

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 25, 2013

13-1660

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

PRESENT: [14] Rawlings, Atkins, Alonzo, Griggs, Medrano (*9:10 a.m.), Hill, Caraway (*9:25 a.m.), Callahan, Davis, Kadane, Allen, Kleinman, Gates, Kingston

ABSENT: [1] Greyson

The meeting was called to order at 9:06 a.m.

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

The invocation was given by Father Chris Canellos of The Holy Trinity Greek Orthodox Church.

Deputy Mayor Pro Tem Alonzo 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 2:32 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**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 25, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 25, 2013

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1661

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: Cornelius Amen, 2018 Lanark Ave.
SUBJECT: Injustice

By general consensus of the city council, Section 6.3 of the City Council Rules of Procedure was suspended to allow the following individual to speak:

SPEAKER: Jasper Baccus, 2800 Martin Luther King Jr. Blvd.
SUBJECT: Clothing movement

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Quinten Robinson, 13612 Midway Rd., Farmers Branch, TX
SUBJECT: Civil rights/Community

OPEN MICROPHONE – END OF MEETING – SPOKE IN LAST 30 DAYS:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: West Dallas health care

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

SPEAKER: David Williams, Private
SUBJECT: Domestic violence

SPEAKER: Kermit Mitchell, 5659 Marblehead Dr.
SUBJECT: Dallas Convention Center Hotel

SPEAKER: B.M. Randolph, P.O. Box 210315
REPRESENTING: Making a Difference
SUBJECT: Update

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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OPEN MICROPHONE – END OF MEETING – SPOKE IN LAST 30 DAYS:

(Continued)

SPEAKER: Deloris Phillips, P.O. Box 530236, Grand Prairie, TX (handout
provided)
REPRESENTING: Human dignity/Humanity
SUBJECT: Corruption/911 (audio)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1662

Item 1: Approval of Minutes of the September 11, 2013 City Council Meeting

Councilmember Kadane moved to adopt the minutes of the September 11, 2013 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1663

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-37 and addendum addition consent agenda items 1-10, was presented for consideration.

Councilmember Griggs requested consent agenda item 4 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Kingston requested consent agenda items 4, 30, 31 and 32 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Medrano requested consent agenda item 4 be considered as an individual item late in the meeting; there was no objection voiced to his request.

Councilmember Allen requested consent agenda item 17 be considered as an individual item later in the meeting; there was no objection voiced to his request.

The city secretary announced the interim city manager requested consent agenda item 26 be deleted; there was no objection voiced to the request.

Mayor Pro Tem Atkins requested addendum addition consent agenda items 7 and 9 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Kadane moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 4, 17, 26, 30, 31, 32 and addendum addition consent agenda items 7 and 9.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1664

- Item 2: Authorize a three-year service contract for grounds maintenance at levees, Hensley Field, Sanitation Services and Court & Detention Services properties - Moir Watershed Services, LLC in the amount of \$809,863 and Good Earth Corporation in the amount of \$250,800, lowest responsible bidders of three - Not to exceed \$1,060,663 - Financing: Current Funds (\$104,200), Naval Air Station Redevelopment Funds (\$146,600) and Stormwater Drainage Management Current Funds (\$809,863) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1665

Item 3: Authorize a three-year service contract for radiator repair, supplies and recoring - Centennial Radiator, Inc. in the amount of \$452,340 and Metro Fire Apparatus Specialists, Inc. in the amount of \$16,599, lowest responsible bidders of three - Total not to exceed \$468,939 - Financing: Current Funds (\$431,011), Stormwater Drainage Management Current Funds (\$25,841), Water Utilities Current Funds (\$7,165) and Aviation Current Funds (\$4,922) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1666

Item 4: Authorize a three-year service contract for citywide temporary clerical and professional services - Lane Staffing, Inc., most advantageous proposer of five - Not to exceed \$20,431,973 - Financing: Current Funds (\$14,030,914), Water Utilities Current Funds (\$2,720,259), Convention Center Current Funds (\$1,663,490), Stormwater Drainage Management Current Funds (\$846,535), Community Development Block Grant Funds (\$354,482), Aviation Current Funds (\$230,069), Ivor O'Conner Morgan Trust Funds (\$196,095), Private Funds (\$196,095), Competitive Housing Opportunities for Persons with Aids Grant Funds (\$118,161), Texas Department of State Health Services Grant Funds (\$59,080) and Children Center Trust Funds (\$16,793) (subject to annual appropriations)

Councilmember Griggs, Councilmember Kingston and Councilmember Medrano requested consent agenda item 4 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, consent agenda item 4 was brought up for consideration.

The following individual addressed the city council on the item:

Serge Wankombe, 3006 Scotch Elm St., Euless, TX, representing Romulus Group (handout provided)

Councilmember Hill moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Davis absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1667

- Item 5: Authorize a three-year service contract, with two one-year renewal options, to continue maintenance of hardware and associated software licenses for airport noise and flight tracking monitoring at Dallas Love Field - Exelis, Inc., sole source - Not to exceed \$509,327 - Financing: Aviation Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1668

Item 6: Authorize a five-year service contract for drug and alcohol testing for uniformed employees and applicants for Fire-Rescue - WAB Holdings, LLC dba ARCpoint Labs of Irving, lowest responsible bidder of four - Not to exceed \$390,600 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1669

Item 7: Authorize **(1)** the purchase of fourteen ambulances, five fire pumpers, two aerial trucks and two wildland engines for Fire-Rescue - Metro Fire Apparatus Specialists, Inc. in the amount of \$5,572,705 and Southwest Ambulance Sales, LLC in the amount of \$2,463,586 through the Houston-Galveston Area Council of Governments; and **(2)** the purchase of one lift body truck for Street Services - Sam Pack's Five Star Ford in the amount of \$87,001 through Texas Association of School Boards (BuyBoard) - Total not to exceed \$8,123,292 - Financing: Currents Funds (\$87,001) and Municipal Lease Agreement Funds (\$8,036,291)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1670

Item 8: Authorize a one-year master agreement for anthracite filter media for Water Utilities - CEI Anthracite in the amount of \$374,527, Carbon Sales, Inc. in the amount of \$149,650 and Kleen Industrial Services, Inc. in the amount of \$21,511, lowest responsible bidders of six - Total not to exceed \$545,688 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1671

Item 9: Authorize **(1)** a three-year master agreement for bulk liquid chlorine supplied in tank trucks in the amount of \$4,480,728; and **(2)** a three-year service contract for storage tank rentals and hydrostatic testing in the amount of \$481,470 - DPC Industries Company, lowest responsible bidder of three - Total not to exceed \$4,962,198 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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13-1672

Item 10: Authorize a three-year master agreement for door hardware and key blanks for various City departments - Independent Hardware, Inc. in the amount of \$290,820, Hans Johnsen Company in the amount of \$26,417 and Clark Security Products in the amount of \$10,354, lowest responsible bidders of three - Total not to exceed \$327,591 - Financing: Current Funds (\$159,298), Water Utilities Current Funds (\$135,068), Convention and Event Services Current Funds (\$32,000) and 2012-13 Community Development Block Grant Funds (\$1,225)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1673

- Item 11: Authorize a three-year master agreement for the purchase of bicycles, bicycle parts and accessories for Police and Fire-Rescue - The Bike Shop in the amount of \$127,588 and GT Distributors, Inc. in the amount of \$100,731, lowest responsible bidders of two - Total not to exceed \$228,319
- Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1674

Item 12: Authorize a three-year master agreement for the purchase of riot gear and accessories for Police - GT Distributors, Inc. in the amount of \$332,813 and Galls, LLC in the amount of \$216,036, lowest responsible bidders of six - Total not to exceed \$548,849 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1675

Item 13: Authorize a three-year master agreement for breastfeeding products for the Women, Infants and Children's program - Medela, Inc. in the amount of \$131,291, NuAngel, Inc. in the amount of \$34,440, Ameda, Inc. in the amount of \$15,933, Health Care Equipment & Parts, Inc. in the amount of \$15,545 and Practical A/R Solutions, Inc. in the amount of \$7,998, lowest responsible bidders of five - Total not to exceed \$205,207 - Financing: Texas Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1676

Item 14: Authorize **(1)** the rejection of bids received for automotive glass repair and replacement services; and **(2)** the re-advertisement for new bids - Financing:
No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1677

- Item 15: Authorize Supplemental Agreement No. 2 to increase the service contract with Telogis, Inc. for support of the global positioning system deployed on Sanitation fleet equipment for a four-month term beginning October 1, 2013 through January 31, 2014 - Not to exceed \$37,329, from \$747,058 to \$784,387 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1678

Item 16: Authorize the City Auditor's Fiscal Year 2014 Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1679

Item 17: Authorize payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2013 through September 30, 2014 - Not to exceed \$8,713,637 - Financing: Current Funds (subject to appropriations)

Councilmember Allen requested consent agenda item 17 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 17 was brought up for consideration.

Councilmember Allen moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1680

- Item 18: Authorize an amendment to the development and operating agreement with the Cypress Waters Municipal Management District (CWMMD) to authorize additions and exclusions and to redefine boundaries in accordance with Texas Water Code Chapter 49, all pursuant to City approval required by Special District Local Laws Code Chapter 3874 (the Act) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1681

Item 19: Authorize a contract with Metro Dallas Homeless Alliance to provide training and technical support with respect to the Homeless Management and Information System for the period October 1, 2013 through September 30, 2014 - Not to exceed \$60,704 - Financing: 2013-14 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1682

Item 20: Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for Women, Infants and Children for the period October 1, 2013 through March 31, 2014 - Not to exceed \$7,183,199 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1683

Item 21: Authorize contracts with child care providers pursuant to the City Child Care Services for the period October 1, 2013 through September 30, 2014 (list attached) - Not to exceed \$110,000 - Financing: 2013-14 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1684

Item 22: Authorize an Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System to provide guidance and assistance to routine postpartum women who are breastfeeding for the period June 1, 2013 through May 31, 2018 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1685

Item 23: A resolution authorizing conveyance of 3 unimproved properties and 1 improved property by Deed without Warranty to East Dallas Community Organization, for \$10 and the purchaser's agreement to construct a senior housing rental development on the properties within 3 years of execution of the deed (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1686

- Item 24: Authorize an amendment to the Mortgage Assistance Program (MAP) to: **(1)** remove the designated funding limits by assistance category; and **(2)** allow the City Manager, or his designee, upon legal review and approval by the City Attorney's office to: **(a)** endorse on behalf of the City of Dallas, as the lien holder, insurance recovery checks issued by insurance companies to MAP borrowers for any recovery of property damage(s) under borrowers' homeowners insurance policies; and **(b)** authorize the insurance recovery proceeds to be used by borrowers to repair the damaged properties secured by City liens - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1687

- Item 25: Authorize **(1)** an application for and acceptance of the FY2013 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2012 through September 30, 2016; **(2)** execution of the Fiscal Agency and Funds Sharing Agreement between the City of Dallas, Dallas County and eligible units of local government; and **(3)** execution of the grant agreement - Not to exceed \$932,597 - Financing: US Department of Justice Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1688

Item 26: Authorize a fifth amendment to the Fair Park Contract ("Agreement") with the State Fair of Texas to grant the State Fair of Texas the right to seek naming rights contracts for the Cotton Bowl Stadium and Summer Adventures at Fair Park and for State Fair to have the right to sell sponsorships advertising at the Coliseum on behalf of the City - Estimated Revenue: \$3,000,000 to \$5,000,000 over the term of the contract

At the time the consent agenda was presented for consideration, the city secretary advised the city council the interim city manager was requesting agenda item be deleted from consideration; there was no objection voiced to the request. At the time the consent agenda was voted on, agenda item was deleted from consideration.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1689

Item 27: Authorize **(1)** the application for and acceptance of the Comprehensive Selective Traffic Enforcement Program grant from the U.S. Department of Transportation pass through in the amount of \$999,999 for travel expenses and overtime reimbursement for the period October 1, 2013 through September 30, 2014; and **(2)** a city contribution of pension in the amount of \$273,383; and **(3)** execution of the grant agreement - Total not to exceed \$1,273,382 - Financing: Texas Department of Transportation Grant Funds (\$999,999), and Current Funds (\$273,383)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1690

Item 28: Authorize a Memorandum of Understanding (MOU) with Dallas County for the purpose of participation in the Urban Counties' TechShare.Juvenile Program - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1691

Item 29: Authorize a contract with Camino Construction, LP, lowest responsible bidder of three, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 13 on Phantom Hill Road from Bittercreek Drive to Cheyenne Road and Boundbrook Avenue from Stillwater Drive to Woodbrook Drive - Not to exceed \$1,760,240 - Financing: General Obligation Commercial Paper Funds (\$1,140,218), Water Utilities Capital Construction Funds (\$11,775) and Water Utilities Capital Improvement Funds (\$608,247)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1692

East Dallas Veloway, Phase II Extension

Note: Item Nos. 30, 31 and 32 must be considered collectively.

Item 30: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of three, for the construction of a hike and bike trail and associated storm drainage, water and wastewater appurtenance adjustments for the East Dallas Veloway, Phase II Extension from Elm Street to Parry Avenue - Not to exceed \$762,953 - Financing: 2006 Bond Funds (\$746,903) and Water Utilities Capital Construction Funds (\$16,050)

Councilmember Kingston requested consent agenda items 30-32 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 30-32 were brought up for consideration.

Councilmember Kingston moved to adopt agenda items 30-32.

Motion seconded by Councilmember Medrano and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1693

East Dallas Veloway, Phase II Extension

Note: Item Nos. 30, 31 and 32 must be considered collectively.

Item 31: Authorize a Multiple Use Agreement with the Texas Department of Transportation for the construction of a hike and bike trail for the East Dallas Veloway, Phase II Extension from Elm Street to Parry Avenue - Financing: No cost consideration to the City

Councilmember Kingston requested consent agenda items 30-32 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 30-32 were brought up for consideration.

Councilmember Kingston moved to adopt agenda items 30-32.

Motion seconded by Councilmember Medrano and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1694

East Dallas Veloway, Phase II Extension

Note: Item Nos. 30, 31 and 32 must be considered collectively.

Item 32: Authorize a Hike and Bike Trail Joint Use Agreement with Dallas Area Rapid Transit for the joint use of the railroad corridor right-of-way for the construction of a hike and bike trail for the East Dallas Veloway, Phase II Extension from Elm Street to Parry Avenue - Financing: No cost consideration to the City

Councilmember Kingston requested consent agenda items 30-32 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 30-32 were brought up for consideration.

Councilmember Kingston moved to adopt agenda items 30-32.

Motion seconded by Councilmember Medrano and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1695

Item 33: An ordinance granting a TH-2(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant and a resolution accepting the termination of existing deed restrictions on property zoned an NO(A) Neighborhood Office District on the northwest corner of Levelland Road and Gold Dust Trail - Z123-261 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29151

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1696

Item 34: An ordinance abandoning a portion of a sanitary sewer easement to Quiktrip Corporation, the abutting owner, containing approximately 2,872 square feet of land, located near the intersection of Vistawood Boulevard and Ledbetter Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29152

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1697

Item 35: An ordinance abandoning a street easement and an alley easement to Alamo Manhattan Routh, LLC, the abutting owner, containing a total of approximately 940 square feet of land, located near the intersection of Carlisle and Routh Streets, and authorizing the quitclaim - Revenue: \$68,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29153

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1698

Item 36: An ordinance abandoning portions of an alley easement, an alley and a screening wall easement to the King of Glory Lutheran Church, the abutting owner, containing a total of approximately 4,775 square feet of land, located near the intersection of Hughes Lane and Lyndon B. Johnson Freeway (Interstate Highway 635), and authorizing the quitclaim - Revenue: \$39,136, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29154

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1699

Item 37: Authorize Supplemental Agreement No. 7 to the professional services contract with CH2M Hill Engineers, Inc. for additional construction administration services for the Continental Avenue Bridge Project for the Trinity River Corridor Project - Not to exceed \$245,774, from \$21,446,019 to \$21,691,793 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1700

Item 38: 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 a nomination received for city board and commission appointment for the 2011-2013 board term, with term ending September 30, 2013, and all nominations and re-nominations received for city board and commission appointments for the 2013-2015 board term, with term ending September 30, 2015, updated through SEPTEMBER 25, 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.

In accordance with Chapter 8 of the Dallas City Code, Councilmember Hill advised the City Council her re-nominee to the Senior Affairs Commission, John L. Johnson, (1) was found, under the required background check, to have attendance issues; (2) believed he will be a committed member of the Senior Affairs Commission; and (3) still recommended the City Council proceed with his re-appointment as noted in the report distributed by the city secretary for the 2013-2015 board term.

In accordance with Chapter 8 of the Dallas City Code, Deputy Mayor Pro Tem Alonzo advised the City Council her re-nominee to the Park and Recreation Board, Celia Barajas, (1) was found, under the required background check, to have attendance issues; (2) believed she will be a committed member of the Park and Recreation Board; and (3) still recommended the City Council proceed with her re-appointment as noted in the report distributed by the city secretary for the 2011-2013 and 2013-2015 board term.

Deputy Mayor Pro Tem Alonzo moved the re-appointment of Ms. Barajas for the remaining 2011-2013 and the full 2013-2015 board terms, along with the following individuals for the full 2013 – 2015 board term:

- David Perez, Jr. and Henry K. Song, Volunteer Cultural Board Experience, Steven S. Harris, Experience in Performing Arts, and Roger Carroll, Experience in Cultural Institutions Management, to the Cultural Affairs Commission; Trent Hughes to the Housing Finance Corporation Board; Ed Oakley, Registered Voter, to the Reinvestment Zone Sixteen Board (Davis Garden); John L. Johnson and Felix Lozada, 55+ years of age, to the Senior Affairs Commission; Jeffery “Jeff” Sullivan, Business Owner in South Dallas/Fair Park Area and Gerald Lee Larson, Experience in Business Development, to the South Dallas/Fair Park Trust Fund Board; and
- nominees to an “individual appointment” position.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1700

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Motion seconded by Councilmember Hill and unanimously adopted. (Rawlings absent when vote taken; Greyson absent)

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

13-6370	ARC	AUTOMATED RED LIGHT ENFORCEMENT COMMISSION
13-6371	CAC	CULTURAL AFFAIRS COMMISSION
13-6372	CDC	COMMUNITY DEVELOPMENT COMMISSION
13-6373	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
13-6374	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
13-6375	HFC	HOUSING FINANCE CORPORATION BOARD
13-6376	JNC	JUDICIAL NOMINATING COMMISSION
13-6377	MLB	MUNICIPAL LIBRARY BOARD
13-6378	PAR	PARK AND RECREATION BOARD
13-6379	RZ16	REINVESTMENT ZONE SIXTEEN BOARD (DAVIS GARDEN)
13-6380	SAC	SENIOR AFFAIRS COMMISSION
13-6381	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1701

Item 39: Authorize an appeal of the City Plan Commission's decision to approve a minor amendment to the development plan for Planned Development District No. 696 for a Public school other than an open-enrollment charter school and R-16(A) Single Family District uses on property bound by Welch Road, Ridgeside Drive, Crestline Avenue, and Rickover Drive - M123-037 - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Dallas Cothrum, 900 Jackson St., representing DISD
Louisa Meyer, 4635 Sugar Mill Rd.
Randall Mulry, 3226 Duchess Trl.
Mary Fent, 4606 Gulfstream Dr. (handout provided)
Phillip John, 4544 Harrys Ln.
Karl Crawley, 900 Jackson St., representing DISD

Councilmember Gates moved to affirm the decision of the City Plan Commission to approve the development plan, with the understanding that DISD will submit a revised development plan to the City Plan Commission that shows the enhanced landscaping.

Motion seconded by Councilmember Hill and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1702

Item 40: Authorize a Funding Agreement between Dallas Area Rapid Transit, Downtown Dallas, Inc. and the City of Dallas for the operation of a two year demonstration project for a downtown supplemental shuttle service - Not to exceed \$800,000 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Prior to consideration, Councilmember Hill noted for the record to correct the agenda information sheet to reflect this item was deferred by Councilmember Greyson on September 11, 2013 and not her.

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

- The proposed operating schedule commencing this fall will provide service at a frequency of every 15 minutes from 11:00 a.m. to ~~10:30 p.m.~~ 11:30 p.m. Monday through Saturday.
- The estimated operating expenses of this service are approximately ~~\$1.3 million~~ \$1,417,298 per year.
- The City of Dallas will contribute \$400,000 per year and Downtown Dallas, Inc. will contribute ~~\$250,000~~ \$306,849 per year.

Motion seconded by Deputy Mayor Pro Tem Alonzo.

At the request of Councilmember Hill, the following individual addressed the city council on the item; there was no objection to her request.

Todd Plesko, 401 Pacific Ave., representing DART

Mayor Pro Tem Atkins called the vote on Councilmember Hill's motion and declared the motion adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1703

Item 41: An ordinance abandoning portions of Colorado Boulevard, an alley, railroad right-of-way and a street easement to Southern Foods Group, LLC, the abutting owner, containing a total of approximately 32,279 square feet of land, located near the intersection of Colorado Boulevard and Lancaster Avenue, and authorizing the quitclaim - Revenue: \$48,419, plus the \$20 ordinance publication fee

Councilmember Griggs moved to defer the item until the October 8, 2013 voting agenda meeting of the city council.

Motion seconded by Councilmember Callahan and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1704

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 42: Authorize a six-month professional services contract for planning, preconstruction and design work related to a mixed-use development including a new Vickery Meadow branch library and affordable housing development with DMA Development Company, LLC in the amount of \$744,000, the sole respondent - Financing: HUD Community Challenge Planning Grant Funds (\$299,000) and Vickery Meadow TIF District Funds (\$445,000)

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 Gates moved to adopt the item.

Motion seconded by Councilmember Medrano and Councilmember Kadane and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1705

DESIGNATED PUBLIC SUBSIDY MATTERS

Business Assistance Centers (BACs)

Note: Item Nos. 43, 44 and 45 must be considered collectively.

Item 43: Authorize the second renewal option for seven Business Assistance Centers (BACs) for a twelve-month service contract to provide technical assistance, incubator space and other eligible support services to low-to-moderate income persons owning or starting microenterprises listed herein for each contract as follows: **(1)** Greater Dallas Hispanic Chamber of Commerce (BAC #1) located at 4622 Maple Avenue in an amount not to exceed \$80,000; **(2)** Innerscity Community Development Corporation (BAC #2) located at 4907 Spring Avenue in an amount not to exceed \$80,000; **(3)** Greater Dallas Hispanic Chamber of Commerce (BAC #3) located at 2060 Singleton Boulevard in an amount not to exceed \$80,000; **(4)** Greater Dallas Hispanic Chamber of Commerce (BAC #4) located at 400 South Zang Boulevard in an amount not to exceed \$80,000; **(5)** Business Assistance Center, Inc. (BAC #5) located at 1201 West Camp Wisdom Road in an amount not to exceed \$80,000; **(6)** Greater Dallas Asian American Chamber of Commerce/Multi-Ethnic Education and Economic Development Center (BAC #6) located at 7610 North Stemmons Freeway in an amount not to exceed \$80,000; and **(7)** Regional Hispanic Contractors Association (BAC #7) located at 2210 West Illinois Avenue in an amount not to exceed \$80,000 - Total not to exceed \$560,000 - Financing: 2013-14 Community Development Block 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 agenda items 43-45.

Motion seconded by Councilmember Kadane and Councilmember Kleinman and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1706

DESIGNATED PUBLIC SUBSIDY MATTERS

Business Assistance Centers (BACs)

Note: Item Nos. 43, 44 and 45 must be considered collectively.

Item 44: Authorize the cancellation of the contract and second renewal option with Greater Dallas Indo American Chamber of Commerce (BAC #8) located at 2750 West Northwest Highway - 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 Hill moved to adopt agenda items 43-45.

Motion seconded by Councilmember Kadane and Councilmember Kleinman and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1707

DESIGNATED PUBLIC SUBSIDY MATTERS

Business Assistance Centers (BACs)

Note: Item Nos. 43, 44 and 45
must be considered collectively.

Item 45: Authorize a twelve-month contract to provide technical assistance, incubator space and other eligible support services to low-to-moderate income persons owning or starting microenterprises to CEN-TEX Certified Development Corporation dba Business & Community Lenders (BCL) of Texas (BAC #8) located at 1322 Record Crossing - Total not to exceed \$80,000 - Financing: 2013-14 Community Development Block 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 agenda items 43-45.

Motion seconded by Councilmember Kadane and Councilmember Kleinman and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1708

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 46: Authorize the third of four twelve-month renewal options to the grant agreement with the World Affairs Council of Dallas/Fort Worth for economic development and protocol services for the period October 1, 2013 through September 30, 2014 - Not to exceed \$250,000 - Financing: Public/Private Partnership Funds (\$200,000) Current Funds (\$50,000) (subject to appropriations)

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 Councilmember Medrano and Councilmember Kingston and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1709

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedars TIF District

Note: Item Nos. 47 and 48
must be considered collectively.

Item 47: Authorize a development agreement with 1400 Belleview GP, LLC to dedicate future Cedars TIF District revenues in an amount not to exceed \$441,225 for eligible project costs related to public improvements along Belleview Street from Browder Street to South Akard Street, Gould Street from Belleview Street to Sullivan Drive, Browder Street from Belleview Street to Sullivan Drive and Sullivan Drive from Browder Street to Gould Street in Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) - Not to exceed \$441,225 - Financing: Cedars TIF District 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 agenda items 47-48.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1710

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedars TIF District

Note: Item Nos. 47 and 48
must be considered collectively.

Item 48: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse 1400 Belleview GP, LLC up to \$441,225 for certain TIF-eligible project costs related to public improvements along Belleview Street from Browder Street to South Akard Street, Gould Street from Belleview Street to Sullivan Drive, Browder Street from Belleview Street to Sullivan Drive and Sullivan Drive from Browder Street to Gould Street in the Cedars 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 Hill moved to adopt agenda items 47-48.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1711

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedars TIF District

Note: Item Nos. 49 and 50
must be considered collectively.

Item 49: Authorize a development agreement with TEOF Hotel LLC to dedicate future Cedars TIF District revenues in an amount not to exceed \$2,285,071 for eligible project costs related to infrastructure, streetscaping, and landscaping improvements at 1011 South Akard Street as well as along South Akard Street and West Griffin Street in Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) - Not to exceed \$2,285,071 - Financing: Cedars TIF District 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 Medrano moved to adopt agenda items 49-50.

Motion seconded by Councilmember Kadane and Councilmember Kingston and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1712

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedars TIF District

Note: Item Nos. 49 and 50
must be considered collectively.

Item 50: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse TEOF Hotel LLC up to \$2,285,071 for certain TIF-eligible project costs related to infrastructure, streetscaping, and landscaping improvements at 1011 South Akard Street as well as along South Akard Street and West Griffin Street in the Cedars 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 Medrano moved to adopt agenda items 49-50.

Motion seconded by Councilmember Kadane and Councilmember Kingston and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1713

DESIGNATED PUBLIC SUBSIDY MATTERS

Hillwood IPOD Development

Note: Item Nos. 51, 52 and 53 must be considered collectively.

Item 51: Authorize a 90 percent real property tax abatement agreement for 10 years with Commerce 20 Development, LLC, a single asset entity owned by Hillwood Investment Properties for phase I of a two-building speculative warehouse development consisting of approximately 650,805 square feet located on approximately 98 acres within an Enterprise Zone near the intersection of Bonnieview Road and Interstate 20 in Dallas pursuant to the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$11,943; ten-year revenue estimated at \$119,434 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$1,074,904)

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."

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 51-53.

Motion seconded by Councilmember Kadane and Councilmember Kingston and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1714

DESIGNATED PUBLIC SUBSIDY MATTERS

Hillwood IPOD Development

Note: Item Nos. 51, 52 and 53 must be considered collectively.

Item 52: Authorize a 90 percent real property tax abatement agreement for 10 years with Commerce 20 Development, LLC, a single asset entity owned by Hillwood Investment Properties for phase II of a two-building speculative warehouse development consisting of approximately 488,565 square feet located on approximately 98 acres within an Enterprise Zone near the intersection of Bonnieview Road and Interstate 20 in Dallas pursuant to the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$8,966; ten-year revenue estimated at \$89,659 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$806,931)

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."

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 51-53.

Motion seconded by Councilmember Kadane and Councilmember Kingston and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1715

DESIGNATED PUBLIC SUBSIDY MATTERS

Hillwood IPOD Development

Note: Item Nos. 51, 52 and 53
must be considered collectively.

Item 53: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Commerce 20 Development, LLC in an amount up to \$745,000 associated with the site acquisition and new speculative warehouse development to be constructed on 98 acres near the intersection of Bonnieview Road and Interstate 20 in Dallas - Not to exceed \$745,000 - Financing: General Obligation Commercial Paper 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."

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 51-53.

Motion seconded by Councilmember Kadane and Councilmember Kingston and unanimously adopted. (Rawlings, Caraway absent when vote taken; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1716

The consent zoning docket, consisting of agenda items 54-58, was presented for consideration.

Agenda items 54, 55, 56 and 57 were removed from the consent zoning docket to be considered as individual hearings.

~~Agenda item 54: Zoning Case Z123-260(MW)~~ [considered individually]
~~Agenda item 55: Zoning Case Z123-278(MW)~~ [considered individually]
~~Agenda item 56: Zoning Case Z123-282(JH)~~ [considered individually]
~~Agenda item 57: Zoning Case Z123-288(WE)~~ [considered individually]
Agenda item 58: Zoning Case Z123-295(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.

Councilmember Callahan moved to close the public hearing, accept the recommendation of the city plan commission on the consent zoning case and pass the ordinance.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1717

Item 54: Zoning Case Z123-260(MW)

The consent zoning docket, consisting of agenda items 54-58, 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 on property zoned a CR Community Retail District with deed restrictions west of Marsh Lane, north of Frankford Road.

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, landscape plan and conditions.

Councilmember Griggs, on behalf of Councilmember Greyson who was absent, requested zoning consent agenda item 54 be considered as an individual item later in the meeting; there was no objection voiced to his request.

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 landscape plan and revised irrigation plan.

Motion seconded Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Caraway, Davis absent when vote taken; Greyson absent)

Assigned ORDINANCE NO. 29155

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1718

Item 55: Zoning Case Z123-278(MW)

The consent zoning docket, consisting of agenda items 54-58, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or greater on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay south of East R.L. Thornton Freeway and east of St. Francis Avenue.

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

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

Councilmember Davis requested zoning consent agenda item 55 be considered as an individual item later in the meeting; there was no objection voiced to her request.

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

Doloris Wolfe, 2125 Ash Grove Way (handout provided)
Daniel Wolfe, 2125 Ash Grove Way

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

Myron Dornic, 5023 Maple Springs, representing the applicant

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

- 2 year period without the option of automatic renewals

and pass the ordinance.

Motion seconded by Councilmember Callahan.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1718

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

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

Assigned ORDINANCE NO. 29156

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1719

Item 56: Zoning Case Z123-282(JH)

The consent zoning docket, consisting of agenda items 54-58, 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. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of 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 staff conditions.

Councilmember Callahan requested zoning consent agenda item 56 be considered as an individual item later in the meeting; there was no objection voiced to his request.

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:

Santos Martinez, 900 Jackson St., representing the applicant

Councilmember Callahan moved to continue the public hearing and defer the item until the October 8, 2013 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1720

Item 57: Zoning Case Z123-288(WE)

The consent zoning docket, consisting of agenda items 54-58, 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. 1896 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south of Lake June Road, east of Temple Cliff Drive.

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

David Cossum, interim director of sustainable development and construction, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require a favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the interim director of sustainable development and construction.

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:

Roger Albright, 3301 Elm, representing the applicant

Councilmember Callahan moved to continue the public hearing and defer the item until the October 8, 2013 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1721

Item 58: Zoning Case Z123-295(WE)

The consent zoning docket, consisting of agenda items 54-58, 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. 1893 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 CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Lake June Road and North Prairie Creek Road.

Recommendation of Staff and CPC: Approval for a five-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. 29157

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1722

Item 59: Zoning Case Z123-233(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse on property zoned an MU-2 Mixed Use District with deed restrictions on the south line of Lyndon B. Johnson Freeway, east of Spurling Drive.

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

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

Note: This item was considered by the City Council at a public hearing on September 11, 2013, and was taken under advisement until September 25, 2013, with the public hearing open.

David Cossum, interim director of sustainable development and construction, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require a favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the interim director of sustainable development and construction.

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:

Dallas Cothrum, 900 Jackson St., representing the applicant

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

- That exterior facades must be a minimum 80 percent brick, stone, or decorative concrete blocks or tile, excluding fenestration.
- That the northern facade of building A must be a minimum of 20 percent glass, inclusive of doors and windows.
- Ingress and egress must be provided as shown on the site plan. Ingress and egress is prohibited off of Spurling Road.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1722

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and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted. (Greyson absent)

Assigned ORDINANCE NO. 29158

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1723

Item 60: Zoning Case Z123-294(MW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1914 for the sale or service of alcoholic beverages in conjunction with a commercial amusement (inside) on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay south of East R.L. Thornton Freeway, west of South Buckner Boulevard.

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

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

Note: This item was considered by the City Council at a public hearing on September 11, 2013, and was taken under advisement until September 25, 2013, with the public hearing open

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 recommendation of the city plan commission and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Greyson absent)

Assigned ORDINANCE NO. 29159

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1724

DESIGNATED ZONING CASES - INDIVIDUAL

Item 61: Zoning Case Z123-192(MW)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District Uses on property zoned an IR Industrial Research District on the northwest line of Manor Way, between Maple Avenue and Denton Drive.

Recommendation of Staff and CPC: Approval, subject to a conceptual 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 individual appeared in opposition to the city plan commission's recommendation:

Tommy Mann, 500 Winstead, representing the applicant

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

Councilmember Medrano moved to deny the item without prejudice.

Motion seconded by Councilmember Kingston.

After discussion, Councilmember Medrano withdrew his motion to deny the item without prejudice.

Councilmember Kingston, who seconded the motion, withdrew his second.

Councilmember Medrano moved to remand the item to the city plan commission.

Motion seconded by Councilmember Callahan and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1725

Addendum Addition 1: Authorize the purchase of bunker gear for Fire-Rescue - Casco Industries, Inc. through the Texas Association of School Boards (BuyBoard) - Not to exceed \$909,920 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1726

Addendum Addition 2: Authorize a three-year master agreement for tactical medical kits for Police - Kentron Healthcare, Inc. in the amount of \$215,735 and Tactical Medical Solutions, Inc. in the amount of \$124,758, lowest responsible bidders of seven - Total not to exceed \$340,493 - Financing: Current Funds (\$119,856) and U.S. Department of Homeland Security Grant Funds (\$220,637)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1727

Addendum Addition 3: Authorize Supplemental Agreement No. 1 to the professional services contract with Dr. M. Sam Mannan, PE, CSP, DHC, for additional services in the lawsuit styled City of Dallas v. Buckley Oil Company and Rosebud Holdings, LLC, Cause No. CC-12-03665-C - Not to exceed \$50,000, from \$50,000 to \$100,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1728

Addendum Addition 4: Authorize Supplemental Agreement No. 1 to the professional services contract with Rollinger Engineering, Inc. for additional services in the lawsuit styled City of Dallas v. Buckley Oil Company and Rosebud Holdings, LLC, Cause No. CC-12-03665-C - Not to exceed \$50,000, from \$50,000 to \$100,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1729

Addendum Addition 5: Authorize **(1)** Supplemental Agreement No. 1 to extend the service contract through December 31, 2013 with HealthTexas Provider Network dba MedProvider for medical examinations and fitness assessments for Dallas Fire-Rescue firefighters; and **(2)** an increase in the service contract in the amount of \$456,983 - Not to exceed \$456,983, from \$782,977 to \$1,239,960 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1730

Addendum Addition 6: Authorize **(1)** the acceptance of \$400,000 from Bridge Steps as matching funds for a portion of the renovation costs to the Homeless Assistance Center located at 1818 Corsicana Street; and **(2)** the establishment of appropriations - Not to exceed \$400,000 - Financing: Deerfield Housing Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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13-1731

Addendum Addition 7: Authorize professional services contracts with 25 consulting firms for the engineering design of 2 alley petition projects, 62 alley reconstruction projects, 3 street petition projects, 24 street reconstruction projects, 3 target neighborhood projects and 7 street reconstruction thoroughfare projects (list attached) - AECOM Technical Services, Inc., in the amount of \$411,421, Arredondo, Zepeda & Brunz, LLC, in the amount of \$143,890, ARS Engineers, Inc., in the amount of \$307,377, Binkley & Barfield - C & P, Inc., in the amount of \$176,023, Bridgefarmer & Associates, Inc., in the amount of \$386,218, Brockette/Davis/Drake, Inc., in the amount of \$153,898, Bury + Partners, in the amount of \$175,395, Dannenbaum Engineering Company - Dallas, LLC, in the amount of \$279,884, EJES, Incorporated, in the amount of \$488,253, Garver, LLC, in the amount of \$139,226, GarzaBury, LLC, in the amount of \$116,182, Gresham, Smith and Partners, in the amount of \$193,250, Half Associates, Inc., in the amount of \$156,977, H.W. Lochner, Inc., in the amount of \$214,918, JQ Infrastructure, LLC, in the amount of \$254,710, Lina T. Ramey & Associates, in the amount of \$526,813, Metropolitan Infrastructure, PLLC, in the amount of \$97,303, Michael Baker Jr., Inc. in the amount of \$213,946, Multatech Engineering, Inc., in the amount of \$82,285, Neel-Schaffer, Inc., in the amount of \$294,357, Parsons Brinkerhoff, Inc., in the amount of \$374,861, Piburn & Carson, LLC, in the amount of \$127,080, RJN Group, Inc., in the amount of \$301,020, R.L. Goodson, Jr., Inc., in the amount of \$142,810 and Urban Engineers, Inc. dba Urban Services, Inc., in the amount of \$114,368 - Total not to exceed \$5,872,465 - Financing: 2012 Bond Funds (\$1,483,825), General Obligation Commercial Paper Funds (\$3,526,472) and Water Utilities Capital Improvement Funds (\$862,168)

Mayor Pro Tem Atkins requested addendum addition consent agenda item 7 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 7 was brought up for consideration.

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13-1731

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Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1732

Addendum Addition 8: Authorize a contract with JC Commercial, Inc., best value proposer of two, for the construction of the Bridge Entry Relocation Project at the Homeless Assistance Center "the Bridge" located at 1818 Corsicana Street - Not to exceed \$2,010,777 - Financing: 2005 Bond Funds (\$387,918), Public/Private Partnership Funds (\$330,000) and Private Funds (\$1,292,859)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1733

Addendum Addition 9: An ordinance amending Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code; an ordinance amending Chapter 53, "Dallas Building Code," of the Dallas City Code; an ordinance amending Chapter 54, "Dallas Plumbing Code," of the Dallas City Code; an ordinance amending Chapter 55, "Dallas Mechanical Code," of the Dallas City Code; an ordinance amending Chapter 57, "Dallas One-and Two-Family Dwelling Code," of the Dallas City Code; and an ordinance amending Chapter 60, "Dallas Fuel Gas Code," of the Dallas City Code; to adopt the ~~2006~~ 2012 International Codes with regional and local amendments regulating construction work in the City; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Mayor Pro Tem Atkins requested addendum addition consent agenda item 9 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 9 was brought up for consideration.

Mayor Pro Tem Atkins moved to adopt the item with the following changes:

- Delete the amendments to Chapter 53 on reflectivity in accordance with the recommendation of the economic development committee on September 17, 2013, with the reflectivity amendments to be considered at a later date after further study of the issue.
- Amend Chapter 53 so that demolition permits are valid for two years in accordance with Section 245.005 of the Texas Local Government Code.

The city secretary clarified the item adopted the 2012 International Codes; there was no objection voiced to her clarification.

Motion seconded by Councilmember Medrano and unanimously adopted. (Griggs, Callahan absent when vote taken; Greyson absent)

Assigned ORDINANCE NOS. 29160, 29161, 29162, 29163, 29164 AND 29165

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 25, 2013

13-1734

Addendum Addition 10: Authorize the rejection of bids for construction of the Upper Chain of Wetlands Remediation Project, Cells B & C; and the re-advertisement for new bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 25, 2013

EXHIBIT C