

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 8, 2014

14-0100

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

PRESENT: [14] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway,  
Callahan, Davis (\*9:28 a.m.), Kadane, Allen, Greyson (\*9:16 a.m.),  
Gates, Kingston

ABSENT: [1] Kleinman

The meeting was called to order at 9:07 a.m.

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

The invocation was given by Associate Pastor Ed Johnson of Antioch Fellowship  
Missionary Baptist Church.

Mayor Pro Tem Atkins 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 3:33 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, JANUARY 8, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 8, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0101

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: Lawrence Brautigam, 9670 Forest Ln.  
SUBJECT: Integrity in Government

SPEAKER: Cynthia Smith, 1084 Cove Hollow Dr., Cedar Hill, TX  
SUBJECT: Issues

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Harry Hall, 1503 S. Ervay St.  
SUBJECT: Trash/homeless

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

SPEAKER: Ewing Moseley, 4719 Cole Ave.  
SUBJECT: Church of Incarnation Masterplan

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

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
REPRESENTING: Malcolm X Community Council  
SUBJECT: New year

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

SPEAKER: LaKolya London, 1873 Mockingbird Ln.  
REPRESENTING: The People  
SUBJECT: DPD/Apartment complexes

SPEAKER: Deloris Phillips, P.O. Box 530236, Grand Prairie, TX (handout provided)  
REPRESENTING: Humanity  
SUBJECT: Brown's/DPD/911 Corruption

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0102

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

The city secretary informed the city council the minutes were corrected to reflect that on addendum addition agenda item 21, the detached non-premise sign that was to come back at a later date was the size of 2,500 “square feet.”

Mayor Pro Tem Atkins moved to adopt the minutes of the December 11, 2013 City Council meeting with the correction as noted by the city secretary.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0103

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-22 and addendum addition consent agenda items 1-3, was presented for consideration.

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

Councilmember Caraway requested consent agenda items 5, 13 and addendum addition consent agenda item 2 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda items 5 and 13 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Kingston requested consent agenda item 9 be considered as an individual item 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 3, 5, 9, 13 and addendum addition consent agenda item 2.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0104

Item 2: Authorize a three-year service contract, with two one-year renewal options, for consulting, technical assistance and actuarial services for Risk Management - Aon Risk Services Southwest, Inc., most advantageous proposer of three - Not to exceed \$375,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0105

Item 3: Authorize a three-year service contract for window glass replacement services and repairs for all City buildings - Stafford Juneau Holdings, Inc. dba B.J. Glass Co., lowest responsible bidder of four - Not to exceed \$504,491 - Financing: Current Funds (\$471,946), Aviation Current Funds (\$12,000), Convention and Event Services Current Funds (\$17,489) and Water Utilities Current Funds (\$3,056) (subject to annual appropriations)

Councilmember Allen requested consent agenda item 3 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 3 was brought up for consideration.

Councilmember Allen moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0106

Item 4: Authorize Supplemental Agreement No. 1 with Andrews Building Service, Inc. in the amount of \$238,686, CTJ Maintenance, Inc. in the amount of \$165,675 and D&A Building Services, Inc. in the amount of \$17,626 to increase the service contract for janitorial services for Aviation, Trinity Watershed Management and Housing/Community Services locations - Total not to exceed \$421,987, from \$1,687,953 to \$2,109,940 - Financing: Department of State Health Services Grant Funds (\$165,675), Aviation Current Funds (\$238,686) and Stormwater Drainage Management Current Funds (\$17,626) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0107

Item 5: Authorize an amendment to Resolution No. 13-1106, previously approved on June 26, 2013, for the conditional grant agreement in the amount of \$500,000 with Jubilee Park Community Center Corporation (JPCCC) to: **(1)** allow nonrecourse language in the legal documents with Jubilee Park Community Center Corporation; and **(2)** extend the completion date to June 26, 2015 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Financing: No cost consideration to the City

Councilmember Caraway and Councilmember Greyson requested consent agenda item 5 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 5 was brought up for consideration.

Councilmember Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0108

Item 6: Authorize a professional services contract with CEI Engineering Associates, Inc. for civil and structural engineering, landscape architectural, surveying and geotechnical engineering for a hike and bike trail for the Runyon Creek Greenbelt Trail located from Glendale Park loop trail to Wagon Wheel Trail to University Hill Drive - Not to exceed \$326,486 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0109

Item 7: Authorize a professional services contract with Dunaway Associates, L.P. for topographic survey, geotechnical services, and design development through construction administration services for trail extension improvements at Flag Pole Hill Trail located from White Rock Creek Trail to the Muchert Service Center - Not to exceed \$130,705 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0110

Item 8: Authorize a professional services contract with Freese and Nichols, Inc. for topographic survey, geotechnical services, and design development through construction administration services for trail improvements for the Coombs Creek Trail, Phase III located from Stevens Park tennis courts to Colorado Boulevard to Plymouth Road to Hampton Road - Not to exceed \$171,070 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0111

Item 9: Authorize (1) a professional services contract with Hargreaves Associates, Inc. for schematic design and construction cost estimates for improvements to John Carpenter Plaza located at 2201 Pacific Avenue; (2) the acceptance of funds in the amount of \$307,555 from The Decherd Foundation; and (3) the establishment of appropriations in the amount of \$307,555 in the Capital Gifts, Donation and Development Fund - Not to exceed \$307,555 - Financing: Capital Gifts, Donation and Development Funds

Councilmember Kingston requested 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, consent agenda item 9 was brought up for consideration.

Councilmember Kingston moved to defer the item until the February 12, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Caraway and unanimously adopted. (Kleinman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0112

Item 10: Authorize a professional services contract with JACOBS Engineering Group, Inc. for schematic design through construction administration services for a new trail at Timberglen Trail located from Timberglen Park to Barry Barker Park - Not to exceed \$204,814 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0113

Item 11: Authorize a professional services contract with Newman, Jackson, Bieberstein for topographic survey, geotechnical services, and design development through construction administration services of a hike and bike trail to include retaining wall design and hike and bike lane striping on roadway for the Lake Highlands Trail, Phase II located between White Rock Trail and Skillman Road - Not to exceed \$140,823 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0114

Item 12: Authorize a professional services contract with Urban Engineers Group, Inc. for schematic design through construction administration services for a pedestrian connection at Elmwood Parkway from Mountain Lake Road to Kiest Park - Not to exceed \$62,123 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0115

Item 13: Authorize a contract for dog park improvements, drainage, erosion control and parking improvements at White Rock Lake Park located at 7700 Mockingbird Lane - A S Con, Inc., lowest responsible bidder of nine - Not to exceed \$946,495 - Financing: 2006 Bond Funds

Councilmember Caraway and Councilmember Greyson requested consent agenda item 13 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 13 was brought up for consideration.

Councilmember Kadane moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0116

Item 14: Authorize a twelve-month funding agreement with Texas Discovery Gardens in the amount of \$95,862 to manage the Texas Discovery Gardens facilities, provide programs and services within the City of Dallas for the period October 1, 2013 through September 30, 2014 - Total not to exceed \$95,862 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0117

Item 15: Authorize a professional services contract with URS Corporation for the engineering design of three new street crossings under the Union Pacific Railroad (UPRR) at Bataan Street, Herbert Street and Amonette Street for the West Dallas Gateway Project, Phase I - Not to exceed \$546,645 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0118

Item 16: Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County to expand the scope of project to include water and wastewater main improvements for the construction on La Prada Drive from Millmar Drive to Motley Drive; and **(2)** payment to Dallas County for the City's share of water and wastewater main construction costs - Not to exceed \$323,013 - Financing: Water Utilities Capital Construction Funds (\$36,026) and Water Utilities Capital Improvement Funds (\$286,987)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0119

Item 17: An ordinance abandoning portions of a sanitary sewer easement, utility easement and water easement to PV Prestonwood I, Ltd., the abutting owner, containing a total of approximately 20,048 square feet of land, located near the intersection of Arapaho Road and Knoll Trail Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29234

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0120

Item 18: An ordinance abandoning a portion of a street easement to Wal Mart Real Estate Business Trust, the abutting owner, containing approximately 2,299 square feet of land, located near the intersection of Buckner Boulevard and Bearden Lane, and providing for the dedication of approximately 3,449 square feet of land needed for right-of-way - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29235

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0121

Item 19: An ordinance abandoning a utility easement to WRT/DK Residential, L.P., the abutting owner, containing approximately 112,098 square feet of land, located near the intersection of Skillman Street and Merriman Parkway - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29236



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0122

Item 20: Authorize a professional services contract with Charles Gojer & Associates, Inc. for the engineering design of erosion control improvements for 1739, 1745 and 1751 Tamarack Drive, the Bahama Drive Relief System drainage improvements, and the 6900 Block Gaston Avenue drainage improvements - Not to exceed \$180,470 - Financing: General Obligation Commercial Paper (\$142,418) and Stormwater Drainage Management Current Funds (\$38,053)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0123

Item 21: Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study and a Zebra Mussel sampling and study on each of the reservoirs in the Dallas water supply system from November 1, 2013 through September 30, 2014 - Not to exceed \$516,391 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0124

Item 22: Authorize professional services contracts with six consulting firms to provide construction materials testing services during the installation of water and wastewater mains - Mas-Tek Engineering & Associates, Inc., in the amount of \$269,440, Alliance Geotechnical Group, Inc., in the amount of \$371,969, Alpha Testing, Inc., in the amount of \$186,989, TEAM Consultants, Inc., in the amount of \$294,800, Rone Engineering Services, Ltd., in the amount of \$301,836, and Terracon Consultants, Inc., in the amount of \$355,274 - Total not to exceed \$1,780,308 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0125

Item 23: 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 JANUARY 8, 2014.

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

Councilmember Hill moved to appoint the following:

- Jennifer Roberts, General Public, to the Animal Shelter Commission; Kurt T. Watkins, Cultural Volunteer Experience, to the Cultural Affairs Commission; David J. Pittman, Registered Voter, to the Reinvestment Zone Nineteen Board (Cypress Waters); Trini Garza, 55+ years of age, to the Senior Affairs Commission;
- nominees to "individual appointment" positions; and
- Bruce Richardson as Chair to the Board of Adjustment; Casey Thomas as Chair to the Community Development Commission; Trini Garza as Chair to the Senior Affairs Commission; and John Johnson as Vice Chair to the Senior Affairs Commission.

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

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

<b>14-5100</b>	<b>ASC</b>	<b>ANIMAL SHELTER COMMISSION</b>
<b>14-5101</b>	<b>BOA</b>	<b>BOARD OF ADJUSTMENT</b>
<b>14-5102</b>	<b>CAC</b>	<b>CULTURAL AFFAIRS COMMISSION</b>
<b>14-5103</b>	<b>CPR</b>	<b>DALLAS CITIZENS POLICE REVIEW BOARD</b>
<b>14-5104</b>	<b>JNC</b>	<b>JUDICIAL NOMINATING COMMISSION</b>
<b>14-5105</b>	<b>MLK</b>	<b>MARTIN LUTHER KING JR COMMUNITY CENTER BOARD</b>
<b>14-5106</b>	<b>PAR</b>	<b>PARK AND RECREATION BOARD</b>
<b>14-5107</b>	<b>RZ19</b>	<b>REINVESTMENT ZONE NINETEEN BOARD (CYPRESS WATERS)</b>
<b>14-5108</b>	<b>SAC</b>	<b>SENIOR AFFAIRS COMMISSION</b>
<b>14-5109</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0126

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 24: Authorize on-site reconstruction of nine homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 1444 Rowan Avenue in the amount of \$103,000; 1430 Morrell Avenue in the amount of \$103,000; 2307 Moffatt Avenue in the amount of \$103,000; 1907 Nomas Street in the amount of \$103,000; 1948 Gallagher Street in the amount of \$103,000; 4023 Shadrack Drive in the amount of \$103,000; 1524 Fleetwood Street in the amount of \$103,000; 4003 Carl Street in the amount of \$103,000; and 2531 Naoma Street in the amount of \$103,000 - Total not to exceed \$927,000 - Financing: 2013-14 Community Development Block Grant Funds (\$752,018); 2012-13 Community Development Block Grant Reprogramming Funds (\$91,000); and 2012-13 HOME Investment Partnership Program Grant Funds (\$83,982)

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 Callahan and unanimously adopted. (Kleinman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0127

The consent zoning docket, consisting of agenda items 25-27, was presented for consideration.

Agenda item 26 was removed from the consent zoning docket to be considered as an individual hearing.

Agenda item 25: Zoning Case Z123-239(MW)

~~Agenda item 26: Zoning Case Z123-250(OTH)~~ **[considered individually]**

Agenda item 27: Zoning Case Z123-352(JH)

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

Appearing in opposition to the city plan commission's recommendation:

Ewing Moseley, 4719 Cole Ave., opposition to agenda item 27

Appearing in favor of the city plan commission's recommendation:

Karl Crawley, 900 Jackson St., representing the applicant, favor of agenda item 27

Councilmember Kingston 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 Griggs and unanimously adopted. (Kleinman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0128

Item 25: Zoning Case Z123-239(MW)

The consent zoning docket, consisting of agenda items 25-27, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Seagoville Road and South St. Augustine Road.

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. 29237

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0129

Item 26: Zoning Case Z123-250(OTH)

The consent zoning docket, consisting of agenda items 25-27, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1808 for an industrial (inside) potentially incompatible use for an automobile recycling plant and an ordinance granting a Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard.

Recommendation of Staff and CPC: Approval to renew Specific Use Permit No. 1808 for a two-year period with eligibility for automatic renewals of two-year periods, subject to a revised site plan and revised conditions; and approval of a Specific Use Permit for an outside salvage and reclamation use for a period of two-years with eligibility for automatic renewals of two-year periods, subject to a site plan and conditions.

Deputy Mayor Pro Tem Alonzo requested consent zoning agenda item 26 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent zoning agenda item 26 was brought up for consideration.

Prior to the item being read into the record, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the February 12, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0130

Item 27: Zoning Case Z123-352(JH)

The consent zoning docket, consisting of agenda items 25-27, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for multiple family uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east side of McKinney Avenue and south of Elizabeth Street.

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

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

Ewing Moseley, 4719 Cole Ave.

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

Karl Crawley, 900 Jackson St., representing the applicant

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29238

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0131

Item 28: Zoning Case Z123-328(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay 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 a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue.

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay 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

Recommendation of CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

Prior to the item being read into the record, Councilmember Griggs moved to continue the public hearing and defer the item until the February 12, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0132

Item 29: Zoning Case Z123-357(WE) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1935 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 south corner of Lawnview Avenue and Forney Road.

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

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

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

Kevin Rana, 2706 Dukeswoods Dr., representing the applicant

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

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

Assigned ORDINANCE NO. 29239

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0133

Item 30: Zoning Case Z123-273(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an RR Regional Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an LO-3 Limited Office District on the west line of North Walton Walker Freeway, north of Twenty Grand Drive.

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 December 11, 2013, and was taken under advisement until January 8, 2014, with the public hearing open.

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

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

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

Assigned ORDINANCE NO. 29240

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0134

DESIGNATED ZONING CASES - INDIVIDUAL

Item 31: Zoning Case Z123-338(JH)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an MU-1 Mixed Use District, on the south side of Northwest Highway, east of Lemmon Avenue.

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."

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

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

Assigned ORDINANCE NO. 29241

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0135

DESIGNATED ZONING CASES - INDIVIDUAL

Item 32: Zoning Case Z123-341(MW)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District on the north corner of Harry Hines Boulevard and West Mockingbird Lane.

Recommendation of Staff and CPC: Approval.

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

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

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

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

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

Assigned ORDINANCE NO. 29242

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0136

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 33: Zoning Case Z123-321(JH)

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.

Note: This item was considered by the City Council at a public hearing on December 11, 2013, and was taken under advisement until January 8, 2014, 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 individual appeared in favor of the city plan commission's recommendation:

James B. Harris, 6930 Midbury Dr., representing the applicant

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

- Section S-66.108 (b): Setbacks from street frontages
  - Minimum setback from Mckinney Avenue is 15 feet as shown on the conceptual plan.
  - Minimum setback from Harwood Street is 11 feet.
  - No minimum setback from St. Paul Street.

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0136

Page 2

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

Later in the meeting, Councilmember Kingston moved to reconsider the item to amend his previous motion to close the public hearing, accept the recommendation of the city plan commission with the following changes:

- Section S-66.108 (b): Setbacks from street frontages
  - Minimum setback from Mckinney Avenue is 15 feet as shown on the conceptual plan.
  - Minimum setback from Harwood Street is 11 feet.
  - No minimum setback from St. Paul Street.

and pass the ordinance.

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

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

- Section S-66.108 (b): Setbacks from street frontages
  - Minimum setback from Mckinney Avenue is 15 feet as shown on the development plan.
  - Minimum setback from Harwood Street is 11 feet.
  - No minimum setback from St. Paul Street.

and pass the ordinance.

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

Assigned ORDINANCE NO. 29243



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0137

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 34: 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 following individuals addressed the city council regarding the item:

Richard Sheridan, 11661 Dennis Rd.  
Santos Martinez, 900 Jackson St., representing the applicant

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

Motion seconded by Mayor Pro Tem Atkins and Councilmember Medrano and unanimously adopted. (Kleinman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0138

Closed Session

6ES

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

- Lockey and MacKenzie v. City of Dallas, et al., Appeal No. 13-10884; 1600 Pacific LP v. City of Dallas, HUD Case File Nos. 06-10-0449-9, 06-10-0449-4, and 06-10-0499-6.
- Legal issues regarding the Dallas City Council Rules of Procedure.

Personnel (Sec. 551.074 T.O.M.A.)

- Discuss the qualifications of candidates for the position of City Manager.

At 10:06 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Lockey and MacKenzie v. City of Dallas, et al., Appeal No. 13-10884; 1600 Pacific LP v. City of Dallas, HUD Case File Nos. 06-10-0449-9, 06-10-0449-4, and 06-10-0499-6.
- Legal issues regarding the Dallas City Council Rules of Procedure.

Personnel (Sec. 551.074 T.O.M.A.)

- Discuss the qualifications of candidates for the position of City Manager.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:19 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0139

Addendum Addition 1: Authorize an amendment to the 2014 City Calendar to change the meeting time of the Quality of Life & Environment Committee meetings from 9:30 a.m. to 9:00 a.m. - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0140

Addendum Addition 2: Authorize (1) assignment of the original contract with Johnson-McKibben Architects, Inc. to the new established company name of JMA Johnson, LLC; and (2) Supplemental Agreement No. 3 to the professional services contract with JMA Johnson, LLC for additional construction administration phase work for Cummings Recreation Center located at 2900 Cummings Street - Not to exceed \$137,040, from \$192,545 to \$329,585 - Financing: 2006 Bond Funds

Councilmember Caraway 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 Caraway moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Kleinman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0141

Addendum Addition 3: Authorize a construction contract with CD Builders, Inc., lowest responsible bidder of four, for drainage improvements and the creation of 60 acres of wetland associated with the Pavaho Wetland Supplemental Environmental Project - Not to exceed \$2,540,598 - Financing: Current Funds (\$171,765) and Stormwater Drainage Management Capital Construction Funds (\$2,368,833)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0142

Addendum Addition 4: Authorize amending and replacing Resolution No. 12-2544 to: **(1)** provide additional closing costs and title expenses; and **(2)** authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary for the acquisition of Tract I from Harold Topletz and the Estate of Joseph M. (Jack) Topletz, of an unimproved tract of land containing approximately 12,173 square feet; and of Tract II from Tanner Montgomery of an unimproved tract of land containing 23,805 square feet located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$13,300 (\$9,800 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

The city secretary announced addendum item 4 requires a motion that the Council of the City of Dallas adopt the item to authorize amending and replacing Resolution No. 12-2544 to: 1) to provide additional closing costs and title expenses; and 2) authorize acquisition, including the use of the power of eminent domain, if necessary, to acquire, two unimproved tracts of land, Tract I from *Harold Topletz* and the *Estate of Joseph M. (Jack) Topletz* containing approximately 12,173 square feet; and of Tract II from *Tanner Montgomery* containing approximately 23,805 square feet, located near the intersection of Fellows Lane and Saipan Street in City of Dallas Block 5/7642, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a parking lot, a pavilion and athletic fields for the South Central/Joppa Gateway Project, together with such appurtenant facilities as may be necessary.

Councilmember Davis moved to adopt the item.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt the item:

Voting Yes:	[14]	Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen, Greyson, Gates, Kingston
Voting No:	[0]	
Absent:	[1]	Kleinman

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0143

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Addition 5: Authorize amendments to Resolution No. 13-2140, previously approved on December 11, 2013, concerning the application with The Texas Department of Housing and Community Affairs (TDHCA) on the proposal for the new construction of the Bruton Apartments, located at 9415 Bruton Road, Dallas, Texas, The TDHCA has requested the following: **(1)** delete reference to the TDHCA's tenants services requirement; **(2)** to replace the word "LURA" with "Bond Regulatory Agreement"; and **(3)** delete the last sentence, "Acceptable social services include those described in Definitions and Amenities for Housing Program Services" - Financing: This action has 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 Davis moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Medrano and unanimously adopted. (Kleinman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0144

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Addition 6: Authorize an amendment to Resolution No. 13-2141, previously approved on December 11, 2013, concerning the application with The Texas Department of Housing and Community Affairs (TDHCA), on the proposal for the rehabilitation of The Park at Cliff Creek Apartments located at 7300 Marvin D. Love Freeway, Dallas, Texas, The TDHCA has requested the following: **(1)** delete reference to the TDHCA's tenants services requirement; **(2)** to replace the word "LURA" with "Bond Regulatory Agreement"; and **(3)** delete the last sentence, "Acceptable social services include those described in Definitions and Amenities for Housing Program Services" - Financing: This action has 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."

Mayor Pro Tem Atkins moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0145

FLOODPLAIN APPLICATIONS

Addendum Addition 7: A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 1.57 acres of the current 4.57 acres of land located at the northwest corner of Northwest Highway and Lawther, of which 2.36 acres is within the floodplain of White Rock Creek, Fill Permit 13-02 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Karl Krawley, 900 Jackson St., representing the applicant

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 8, 2014

14-0146

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Addition 8: A public hearing to receive comments regarding an application to The Texas Department of Housing and Community Affairs (TDHCA) for 2013 4% Low Income Housing Tax Credits for Patriots Crossing, a 162 unit multifamily project, located at 4623 South Lancaster Road and authorize an amendment to Resolution No. 13-1867, previously approved on October 23, 2013, to add language requested by Texas Department of Housing & Community Affairs (TDHCA) in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4), in further support of the proposed project to be located at 4623 South Lancaster Road for a multifamily residential development for low income families - 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."

Discussion followed, after the item was read into the record.

Later in the meeting and following inquiry by the presiding officer, the city secretary confirmed protocol was not followed and speakers were not called. Following clarification, speakers were called with the following individuals addressing the city council regarding the item:

Richard Sheridan, 11661 Dennis Rd.  
Marvin Crenshaw, 5134 Malcolm X Blvd.

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 8, 2014

EXHIBIT C