

Item 96: Zoning Case Z123-163(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a new subarea within Planned Development District No. 298, the Bryan Area Special Purpose District and an ordinance granting a Specific Use Permit for a vehicle or engine repair or maintenance use on property within Subdistrict 1 of Planned Development District No. 298, the Bryan Area Special Purpose District on the south corner of Ross Avenue and Villars Street.

Recommendation of Staff: Denial.

Recommendation of CPC: Approval of a new subdistrict within Planned Development District No. 298, the Bryan Area Special Purpose District and approval of a Specific Use Permit for a vehicle or engine repair or maintenance use for a two-year period, subject to a site 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," City Secretary Rios 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 individuals appeared in opposition to the city plan commission's recommendation:

Wayne Smith, 927 Liberty St.  
Eric Williamson, 3507 Bryan St.

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

Hinga Mbooo, 3757 Casa Del Sol  
Margaret Githire, 1309 Maple Ridge Dr., Mesquite, TX  
Tyler Isbell, 4219 Somerville Ave.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1369

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

(continued)

Mitta Angel, address not provided

Grace Smith, address not provided

Angela Davis, 5903 ½ Reiger Ave.

Councilmember Griggs moved to close the public hearing, accept the city plan commission's recommendation and pass the ordinance.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NOS. 29099 AND 29101

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1370

DESIGNATED ZONING CASES - INDIVIDUAL

Item 97: Zoning Case Z123-204(MW)

A public hearing to receive comments regarding an application for and an ordinance granting the expansion of Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned an IR Industrial Research District on the west side of Market Center Boulevard, north of Turtle Creek Boulevard.

Recommendation of Staff and CPC: Approval, subject to 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,” City Secretary Rios 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."

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and ~~hold under advisement until~~ defer the item to the August 28, 2013 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway absent when vote taken)

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1371

DESIGNATED ZONING CASES - INDIVIDUAL

Item 98: Zoning Case Z123-245(MW)

A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District on property zoned an MU-3 Mixed Use District on the northwest corner of LBJ Freeway and Stemmons Freeway.

Recommendation of Staff and CPC: Approval.

In accordance with Section 7.13 of the City Council Rules of Procedure, “Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters,” City Secretary Rios 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."

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and ~~hold under advisement until~~ defer the item to the August 28, 2013 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1372

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Item 99: A public hearing to receive comments regarding consideration of amendments to the Dallas Development Code, Chapters 51 and 51A of the Dallas City Code **(1)** establishing bicycle parking standards, **(2)** amending the parking requirements for ground-floor retail and personal service uses in the CA-1(A) Central Area District, and **(3)** establishing regulations for mechanized parking systems and an ordinance granting the amendments.

Recommendation of Staff and CPC: Approval.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Kleinman moved to continue the public hearing and hold under advisement until the September 11, 2013 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1373

Item 100: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Iglesia Evangelica Jabes Church required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Malone's Food Stores] on property on the southwest corner of St. Augustine Road and Seagoville Road - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

No one addressed the city council on the item.

Councilmember Callahan moved to continue the public hearing and hold under advisement until the September 11, 2013 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1374

Item 101: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Henry W. Longfellow Middle School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Trader Joe's] on property on the southwest corner of Lovers Lane and Greenway Boulevard - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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."

No one addressed the city council on the item.

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

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1375

Item 102: A public hearing to receive comments concerning the creation of the Klyde Warren Park Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Klyde Warren Park Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize: **(1)** approval of a resolution creating the Klyde Warren Park Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Woodall Rodgers Park Foundation, a private non-profit corporation as the management entity for the Klyde Warren Park Public Improvement District - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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 individuals addressed the city council on the item:

Jody Grant, 2100 McKinney Ave., representing Klyde Warren Park  
Max Anderson, 1717 N. Harwood St., representing Dallas Museum of Art  
Jim Fite, 1717 Arts Plaza  
Richard Sheridan, 3022 Forest Ln.

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

Motion seconded by Mayor Pro Tem Atkins and Councilmember Medrano and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1376

Item 103: A public hearing to receive comments concerning the renewal of the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize: **(1)** approval of a resolution renewing the Deep Ellum Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Deep Ellum Foundation, a non-profit corporation as the management entity for the Deep Ellum Public Improvement District - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios 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 individuals addressed the city council on the item:

Benton Payne, 5219 McCommas Blvd.  
Cecelia Zimmerman, 13032 Hughes Ln.  
Jonathon Hetzel, 7002 Vivian Ave., representing Madison Partners

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

Motion seconded by Councilmember Davis and Councilmember Kingston and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1377

Addendum Addition 1: Authorize the sale of a 2000 Hyundai HL740-3 front loader, through a public auction on July 16, 2013, to Sanchez Auto Parts House, highest bidder of ten - Revenue: \$22,700

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1378

Addendum Addition 2: Authorize a five-year service contract for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas - Andrews Building Service, lowest responsible bidder of five - Not to exceed \$18,187,934 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Mayor Pro Tem Atkins requested addendum addition consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, addendum addition consent agenda item 2 was brought up for consideration.

Mayor Pro Tem Atkins moved to defer the item until the August 21, 2013 briefing meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Griggs absent when vote taken)

**Note:** This item is in District 2 not District 14.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1379

Addendum Addition 3: Authorize the acceptance of additional grant funds from the U.S. Department of Homeland Security under the 2010 Buffer Zone Protection Plan grant to provide funding for costs associated with securing critical infrastructure and key resource sites to prevent acts of terrorism within the City for the period June 1, 2010 through August 15, 2013 - Not to exceed \$50,000, from \$950,000 to \$1,000,000 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1380

Addendum Addition 4: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of four, for the construction of thoroughfare, water and wastewater main improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - Not to exceed \$1,514,176 - Financing: General Obligation Commercial Paper Funds (\$1,054,847), Water Utilities Capital Construction Funds (\$6,460) and Water Utilities Capital Improvement Funds (\$452,869)

Prior to consideration of the consent agenda, Councilmember Gates noted for the record she had consulted with the city attorney's office regarding a possible conflict on the item; they determined no conflict existed and would therefore be voting on the consent agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1381

Addendum Addition 5:        An ordinance abandoning portions of two water easements and a sanitary sewer easement to LMI Park Central, LLC, the abutting owner, containing a total of approximately 11,454 square feet of land, located near the intersection of Banner Drive and Coit Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29100

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1382

Addendum Addition 6: An ordinance abandoning a portion of a utility easement to LMI Glencoe Dallas, LLC, the abutting owner, containing approximately 4,572 square feet of land, located near the intersection of Glencoe Street and Ellsworth Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29092

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1383

Addendum Addition 7: Authorize a professional services contract with Modern Geosciences, LLC for assistance with the preparation of the soil remediation and municipal setting designation for the Upper Chain of Wetlands Project - Not to exceed \$73,950 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 14, 2013

13-1384

Addendum Addition 8: A resolution designating absences by Councilmember Scott Griggs as being for "official city business" - Financing: No cost consideration to the City

Councilmember Griggs announced he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Griggs left the city council chamber.

Councilmember Hill moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Griggs abstain; Allen absent when vote taken)



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2013

EXHIBIT C