

MINUTES OF THE DALLAS CITY COUNCIL
TUESDAY, NOVEMBER 12, 2013

13-1910

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

PRESENT: [11] Rawlings, Atkins, Alonzo, Griggs, Medrano, Caraway (*9:14 a.m.),
Callahan (*9:10 a.m.), Davis, Greyson, Gates, Kingston

ABSENT: [4] **Hill, **Kadane, **Allen, **Kleinman

The meeting was called to order at 9:09 a.m.

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

The invocation was given by Revered Todd M. Atkins of Salem Institutional Baptist Church.

Councilmember Gates 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 1:53 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**

** **Absent on city business; attending the National League of Cities Conference in Seattle, WA**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2013

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1911

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: Linda Bates, 4144 Tram Dr.
SUBJECT: West Dallas contaminated

OPEN MICROPHONE – SPOKE IN LAST 30 DAYS:

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

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

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

SPEAKER: Roy Williams, 13410 Preston Rd.
REPRESENTING: 40 Acres and a Mule
SUBJECT: The shooting of a young boy

SPEAKER: Robert Ceccarelli, 1822 Young St.
SUBJECT: Mayor/DISD superintendent

SPEAKER: Jonathan Vance, Not provided
SUBJECT: Perfect love for Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1912

Item 1: Approval of Minutes of the October 23, 2013 City Council Meeting

Councilmember Greyson moved to adopt the minutes the October 23, 2013 City Council Meeting.

Motion seconded by Councilmember Medrano and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1913

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-51 and addendum addition consent agenda items 1-11, was presented for consideration.

The city secretary announced Councilmember Griggs had deferred consideration of consent agenda item 43 in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Caraway requested consent agenda item 49 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda item 49 and addendum addition consent agenda item 3 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Griggs requested addendum addition consent agenda item 1 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Kingston 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 adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda item 49 and addendum addition consent agenda items 1, 2, and 3.

Motion seconded by Councilmember Medrano and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1914

Item 2: Authorize a five-year service contract for centrifugal chiller maintenance at the Kay Bailey Hutchison Convention Center and Union Station - Johnson Controls, Inc., lowest responsible bidder of four - Not to exceed \$1,561,950 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1915

Item 3: Authorize a two-year master agreement for concrete - Ashley Concrete, LLC in the amount of \$6,691,294 and Argos Ready Mix (SC) Corp. in the amount of \$3,377,300, lowest responsible bidders of three - Total not to exceed \$10,068,594 - Financing: Current Funds (\$4,478,382), Water Utilities Current Funds (\$4,110,212) and Stormwater Drainage Management Current Funds (\$1,480,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1916

Item 4: Authorize a three-year master agreement for waste and recycling collection roll carts - Toter, LLC through the National Intergovernmental Purchasing Alliance Company - Not to exceed \$3,515,538 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1917

Item 5: Authorize a three-year master agreement for fire hydrants, parts and accessories - ACT Pipe & Supply, Inc. in the amount of \$786,188, HD Supply Waterworks, LTD in the amount of \$120,000, Hydraflo, Inc. in the amount of \$120,000, U.S. Pipe Valve and Hydrant Division, LLC in the amount of \$40,000, Fortiline, Inc. in the amount of \$40,000 and Mueller Company, LLC in the amount of \$15,457, lowest responsible bidders of six - Total not to exceed \$1,121,645 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1918

Item 6: Authorize a three-year master agreement for the purchase of bunker gear for Fire-Rescue - Casco Industries, Inc. in the amount of \$4,079,473 and North America Fire Equipment Company, Inc. in the amount of \$150,587, most advantageous proposers of five - Total not to exceed \$4,230,060 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1919

Item 7: Authorize a five-year service contract for Environmental Education Initiative programs for Water Utilities and Sanitation Services - University of North Texas, most advantageous proposer of two - Not to exceed \$3,014,270 - Financing: Current Funds (\$1,279,455) and Water Utilities Current Funds (\$1,734,815) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1920

Item 8: Authorize an increase to the master agreement for office supplies with OfficeMax North America, Inc. through Public Sourcing Solutions to extend the term of the agreement for one-year from July 13, 2014 through July 12, 2015 - Not to exceed \$1,271,184, from \$4,873,604 to \$6,144,788 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1921

Item 9: Authorize Supplemental Agreement No. 3 to increase the service contract with Moore Disposal Corporation for solid waste refuse removal and rental of refuse containers for City facilities to extend the contract term for one-year from December 1, 2013 through November 30, 2014 - Not to exceed \$364,000, from \$2,228,989 to \$2,592,989 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1922

- Item 10: Authorize the City Manager, upon completion of the North Parking Garage, to execute a **(1)** Special Warranty Deed; and **(2)** Designation of Third Party Parcel and Designation/Move instrument approved as to form by the City Attorney, and to accept the conveyance of the North Parking Garage as a single use public parking garage to the City of Dallas, or an entity designated by the City, from Victory North Parking Garage, LLC, in accordance with the Development Agreement approved by Resolution Nos. 12-1568 and 12-1569 previously approved on June 13, 2012, as amended, and subject to such customary and reasonable closing documents as may be required by the City Attorney - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1923

- Item 11: Authorize **(1)** a public hearing to be held on December 11, 2013, to receive comments concerning the proposed development of the Bruton Apartment Development Project, consisting of 282 new multi-family units to be located at 9415 Bruton Road, to be financed with tax-exempt bonds and 4% tax credits, and at the close of the public hearing, consideration for final approval of the project, including its financing and Dallas Housing Finance Corporation's (DHFC's) ownership interest and all other actions necessary to complete the transaction; **(2)** the approval of the pre-application waiver for Bruton Apartments, Ltd., to apply to the DHFC for the issuance of tax-exempt bonds by the DHFC in an amount not to exceed \$22 Million in tax-exempt Multi-family Housing Mortgage Revenue Bonds Series 2013 and a resolution in support of the Texas Department of Housing and Community Affairs' (TDHCA's) award of 4% Housing Tax Credits for the Bruton Apartments, Ltd., to finance the new construction of 282 units of multi-family rental housing for families pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3 (2)(A-G) of the 2013 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors; and **(3)** the DHFC to be the General Partner to share in the cash flow to be used for public purposes, own the ground/dirt and for the project to be exempt from ad valorem taxes - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1924

Item 12: Authorize **(1)** a public hearing to be held on December 11, 2013, to receive comments concerning the proposed rehabilitation of The Park at Cliff Creek Apartments, an existing 280 unit rental development located at 7300 Marvin D. Love Freeway to be financed with tax-exempt bonds and 4% tax credits, and at the close of the public hearing, consideration for the final approval of the project, including its financing and Dallas Housing Finance Corporation's (DHFC's) ownership interest and all other actions necessary to complete the transaction; **(2)** the approval of the pre-application waiver for the Cesar Chavez Foundation (CCF) to apply to the DHFC for the issuance of tax-exempt bonds by the DHFC in an amount not to exceed \$13.5 Million in tax-exempt Multi-family Housing Mortgage Revenue Bonds Series 2013 to finance the acquisition and rehabilitation of 280 units of multi-family rental housing for families and a resolution in support of the Texas Department of Housing and Community Affairs' (TDHCA's) award of 4% Housing Tax Credits for the rehabilitation of The Park at Cliff Creek Apartments located at 7300 Marvin D. Love Freeway, Dallas, Texas by conducting a Public Hearing pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3 (A-G) of the 2013 Qualified Allocation Plan regarding the Housing Deconcentration Factors; **(3)** the DHFC to be the General Partner to share in the cash flow to be used for public purposes, own the ground/dirt and for the project to be exempt from ad valorem taxes - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1925

- Item 13: Authorize acceptance of a grant from the Texas Department of Public Safety to be used for expenses associated with the purchase of equipment and training of personnel needed to sustain the administrative and operational readiness response capabilities of the Texas Task Force 2 Urban Search and Rescue team for the period September 1, 2013 through August 31, 2015 - Not to exceed \$2,000,000 - Financing: 2013-15 Texas Department of Public Safety Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1926

Item 14: A resolution authorizing conveyance of 6 unimproved properties by Deed without Warranty to City Wide Community Development Corporation or an affiliate or subsidiary, for \$10 and the purchaser's agreement to construct 45 permanent supportive housing units for women with children 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

NOVEMBER 12, 2013

13-1927

Item 15: Authorize **(1)** the sale of one vacant lot located at 1907 Harlandale Avenue from the Dallas Housing Acquisition and Development Corporation to Victor Trezvant and Barbara Trezvant; 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

NOVEMBER 12, 2013

13-1928

Item 16: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority for the City for the period October 1, 2013 through September 30, 2015 - Not to exceed \$20,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1929

Item 17: Authorize **(1)** an Interlocal Agreement with Dallas County to accept monthly payments in the amount of \$83,333 for eleven months and a final payment in the amount of \$83,337 for the period October 1, 2013 through September 30, 2014, total amount not to exceed \$1,000,000 for providing homeless assistance services at The Bridge through the City's contractor, Bridge Steps; **(2)** the acceptance of a grant from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP), in an amount not to exceed \$756,818 for the period October 1, 2013 through September 30, 2014 and execution of the required grant agreements; and **(3)** a sixth amendment to the Management Services Contract, Phase II, with Bridge Steps to: **(a)** allow Bridge Steps to count both the Dallas County and TDHCA funds towards Bridge Steps' required contribution to the Bridge operating budget for the period October 1, 2013 through September 30, 2014, and **(b)** require Bridge Steps to comply with all conditions of the Interlocal Agreement and TDHCA grant agreements - Not to exceed \$1,756,818, from \$3,800,000 to \$5,556,818 - Financing: Current Funds (\$1,000,000) and Texas Department of Housing and Community Affairs Grant Funds (\$756,818)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1930

Item 18: Authorize the endorsement of the Dallas Area Permanent Supportive Housing Plan for 2013-16 to implement three key strategies which will prioritize homeless and disabled people being placed in permanent supportive housing by **(1)** increasing Permanent Supportive Housing capacity; **(2)** increasing supportive services capacity; and **(3)** preventing the number of new homeless persons with disabilities from increasing - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1931

Item 19: Authorize a twelve-month renewal option with Alternative Building Concepts Group (ABC) Behavioral Health to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals for the period October 1, 2013 through September 30, 2014 - Not to exceed \$67,000 - Financing: 2013-14 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1932

Item 20: Authorize a twelve-month renewal option with CitySquare (formerly Central Dallas Ministries) to provide Housing Relocation and Stabilization and Financial Assistance Services to single homeless individuals for the period October 1, 2013 through September 30, 2014 - Not to exceed \$80,000 - Financing: 2013-14 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1933

Item 21: Authorize a twelve-month renewal option with Family Gateway, Inc. to provide Housing Relocation and Stabilization Services and Financial Assistance to homeless families and individuals for the period October 1, 2013 through September 30, 2014 - Not to exceed \$136,264 - Financing: 2013-14 Emergency Solutions Grant Funds (\$47,598), 2012-13 Emergency Solutions Grant Funds (\$76,152), and 2011-12 Emergency Solutions Grant Funds (\$12,514)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1934

Item 22: Authorize a twelve-month renewal option with Shared Housing Center, Inc. to provide Housing Relocation and Stabilization Services and Financial Assistance to homeless families and individuals for the period October 1, 2013 through September 30, 2014 - Not to exceed \$95,911 - Financing: 2013-14 Emergency Solutions Grant Funds (\$7,500), 2012-13 Emergency Solutions Grant Funds (\$23,411) and 2011-12 Emergency Solutions Grant Funds (\$65,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1935

Item 23: Authorize a twelve-month renewal option with The Family Place, Inc. to provide eligible Emergency Solutions Grant essential services and shelter operations to the homeless for the period October 1, 2013 through September 30, 2014 - Not to exceed \$63,248 - Financing: 2013-14 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1936

Item 24: Authorize a development and maintenance agreement with Bishop Lynch High School for the renovation and maintenance of Ferguson Park located at 1900 Gross Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1937

Item 25: Authorize a contract for a parking lot expansion and lighting at Park in the Woods located at 6800 Mountain Creek Parkway - A S Con, Inc., lowest responsible bidder of seven - Not to exceed \$231,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1938

Item 26: Authorize a five-year agreement with the Belo Foundation, a Texas nonprofit corporation, to provide certain repairs, improvements, and enhancements for the Ferris Plaza display fountain located at 400 South Houston Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1939

Item 27: Authorize a five-year agreement with the Belo Foundation, a Texas nonprofit corporation, to provide for certain maintenance, improvements, and enhancements for Lubben Plaza located at 701 Young Street -
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1940

Item 28: Authorize an increase in the contract with J.C. Commercial, Inc. for the removal and replacement of all vinyl composition tile (VCT) flooring in multipurpose room, relocate feed for parking lots lights, patch brick above gym exits, replacement of men's and women's restroom counter tops and other associated miscellaneous items at Beckley Saner Recreation Center located at 114 West Hobson Avenue - Not to exceed \$64,243, from \$2,386,532 to \$2,450,775 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1941

Item 29: Authorize **(1)** acceptance of the Dallas Police Department Victim Services/13 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$48,072 to adequately respond to victims of violent crime with needed aid for the period September 1, 2013 through August 31, 2014; **(2)** a local match in the amount of \$16,024; and **(3)** execution of the grant agreement - Total not to exceed \$64,096 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$48,072) and Current Funds (\$16,024)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1942

Item 30: Authorize **(1)** the receipt and deposit of funds from Safer Dallas Better Dallas in an amount of \$350,000; **(2)** the receipt and deposit of funds from TXU Energy in the amount of \$25,000 for technology enhancements for the Dallas Police Department; and **(3)** an increase in appropriations in the amount of \$375,000 - Total not to exceed \$375,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1943

Item 31: Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2013 through September 30, 2014 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$1,611,257) and Current Funds (\$2,188,743)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1944

Item 32: Authorize a professional services contract with IEA, Inc. for the engineering design of street reconstruction projects on Aberdeen Avenue from Preston Road to Tulane Street, Merit Drive from Park Central Drive to Clodus Fields Drive and Weeburn Drive from Marsh Lane to Mid Pines Drive - Not to exceed \$294,646 - Financing: General Obligation Commercial Paper Funds (\$276,991) and Water Utilities Capital Improvement Funds (\$17,655)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1945

Item 33: Authorize an increase in the contract with The Fain Group, Inc. for additional paving items, sidewalk adjustments for accessibility and traffic signal improvements for the construction of median and streetscape improvements for Cedar Springs Road from Harwood Street to the Katy Trail - Not to exceed \$550,005, from \$2,754,521 to \$3,304,526 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1946

Item 34: Ratify an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Hensley Field Tire Shop located at 8200 West Jefferson Boulevard - Not to exceed \$114,684 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1947

Item 35: Authorize a twelve month renewal of the service contract for the processing and sale of recycled material - Greenstar Mid-America, LLC. - Estimated Revenue: \$2,100,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1948

Item 36: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 45,835 square feet from Mark C. Jacobs and Leslie D. Jacobs located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project – Not to exceed \$7,500, increased from \$73,180 (\$70,662, plus closing costs not to exceed \$2,518) to \$80,680 (\$78,162, plus closing costs and title expenses not to exceed \$2,518) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1949

Item 37: Authorize acquisition from Ridge South Dallas I, LLC, of approximately 20,211 square feet of land located near the intersection of Telephone and Lancaster Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1950

Item 38: A resolution authorizing the conveyance of an easement containing two tracts for a total of approximately 475 square feet of land to Oncor Electric Delivery, LLC for the construction and maintenance of electric facilities across City-owned land located near the intersection of Bonnie View Road and Highland Hills Drive for the Highland Hills Library Project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1951

Item 39: A resolution declaring approximately 4,921 square feet of undevelopable City-owned land unwanted and unneeded located near the intersection of Simpson and Pauline Streets, and authorizing its sale to Baylor Health Care System, the abutting owner - Revenue: \$49,210

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1952

Item 40: An ordinance granting a private license to Dunhill 1530 Main, L.P. and 1600 Main Street Holdings, LP for approximately 543 square feet of land to install, maintain and use lighted bollards on a portion of Main Street located near its intersection with Ervay Street - Revenue: \$3,046 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29186

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1953

Item 41: An ordinance abandoning a portion of a drainage and public utility easement to Dallas County Hospital District d/b/a Parkland Health and Hospital System, the abutting owner, containing approximately 313 square feet of land, located near the intersection of Butler and Redfield Streets - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29187

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1954

Item 42: An ordinance abandoning portions of two drainage easements and a storm sewer easement to Red Bird/I-20 Corp., the abutting owner, containing a total of approximately 3,350 square feet of land, located near the intersection of Webb Chapel Road and Northwest Highway - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29188

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1955

Item 43: An ordinance abandoning a portion of an alley to QuikTrip Corporation, the abutting owner, containing approximately 4,000 square feet of land, located near the intersection of Zang Boulevard and 12th Street, authorizing the quitclaim, and providing for the dedication of approximately 3,348 square feet of land needed for right-of-way - Revenue: \$80,000, plus the \$20 ordinance publication fee

The city secretary announced Councilmember Griggs had deferred consideration of consent agenda item 43 in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1956

Item 44: An ordinance abandoning portions of Lafayette Street and an alley to Stillwater Peak Development, LLC, the abutting owner, containing a total of approximately 22,768 square feet of land, located near the intersection of Peak and Lafayette Streets, and authorizing the quitclaim - Revenue: \$212,881, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29189

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1957

Item 45: An ordinance abandoning portions of Simpson and Race Streets to Baylor Health Care System and Baylor University Medical Center, the abutting owners, containing a total of approximately 29,003 square feet of land, located near the intersection of Simpson and Pauline Streets, authorizing the quitclaim, and providing for the dedication of approximately 28,353 square feet of land needed for street right-of-way - Revenue: \$6,500, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29190

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1958

Item 46: Authorize **(1)** an application for and acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program, and ratify all prior applications, acceptance and cost share agreements with, FEMA for the CTP program; **(2)** execution of a CTP Agreement with FEMA for FY 2013-2014 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(3)** the receipt and deposit of funds in an amount not to exceed \$531,000 from FEMA; **(4)** an increase in appropriations in the amount of \$531,000 in the FEMA Cooperating Technical Partners Fund; and **(5)** Supplemental Agreement No. 3 to the professional services contract with Half Associates, Inc. for updating certain flood studies in accordance with the CTP Agreement with FEMA for FY 2013-14 in the amount of \$708,000 - Total not to exceed \$708,000, from \$2,406,500 to \$3,114,500 - Financing: Stormwater Drainage Management Current Funds (\$177,000) and FEMA Cooperating Technical Partnership Funds (\$531,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1959

Item 47: Authorize an increase in the relocation payment to Oncor Electric Delivery Company, LLC for the actual cost for relocation of a fence, related electrical improvements, and electric distribution lines associated with the acquisition of approximately 2,859 square feet of land and improvements and conveyance of an easement containing approximately 2,112 square feet, both located near the intersection of Sylvan Avenue and Morris Street for the Sylvan Bridge Project - Not to exceed \$14,112, from \$150,000 to \$164,111 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1960

Item 48: Authorize a contract for major roof repairs and roof replacements at 159 Water Utilities Department buildings located citywide and at Lake Ray Hubbard, Lake Fork, and Lake Tawakoni (list attached) - Texas Roof Management, Inc., lowest responsible bidder of five - Not to exceed \$2,708,226 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1961

Item 49: Authorize a five-year contract with two five-year renewal options with Prestonwood Golf Club, LLC to continue providing untreated water, from December 15, 2012 through December 14, 2017 - Estimated Annual Revenue: \$28,114

Councilmember Caraway and Councilmember Greyson requested consent agenda item 49 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 49 was brought up for consideration.

Councilmember Caraway moved to adopt the item.

Motion seconded by Councilmember Davis and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1962

Item 50: Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber, lime, ferric, laboratory improvements and asbestos abatement at the Bachman Water Treatment Plant - Not to exceed \$209,557, from \$9,364,900 to \$9,574,457 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1963

Item 51: Ratify an emergency repair to an ozone generator at the Bachman Water Treatment Plant - Fin-Tek Corporation dba Finnegan-Reztek, Inc. - Not to exceed \$108,716 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1964

Item 52: 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, with term ending September 30, 2015, updated through NOVEMBER 12, 2013; noted the report indicated nominees and re-nominees for individual appointments cleared for city council action met all qualifications for service; and announced ballots would be distributed later in the meeting to allow the casting of votes on the appointment of the Vice-Chair to the South Dallas/Fair Park Development Fund as 2 nominees were submitted: Suzanne Smith and Gerald Larson.

Councilmember Kingston moved to appoint the following:

- Philip Lewis to the Board of Adjustment Alternate Members and Michael L. Amonett, Experience in Historic Preservation, to the Landmark Commission;
- a nominee to an “individual appointment” position; and
- Mary Spencer as Chair to the Animal Shelter Commission; Max Wells as Chair to the Park and Recreation Board; Maurice Franklin as Chair to the South Dallas/Fair Park Development Fund Board; Maeleska Fletes as Vice-Chair to the Animal Shelter Commission; Pam Gerber as Vice-Chair to the Community Development Commission; and Suzanne Smith as Vice-Chair to the South Dallas/Fair Park Development Fund Board.

Motion seconded by Deputy Mayor Pro Tem Alonzo.

After discussion, Councilmember Davis moved a substitute motion to defer the Vice-Chair appointment to the South Dallas/Fair Park Development Fund (Suzanne Smith and Gerald Larson) and appoint the following:

- Philip Lewis to the Board of Adjustment Alternate Members and Michael L. Amonett, Experience in Historic Preservation, to the Landmark Commission;
- a nominee to an “individual appointment” position; and
- Mary Spencer as Chair to the Animal Shelter Commission; Max Wells as Chair to the Park and Recreation Board; Maurice Franklin as Chair to the South Dallas/Fair Park Development Fund Board; Maeleska Fletes as Vice-Chair to the Animal Shelter Commission; Pam Gerber as Vice-Chair to the Community Development Commission.

Motion seconded by Mayor Pro Tem Atkins.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1964

Page 2

After further discussion, Councilmember Callahan asked Councilmember Davis if she would accept a friendly amendment to defer the Vice-Chair appointment to the Animal Shelter Commission (Maeleska Fletcher).

Councilmember Davis accepted the friendly amendment as part of her motion to defer the Vice-Chair appointment to the Animal Shelter Commission (Maeleska Fletcher).

Mayor Pro Tem Atkins, who seconded the substitute motion, also accepted Councilmember Callahan's friendly amendment.

Mayor Rawlings called for a vote on Councilmember Davis' substitute motion to defer the Vice-Chair appointment to the South Dallas/Fair Park Development Fund Board (Suzanne Smith and Gerald Larson) with Councilmember Callahan's friendly amendment to defer the Vice-Chair appointment to the Animal Shelter Commission (Maleska Fletcher) and appoint the following:

- Philip Lewis to the Board of Adjustment Alternate Members and Michael L. Amonett, Experience in Historic Preservation, to the Landmark Commission;
- a nominee to an "individual appointment" position; and
- Mary Spencer as Chair to the Animal Shelter Commission; Max Wells as Chair to the Park and Recreation Board; Maurice Franklin as Chair to the South Dallas/Fair Park Development Fund Board; and Pam Gerber as Vice-Chair to the Community Development Commission.

Mayor Rawlings declared the substitute motion adopted on a divided vote, with Deputy Mayor Pro Tem Alonzo and Councilmember Kingston voting "No." (Hill, Kadane, Allen Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

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

13-6774	BOA	BOARD OF ADJUSTMENT
13-6775	BOX	BOARD OF ADJUSTMENT ALTERNATE MEMBERS
13-6776	LMC	LANDMARK COMMISSION
13-6777		BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1965

Item 53: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a total of approximately 37,517 square feet of land, from 10 tracts of land (list attached), located near the intersection of Royal and Goodnight Lanes for the Goodnight Lane Street Improvement Project - \$613,030 (\$583,030, plus closing costs and title expenses not to exceed \$30,000) - Financing: 2006 Bond Funds

The city secretary announced agenda item 53 requires a motion that the Council of the City of Dallas adopt the item and authorize acquisition, including the exercise of the power of eminent domain, if such becomes necessary, a total of approximately 37,517 square feet of land from ten separate properties located near the intersection of Royal and Goodnight Lanes in City of Dallas Blocks 6549, 6550, 6551 and 6552, Dallas County, Texas, and more fully described in Exhibit A of the proposed resolution for this item, for street improvements to Goodnight Lane.

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to adopt the item:

Voting Yes: [11] Rawlings, Atkins, Alonzo, Griggs, Medrano,
Caraway, Callahan, Davis, Greyson, Gates,
Kingston

Voting No: [0]

*Absent on city business: [4] Hill, Kadane, Allen, Kleinman

The city secretary declared the item adopted.

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1966

Item 54: Authorize **(1)** the acceptance of \$13,350,000 of Community Development Block Grant Section 108 Guarantee Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development (HUD) for Lake Highlands Town Center Phase I commercial development project; **(2)** a loan agreement with PC LH Land Partners LP (the Section 108 Borrower), its affiliates or assigns in the amount of \$13,350,000 of Section 108 Loan Funds for development of the Lake Highlands Town Center Phase I project (the Section 108 Borrower Loan) including construction of commercial buildings with approximately 145,000 square feet of space and parking structure with approximately 1,069 parking spaces, sitework, loan interest reserve, and financing costs for public offering for the transit-oriented development located in the 7140 to 7160 blocks of Skillman Street; **(3)** the City Manager to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; **(4)** the City Manager to establish appropriations for Section 108 Loan Funds for a commercial development loan; and **(5)** the City Controller to deposit and disburse funds from an identified account for Section 108 Loan Funds - Not to exceed \$13,350,000 - Financing: Community Development Block Grant Section 108 Guarantee Loan Funds

Councilmember Callahan moved to hold the item under advisement until the February 2, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1967

Note: Item Nos. 55 and 56 must be considered collectively.

Item 55: Authorize a five-year service contract for public awareness campaigns for water conservation and grease abatement - Burson-Marsteller LLC, most advantageous proposer of four - Not to exceed \$6,313,000 - Financing: Water Conservation Program Funds (\$4,759,000) (subject to annual appropriations) and Water Utilities Current Funds (\$1,554,000) (subject to annual appropriations)

Councilmember Caraway moved to adopt agenda items 55-56.

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Kingston moved a substitute motion to deny the item(s) specific to the water conservation program expenditures and approve the item(s) specific to grease abatement related expenditures.

Motion seconded by Councilmember Callahan.

Mayor Rawlings requested a record vote on agenda items 55-56.

After discussion, Mayor Rawlings called the vote on Councilmember Kingston's substitute motion to deny the item(s) specific to the water conservation program expenditures and approve the item(s) specific to grease abatement related expenditures:

Voting Yes: [2] Medrano, Kingston

Voting No: [9] Rawlings, Atkins, Alonzo, Griggs, Caraway, Callahan, Davis, Greyson, Gates

*Absent on city business: [4] Hill, Kadane, Allen, Kleinman

The city secretary declared the motion failed.

Mayor Rawlings reiterated his request for a record vote on agenda items 55-56.

After further discussion, Mayor Rawlings called the vote on Councilmember Caraway's original motion to adopt agenda items 55-56 as read into the record by the city secretary:

Voting Yes: [9] Rawlings, Atkins, Alonzo, Griggs, Medrano, Caraway, Davis, Greyson, Gates

Voting No: [2] Callahan, Kingston

*Absent on city business: [4] Hill, Kadane, Allen, Kleinman

The city secretary declared the motion adopted.

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1968

Note: Item Nos. 55 and 56 must be considered collectively.

Item 56: Authorize an amendment to the “Memorandum of Understanding Public Awareness Campaign” between the City of Dallas and the Tarrant Regional Water District for the continuation of and creative development of the water conservation public awareness campaign for the next five years - Not to exceed \$750,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Councilmember Caraway moved to adopt agenda items 55-56.

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Kingston moved a substitute motion to deny the item(s) specific to the water conservation program expenditures and approve the item(s) specific to grease abatement related expenditures.

Motion seconded by Councilmember Callahan.

Mayor Rawlings requested a record vote on agenda items 55-56.

After discussion, Mayor Rawlings called the vote on Councilmember Kingston’s substitute motion to deny the item(s) specific to the water conservation program expenditures and approve the item(s) specific to grease abatement related expenditures:

Voting Yes: [2] Medrano, Kingston

Voting No: [9] Rawlings, Atkins, Alonzo, Griggs, Caraway, Callahan, Davis, Greyson, Gates

*Absent on city business: [4] Hill, Kadane, Allen, Kleinman

The city secretary declared the motion failed.

Mayor Rawlings reiterated his request for a record vote on agenda items 55-56.

After further discussion, Mayor Rawlings called the vote on Councilmember Caraway’s original motion to adopt agenda items 55-56 as read into the record by the city secretary:

Voting Yes: [9] Rawlings, Atkins, Alonzo, Griggs, Medrano, Caraway, Davis, Greyson, Gates

Voting No: [2] Callahan, Kingston

*Absent on city business: [4] Hill, Kadane, Allen, Kleinman

The city secretary declared the motion adopted.

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1969

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 57: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Lakewest ALF Realty, LLC in an amount up to \$200,000 associated with expanding a senior housing facility in southern Dallas - Not to exceed \$200,000 - 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 the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Caraway and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1970

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 58: Authorize a contract with Community Dental Care, Inc. for the continuation of dental health services to low/moderate income seniors aged 60 and above and children through age 19 residing in Dallas for the period October 1, 2013 through September 30, 2014 - Not to exceed \$200,000 - Financing: 2013-14 Community Development Block Grant Funds (\$100,000) and Current Funds (\$100,000)

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."

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Caraway and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1971

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 59: Authorize a contract with Open Arms, Inc. dba Bryan's House for the provision of child care services for special needs children for the period October 1, 2013 through September 30, 2014 - Not to exceed \$56,710 - 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."

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Davis and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1972

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 60: Authorize a contract with Vogel Alcove, Inc. for the provision of child care services for homeless families for the period October 1, 2013 through September 30, 2014 - Not to exceed \$101,710 - Financing: 2013-14 Community Development Block Grant Funds (\$70,710) and Current Funds (\$31,000).

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."

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Greyson and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1973

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 61: Authorize a contract with YMCA of Metropolitan Dallas for the provision of child care services for after school programs for the period October 1, 2013 through September 30, 2014 - Not to exceed \$61,709 - 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 Caraway moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1974

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 62: Authorize a twelve-month contract with Senior Citizens of Greater Dallas, Inc. to provide Senior Service programs for seniors aged 60 and above in the following three categories: **(1)** Senior Outreach Program in West Oak Cliff Area; **(2)** Nursing Home Ombudsman Program; and **(3)** Outreach and Case Management Program with special emphasis on Spanish-speaking seniors for the period October 1, 2013 through September 30, 2014 - Not to exceed \$88,000 - Financing: Current 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 the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Caraway and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1975

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 63: Authorize an amendment to Resolution No. 12-2706, previously approved on October 24, 2012, to: **(1)** increase a housing development loan for 2122 Highland, LLC, from \$400,000 to \$550,000; **(2)** extend the term of the contract from October 24, 2013 to January 31, 2014; and **(3)** require that the additional \$150,000 be repaid at 0% interest over 20 years - Not to exceed \$150,000 - Financing: FY 2013-14 HOME Investment Partnership Program 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 Caraway moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1976

The consent zoning docket, consisting of agenda items 64-67 and addendum addition item 13, was presented for consideration.

Addendum addition item 13 was removed from the consent zoning docket to be considered as an individual hearing.

Agenda item 64: Zoning Case Z112-309(RB)

Agenda item 65: Zoning Case Z123-106(MW)

Agenda item 66: Zoning Case Z123-314(WE)

Agenda item 67: Zoning Case Z123-324(RB)

~~Addendum item 13: Zoning Case Z112-297(MW)~~ **[considered individually]**

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.

Deputy Mayor Pro Tem Alonzo 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 Medrano and unanimously adopted. (Caraway, Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1977

Item 64: Zoning Case Z112-309(RB)

The consent zoning docket, consisting of agenda items 64-67 and addendum addition item 13, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Outside salvage or reclamation use on property zoned an IM Industrial Manufacturing District, on the southeast corner of Norwich Street and Bedford Street.

Recommendation of Staff and CPC: Approval for a two-year period, 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. 29191

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1978

Item 65: Zoning Case Z123-106(MW)

The consent zoning docket, consisting of agenda items 64-67 and addendum addition item 13, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a retail food store on property zoned Subarea B within Planned Development District No. 134 on the north corner of Lindsley Avenue and Graham Avenue.

Recommendation of Staff and CPC: Approval of a new subdistrict and approval of a specific use permit 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 NOS. 29192 AND 29193

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1979

Item 66: Zoning Case Z123-314(WE)

The consent zoning docket, consisting of agenda items 64-67 and addendum addition item 13, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned an R-5(A) Single Family District north of Singleton Boulevard, east of Toronto Street.

Recommendation of Staff and CPC: Approval.

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. 29194

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1980

Item 67: Zoning Case Z123-324(RB)

The consent zoning docket, consisting of agenda items 64-67 and addendum addition item 13, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for GO(A) General Office District Uses on property zoned a GO(A) General Office District with deed restrictions on the southeast line of Walnut Hill Lane, east of Golf Lakes Trail.

Recommendation of Staff and CPC: Approval, subject to sign elevations 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. 29195

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1981

Item 68: Zoning Case Z123-268(MW) - INDIVIDUAL

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 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the northeast corner of South Buckner Boulevard and Forney Road.

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.

Prior to the item being read into the record, Councilmember Davis moved to continue the public hearing and hold the item under advisement until the December 11, 2013 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1982

Item 69: Zoning Case Z123-294(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for a CR Community Retail District, subject to deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District on property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue, and Marsalis Avenue.

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

Note: This item was considered by the City Council at a public hearing on October 23, 2013, and was taken under advisement until November 12, 2013, with the public hearing open.

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:

Frank Youmans, 736 Cherry St., Chattanooga, TN, representing the applicant

Councilmember Caraway moved to close the public hearing and accept the recommendation of the city plan commission with the ordinance and deed restrictions to return at a later date.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1983

Item 70: Zoning Case Z123-318(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1357 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northwest corner of Bruton Road and McCutcheon Lane.

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

Note: This item was considered by the City Council at a public hearing on October 23, 2013, and was taken under advisement until November 12, 2013, with the public hearing open.

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

William Hopkins, 2011 Leath St.

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

Councilmember Callahan moved to close the public, accept the recommendation of the city plan commission with the following change:

- Add a condition that the owner, at its expense, if warranted and in accordance with city standards and approved by the city's traffic engineer, [must install] school zone traffic control devices.

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

Assigned ORDINANCE NO. 29196

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1984

DESIGNATED ZONING CASES - INDIVIDUAL

Item 71: Zoning Case Z123-292(JH)

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict 4 within Planned Development District No. 317, the Cedars Area Special Purpose District, and an ordinance granting a Specific Use Permit for a recycle buy-back center on the southeast corner of Wall Street and Corinth Street.

Recommendation of Staff: Denial

Recommendation of CPC: Approval of a new subdistrict, subject revised conditions, and approval of a Specific Use Permit for a period to end January 31, 2015, 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."

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 recommendation of the city plan commission and pass the ordinances.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Caraway and unanimously adopted. (Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

Assigned ORDINANCE NOS. 29197 AND 29198

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1985

DESIGNATED ZONING CASES – INDIVIDUAL

Item 72: Zoning Case Z123-304(RB) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1904 for a Late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta No. 1 Overlay on the southwest corner of Alta Avenue and Greenville Avenue.

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

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

The city secretary clarified the item was corrected on the addendum to categorize the item as simply an individual hearing and not a designated zoning case, which would have required two seconds.

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 recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Caraway and unanimously adopted. (Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

Assigned ORDINANCE NO. 29199

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1986

DESIGNATED ZONING CASES - INDIVIDUAL

Item 73: Zoning Case Z123-306(JH)

A public hearing to receive comments regarding an application for and an ordinance granting a new Planned Development Subdistrict for multifamily uses on property zoned a Subdistrict A within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the north side of East Greenbriar Lane and northwest of North Zang Boulevard.

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development 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."

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 recommendation of the city plan commission and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Caraway and unanimously adopted. (Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

Assigned ORDINANCE NO. 29200

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1987

DESIGNATED ZONING CASES - INDIVIDUAL

Item 74: Zoning Case Z123-317(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a new Subdistrict in Planned Development District No. 357, the Farmers Market Special Purpose District generally bounded by Marilla Street, South Cesar Chavez Boulevard, East R.L. Thornton Freeway and South Harwood Street.

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 the city plan commission's recommendation.

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

Tommy Mann, 2728 N. Harwood St., representing the applicant

Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

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

Assigned ORDINANCE NO. 29201

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1988

DESIGNATED ZONING CASES - INDIVIDUAL

Item 75: Zoning Case Z123-321(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea B of Planned Development Subdistrict No. 66 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of Harwood Street, southeast of McKinney Avenue.

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

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1989

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 76: Zoning Case Z123-265(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict and an O-2 Office Subdistrict, with deed restrictions on the northern portion of the site currently zoned an O-2 Office Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Fitzhugh Avenue, between Cole Avenue and McKinney Avenue.

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions, with retention of the existing deed restrictions.

Note: This item was considered by the City Council at a public hearing on October 23, 2013, and was taken under advisement until November 12, 2013, with the public hearing open.

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 the city plan commission's recommendation.

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

Tommy Mann, 2728 N. Harwood St., representing the applicant
Frank M. Stich, 4224 N. Hall St., representing the Oak Lawn Committee

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-1989

Page 2

Councilmember Kingston moved to close the public hearing, accept the recommendation of the city plan commission subject to a revised development plan and a revised landscape plan with the following changes:

1. Maximum dwelling unit density is 190;
2. A minimum of 7,000 square feet of at-grade open space must be provided;
3. Outside of the restricted area, balconies on the northern façade of all buildings must have a solid guardrail on the northern portion of the balcony;

and pass the ordinance.

Motion seconded by Councilmember Griggs and Councilmember Medrano and unanimously adopted. (Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

Assigned ORDINANCE NO. 29202

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1990

MISCELLANEOUS HEARINGS

Item 77: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by 6115 Denton LLC, 2703 Kimsey LLC, 2710 Manor Way LLC, Ben Calvary, Dallas Area Rapid Transit, Elias Montez, Ronald Kaim, Carolyn McClain, Geary Tringleth, 3605 Inwood Road, LP, Morris Smart, J.C. Martin, Barry A. Martin and Terri J. Martin, TRBA, Inc., Habitats by B&D, Inc., City of Dallas, Robert Bautista IV, Shepard Holdings, LLC, R&L Maple Associates, LC, Felipe Reyna, Canyon-Small Love Field, LP, Furstenberg Investments, LLC, Stinson FLP TX Property, LLC, Viceroy-Stinson #1, LP, Viceroy Delivery, LP, Armstrong Berger Partners, Priore, Inc., JB Williams Investments, LLC, Ben C. Williams Bakery Services, Inc., Williams Distribution Addition, Marathon 6214, LLC, BCW Warehouse Leasing, LP, BP Venture II, LTD / Bruce Wilson, and Nine Manor Way, LLC located between Mockingbird Lane and Kimsey Drive along Denton Drive, Cedar Springs Road, and Maple Avenue and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to 6115 Denton LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City.

Recommendation of Staff: Approval

The city secretary read the following statement into the record:

"Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individual addressed the city council regarding the item:

Patrick Gobb (Professional Engineer), 149 Natches Trace, Coppell, TX,
representing the applicant

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

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Davis, Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

Assigned ORDINANCE NO. 29203

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1991

MISCELLANEOUS HEARINGS

Item 78: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a church, Oak Lawn United Methodist Church, required by Section 6-4 of the Dallas City Code to allow a mixed beverage permit with a food and beverage certificate for a proposed restaurant without drive-in or drive-through service, [Mattito's] on property on the southeast corner of Cedar Springs Road and Oak Lawn Avenue - AV134-001- Financing: No cost consideration to the City.

The city secretary announced two seconds were required to approve the item as it involves an alcohol variance.

The following individual addressed the city council regarding the item:

David Denney, 6326 Fieldcrest Ln., Sachse, TX, representing the applicant

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

Motion seconded by Councilmember Griggs and Councilmember Caraway and unanimously adopted. (Davis, Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1992

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 79: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Thomas C. Marsh Middle School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [CVS Corp.] on property on the southwest corner of Forest Lane and Cox Lane - AV123-010 - Financing: No cost consideration to the City.

The city secretary announced two seconds were required to approve the item as it involves an alcohol variance.

No one addressed the city council regarding the item.

Councilmember Gates moved to continue the public hearing and hold the item under advisement until January 8, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Caraway and unanimously adopted. (Davis, Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1993

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 80: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from L.G. Pinkston High School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [Minyard Food Store] on property on the northwest corner of North Hampton Road and Singleton Boulevard - AV123-011 - Financing: No cost consideration to the City.

The city secretary announced two seconds were required to approve the item as it involves an alcohol variance.

No one addressed the city council regarding the item.

Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and hold the item under advisement until January 22, 2014 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Davis, Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1994

Addendum Addition 1: Authorize settlement of part of the lawsuit styled Jaqueline Collins et al. v. City of Dallas, et al., Civil Action No. 3:12-CV-02584-O - Not to exceed \$225,000 - Financing: Current Funds

Councilmember Griggs requested addendum addition consent agenda item 1 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 1 was brought up for consideration.

Councilmember Griggs moved to adopt the item and authorize settlement of the lawsuit styled Jaqueline Collins, et al v. City of Dallas, et al in an amount not to exceed \$225,000, subject to payment of \$150,000 to X.C Section 142 Trust and \$75,000 to the law firm of Hutchison, Lewis & Dauphinot, as provided in the revised resolution.

Motion seconded by Councilmember Caraway and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1995

Addendum Addition 2: A resolution authorizing **(1)** ratification of emergency repairs, temporary power installation and replacement of damaged or compromised electrical system components at the J. Erik Jonsson Central Library with Shermco Industries, Inc. in an amount not to exceed \$2,348,103; and **(2)** an increase in appropriations in the amount of \$2,348,103, from \$23,261,226 to \$25,609,329 in the Equipment & Building Services budget - Not to exceed \$2,348,103 - Financing: Contingency Reserve Funds (to be partially reimbursed by property insurance)

Councilmember Kingston 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.

Councilmember Kingston moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1996

Addendum Addition 3: Authorize a 20-year term with one five-year renewal option, development and maintenance agreement with St. Paul Holdings, L.P., a Texas limited partnership for the construction, development, and maintenance of a landscape and site plan at Pacific Plaza located at 312 North St. Paul Street - Financing: No cost consideration to the City

Councilmember Greyson requested addendum addition consent agenda item 3 be considered as an individual item later in the meeting; there was no objection voiced to her request.

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

Councilmember Greyson moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1997

Addendum Addition 4: Authorize Supplemental Agreement No. 2 to the design-build contract with Heery International, Inc. for the Cotton Bowl - 2013 Improvements to provide grease traps on the east and west sides, fire pump generator and connecting work, new pipe bollards to protect the new generator from vehicular traffic at the Cotton Bowl in Fair Park located at 3750 Midway Plaza - Not to exceed \$743,984, from \$24,550,570 to \$25,294,554 - Financing: 2012 Certificates of Obligation (\$659,517) and 2006 Bond Funds (\$84,467)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1998

Addendum Addition 5: Authorize a Memorandum of Understanding with the State Energy Conservation Office for energy projects at Park and Recreation facilities in the amount of \$7,000,000 - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-1999

Addendum Addition 6: Authorize an increase in the contract with Omega Contracting, Inc. to extend the on-going streetscape improvements to include Hatcher Street from Spring Avenue to Troy Street and resurface Troy Street from Spring Avenue to Hatcher Street - Not to exceed \$282,574, from \$2,342,540 to \$2,625,114 - Financing: 2013-2014 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-2000

Addendum Addition 7: A resolution authorizing the conveyance of approximately 5,039 square feet of City-owned land to St. Paul Holdings, L.P., located near the intersection of Bryan and Harwood Streets in exchange for approximately 5,039 square feet of land owned by St. Paul Holdings L.P. located near the intersection of Bryan and St. Paul Streets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-2001

Addendum Addition 8: Authorize settlement in lieu of proceeding with condemnation of an improved tract of land containing approximately 12,198 square feet from Dennis Toplez, located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$27,000 (\$24,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-2002

Addendum Addition 9: Authorize settlement in lieu of proceeding with condemnation of an unimproved tract of land containing approximately 26,639 square feet from Harold Topletz and the Estate of Joseph M. (Jack) Topletz, located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$11,200 (\$9,200 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

NOVEMBER 12, 2013

13-2003

Addendum Addition 10: Authorize a professional services contract with Mazidji Group for environmental assistance during the construction phase for the Upper Chain of Wetlands Project - Not to exceed \$728,480 - Financing: U.S. Corps of Engineers Project Cooperation Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-2004

Addendum Addition 11: Authorize a construction contract with L. D. Kemp Excavating, Inc., lowest responsible bidder of eight, for soil remediation improvements associated with the Upper Chain of Wetlands Remediation, Cells B and C - Not to exceed \$5,148,425 - Financing: 1998 Bond Funds (\$3,318,345) and Water Utilities Capital Improvement Funds (\$1,830,080)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-2005

Addendum Addition 12: A resolution designating absences by Mayor Pro Tem Tennell Atkins and Councilmember Dwaine Caraway as being for "official city business" - Financing: No cost consideration to the City

Mayor Pro Tem Atkins and Councilmember Caraway announced they had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Atkins and Councilmember Caraway left the city council chamber.

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Councilmember Davis and unanimously adopted. (Atkins, Caraway abstain; Hill, Kadane, Allen, Kleinman absent on city business*)

*Attending the National League of Cities Conference in Seattle, WA.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2013

13-2006

Addendum addition 13: Zoning Case Z112-297(MW)

The consent zoning docket, consisting of agenda items 64-67 and addendum addition 13, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting amendments to Tracts 2, 3 and 4 and the creation of a new tract within Tract 1 of Planned Development District No. 561, north of Keller Springs Road, east of Glen Abbey Drive.

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

Councilmember Gates requested zoning consent addendum addition item 13 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, addendum addition consent zoning item 13 was brought up for consideration.

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 recommendation of the city plan commission with the following change:

- Amending the provision that the owner, at its own expense, shall erect a traffic signal at the intersection of the entry point road and Keller Springs Road if warranted by the Texas Manual on Uniform Traffic Control Devices and subject to approval by the city's traffic engineer

and pass the ordinance.

Motion seconded by Councilmember Caraway and unanimously adopted. (Greyson absent when vote taken; Hill, Kadane, Allen, Kleinman absent on city business*)

Assigned ORDINANCE NO. 29204

*Attending the National League of Cities Conference in Seattle, WA.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2013

EXHIBIT C