

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 22, 2014

14-0170

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR PRO TEM ATKINS, PRESIDING

PRESENT: [14] Atkins, Alonzo, Griggs (*9:09 a.m.), Medrano, Hill (*9:17 a.m.),
Caraway (*9:30 a.m.), Callahan, Davis (*9:16 a.m.), Kadane, Allen,
Kleinman, Greyson (*9:11 a.m.), Gates, Kingston

ABSENT: [1] Rawlings (absent on city business)

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

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

The invocation was given by Senior Pastor Michael W. Waters of Joy Tabernacle African Methodist Episcopal Church.

Councilmember Kingston 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 4:05 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 22, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 22, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0171

CITIZEN SPEAKERS

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

OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Richard Sheridan, 11661 Dennis Rd.
REPRESENTING: The Homeless
SUBJECT: Dallas is Jericho to the homeless

SPEAKER: Cornelius Amen, 2018 Lanark Ave.
SUBJECT: Injustice

SPEAKER: Mary Warren, 4312 McKinney Ave.
SUBJECT: Hiring of City Manager

SPEAKER: Stephanie Friedman, 550 Tacoma Dr., Garland, TX
SUBJECT: Homeless

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Deborah Westbrook, 2827 Hatcher St.
REPRESENTING: Lincoln High School
SUBJECT: Mobile truck

SPEAKER: Roy Williams, 13410 Preston Rd.
SUBJECT: Redistricting Lawsuit/14-1 Lawsuit

SPEAKER: Ruth Sherman, 2929 Hickory St.
SUBJECT: Help for the homeless

SPEAKER: Eddie Morgan, 2343 Vagas St.
SUBJECT: Dallas Housing Authority/Re-zoning

SPEAKER: Bill Ray Thomas, 1822 Young St.
SUBJECT: Homeless in Dallas

SPEAKER: Cindy Young, 3130 Kingbridge
SUBJECT: Unknown

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0171

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

SPEAKER: Albert Navifar, 15889 Preston Rd.
SUBJECT: Transportation

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Living in revelation times

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: \$2M Dog Park/No raise for City Employees

SPEAKER: LaKolya London, 1873 Mockingbird Ln.
SUBJECT: Code enforcement/apartment managers

SPEAKER: Edward Porter, 511 Akard St.
SUBJECT: Camera surveillance

SPEAKER: Deloris Phillips, P.O. Box 530236, Grand Prairie, TX (handout
provided)
REPRESENTING: Human Dignity
SUBJECT: DPD corruption/Suicide

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0172

Item 1: Approval of Minutes of the January 8, 2014 City Council Meeting.

Councilmember Kadane moved to adopt the minutes of the January 8, 2014 City Council Meeting.

Motion seconded by Councilmember Hill and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0173

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-41 and addendum addition consent agenda items 1-8, was presented for consideration. Consent agenda items 23 and 37 were deleted on the addendum to the agenda.

Councilmember Kingston requested consent agenda items 2, 6, 16, 17, 24, 33 and addendum addition consent agenda items 1 and 7 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Gates requested consent agenda item 7 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Councilmember Greyson requested consent agenda item 17 and addendum addition consent agenda item 3 be considered as individual items later in the meeting; there was no objection voiced to her request.

The city secretary announced, Interim City Manager A. C. Gonzalez requested consent agenda item 32 be deferred to February 12, 2014; there was no objection voiced to his request.

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

Deputy Mayor Pro Tem Alonzo 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.

Councilmember Kleinman requested addendum addition consent agenda item 8 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 2, 6, 7, 16, 17, 24, 32, 33 and addendum addition consent agenda items 1, 3, 7 and 8.

Motion seconded by Councilmember Medrano and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0174

Item 2: Authorize a three-year service contract for scrap tire removal from the Trinity River and trash and debris removal from Lake Ray Hubbard - Good Earth Corporation, Inc. in the amount of \$2,805,000 and Hess Construction, LLC in the amount of \$452,944, lowest responsible bidders of three - Not to exceed \$3,257,944 - Financing: Stormwater Drainage Management Current Funds (\$2,805,000) and Water Utilities Current Funds (\$452,944) (subject to annual appropriations)

Councilmember Kingstone requested 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, consent agenda item 2 was brought up for consideration.

The following individual addressed the city council regarding the item:

John Bankston, 1861 Muleshoe Rd.

Councilmember Kingstone moved to adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Caraway absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0175

Item 3: Authorize a three-year service contract for written and verbal translation services and American sign language services - Accento, The Language Company in the amount of \$276,068, Geneva Worldwide, Inc. in the amount of \$68,828 and Language USA, Inc. in the amount of \$13,465, lowest responsible bidders of seven - Total not to exceed \$358,361 - Financing: Current Funds (\$328,361), 2013-14 Community Development Block Grant Funds (\$27,000) and Convention and Event Services Current Funds (\$3,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0176

Item 4: Authorize Supplemental Agreement No. 3 to increase the service contract with Telogis, Inc. for support of the global positioning system deployed on Sanitation fleet equipment for a four-month term beginning February 1, 2014 through May 31, 2014 - Not to exceed \$37,329, from \$784,387 to \$821,716 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0177

Item 5: Authorize payment of annual software maintenance in support of the CityLaw Law Office Management System, a performance-based tracking system from Cycom Data Systems, Inc., for the period November 1, 2013 through October 31, 2014 - Not to exceed \$57,635 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0178

Item 6: An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** define terms; **(2)** regulate certain conduct intended to distract motorists traveling on designated highways; **(3)** provide defenses; and **(4)** provide for enforcement - Financing: No cost consideration to the City

Councilmember Kingston requested consent agenda item 6 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 6 was brought up for consideration.

Councilmember Kingston moved to deny the item.

Motion seconded by Councilmember Griggs.

Discussion followed on the item.

Councilmember Callahan called a point of order on the motion made by Councilmember Kingston. As there was no second made to the motion, discussions continued.

Councilmember Hill moved a substitute motion to adopt the item.

Motion seconded by Councilmember Caraway.

Councilmember Kingston requested a record vote on Councilmember Hill's substitute motion.

Mayor Pro Tem Atkins called the vote on Councilmember Hill's substitute motion to adopt the item:

Voting Yes:	[10]	Atkins, Alonzo, Hill, Caraway, Callahan, Kadane, Allen, Kleinman, Greyson, Gates
Voting No:	[4]	Griggs, Medrano, Davis, Kingston
Absent on city business:	[1]	Rawlings

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29244

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0179

Item 7: Authorize **(1)** an increase in the contract with Ed Bell Construction Company from \$1,787,275 to \$1,922,275 to expedite the construction of thoroughfare and water main improvements for Danieldale Road from Hampton Road to Old Hickory Trail and Old Hickory Trail from Danieldale Road to 500 feet south of Stoneview Drive in the amount of \$135,000; **(2)** a change to the construction schedule from July 15, 2014 to April 15, 2014; and **(3)** the receipt and deposit of funds from US Real Estate, Limited Partnership in the amount of \$135,000 in the Capital Project Reimbursement Fund; and **(4)** an increase in appropriations in the Capital Projects Reimbursement Fund in an amount not to exceed \$135,000 - Not to exceed \$135,000 - Financing: Capital Projects Reimbursement Funds

Councilmember Gates requested consent agenda item 7 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent agenda item 7 was brought up for consideration.

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

Councilmember Hill moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Gates abstain; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0180

Item 8: Authorize an amendment to the Home Repair Program Statement to: **(1)** establish the Emergency Repair Program; and **(2)** modify the affordability and repayment terms for Reconstruction Program loans - Not to exceed \$290,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0181

Item 9: Authorize a construction contract for site improvements to include soccer fields and a new parking lot at Timberglen Park located at 3900 Timberglen Drive - Gilbert May, Inc. dba Phillips/May Corporation, lowest responsible bidder of five - Not to exceed \$1,240,598 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0182

Item 10: Authorize a contract for construction of a loop trail at Kiest Park located at 3080 South Hampton Road - Northstar Construction, LLC, lowest responsible bidder of seven - Not to exceed \$1,426,402 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0183

Item 11: Authorize a contract for renovation and expansion of the existing recreation center at Pleasant Oaks Recreation Center located at 8700 Greenmound Avenue - MART, Inc., best value proposer of three - Not to exceed \$1,818,200 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0184

Item 12: Authorize Supplemental Agreement No. 1 to the development and maintenance agreement with Uptown Dallas, Inc. for improvements and services at Griggs Park located at 2200 Hugo Street - Not to exceed \$30,000, from \$317,400 to \$347,400 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0185

**2013-14 State of Texas Internet Crimes Against
Children Grant and City of Dallas NIBIN Program**

Note: Item Nos. 13 and 14
must be considered collectively.

Item 13: Authorize an application for and acceptance of the 2013-14 State of Texas Internet Crimes Against Children Grant, from the Office of the Governor, Criminal Justice Division for response to the sexual abuse and exploitation of children facilitated by the use of computer technology for the period October 1, 2013 through August 31, 2014 - Not to exceed \$400,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0186

**2013-14 State of Texas Internet Crimes Against
Children Grant and City of Dallas NIBIN Program**

Note: Item Nos. 13 and 14
must be considered collectively.

Item 14: Authorize a correction to Resolution No. 13-1761, previously approved on October 8, 2013, to add a provision for the repayment of funds in the event of the loss or misuse of funds provided for the City of Dallas NIBIN Program by the Office of the Governor, Criminal Justice Division, to provide aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0187

Item 15: Authorize **(1)** the acceptance of supplemental funding for the 2013/2014 Tobacco Enforcement Grant through the Texas School Safety Center at Texas State University - San Marcos in the amount of \$15,000 for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2013 through August 31, 2014; and **(2)** execution of the grant agreement - Not to exceed \$15,000, from \$65,025 to \$80,025 - Financing: Texas Comptroller's Tobacco Compliance Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0188

Item 16: Authorize payment to Dallas County Sheriff's Office to reimburse Dallas County for program expenses associated with the Dallas County Highway Traffic Program for the period October 1, 2013 through September 30, 2014 - Not to exceed \$600,000 - Financing: Current Funds

Councilmember Kingston requested consent agenda item 16 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 16 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Griggs and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0189

Item 17: An ordinance amending Chapter 42 of the Dallas City Code to: **(1)** define terms; **(2)** establish requirements, procedures, fees, qualifications, and defenses for the registration of home solicitors; **(3)** regulate the time and manner in which home solicitations may be conducted on residential premises; **(4)** provide recordkeeping requirements for home solicitors; **(5)** provide for signs to prohibit home solicitors on residential premises; **(6)** delete certain consumer solicitation provisions now regulated by state law; and **(7)** make certain nonsubstantive changes - Financing: No cost consideration to the City

Councilmember Kingston and Councilmember Greyson requested consent agenda item 17 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 17 was brought up for consideration.

Councilmember Kingston moved to adopt the item. There was no second forthcoming to the motion.

Councilmember Caraway requested to go into executive session to consult with the city attorney on the item.

Councilmember Kingston called for a point of order on what aspect of Councilmember Caraway's questions would not be subject to the open meetings act.

After discussion, Councilmember Callahan moved to postpone the item for 30 days.

Motion died due to lack of a second.

Mayor Pro Tem Atkins called a recess of the city council meeting at 10:44 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the city attorney on the item.

Mayor Pro Tem Atkins reconvened the city council meeting after the closed session at 10:54 a.m. No other matters were discussed during the closed session.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Davis and unanimously adopted. (Rawlings absent on city business)

Assigned ORDINANCE NO. 29245

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0190

Item 18: Authorize a professional services contract with BDS Technologies, Inc. for the engineering design of seven alley petition projects and two street petition projects (list attached) - Not to exceed \$284,659 - Financing: 2012 Bond Funds (\$128,737), General Obligation Commercial Paper Funds (\$78,342) and Water Utilities Capital Improvement Funds (\$77,580)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0191

Item 19: Authorize a contract with RWC Enterprises, Inc., best value proposer of five, for the construction of the Fire Station No. 44 replacement facility located at 2025 Lagow Street - Not to exceed \$3,809,000 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0192

Item 20: Authorize **(1)** a Project Specific Agreement with Dallas County for the improvement of frontage roads and ramps along IH20 from Haymarket Road to West of US175; and **(2)** payment to Dallas County for the City's share of project cost - Not to exceed \$420,000 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0193

Item 21: Authorize an Interlocal Agreement with Dallas Area Rapid Transit for participation in the construction of an improved sidewalk and road crossing of the Dallas Area Rapid Transit rail line on Storey Lane near Denton Drive
- Not to exceed \$5,700 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0194

Item 22: Authorize payment to Dallas Area Rapid Transit for utility improvement and relocation costs associated with the Urban Circulator streetcar project in downtown Dallas - Not to exceed \$427,000 - Financing: Water Construction Funds (\$113,000), Wastewater Construction Funds (\$85,000), and Wastewater Capital Improvement Funds (\$229,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0195

Item 23: Authorize Supplemental Agreement No. 2 to the professional services contract with CDM-Smith Inc. (formerly Camp Dresser & McKee Inc.) for engineering services for the schematic design phase for the Stormwater Drainage Master Plan at Dallas Love Field - Not to exceed \$2,269,000, from \$1,909,000 to \$4,178,000 - Financing: Aviation Capital Construction Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0196

Item 24: An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** designate school traffic zones; and **(2)** designate the direction of travel of vehicles on certain streets (list attached) - Financing: No cost consideration to the City

Councilmember Kingston requested consent agenda item 24 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 24 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

Assigned ORDINANCE NO. 29246

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0197

Item 25: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 1,808 square feet from Richard Whitehead near the intersection of Elm and Washington Streets for the CBD Fair Park Link Thoroughfare Project - Not to exceed \$22,663, increased from \$51,466 (\$49,466, plus closing costs and title expenses not to exceed \$2,000) to \$74,129 (\$71,129, plus closing costs and title expenses not to exceed \$3,000) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0198

Item 26: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 314,393 square feet improved with an office building and storage shed from Boise Cascade Building Materials Distributions, L.L.C., located near the intersection of Bekay Street and Plano Road for the Park District Maintenance Service Center Project - Not to exceed \$705,000, increased from \$1,010,000 (\$1,000,000, plus closing costs not to exceed \$10,000) to \$1,715,000 (\$1,700,000, plus closing costs and title expenses not to exceed \$15,000) - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0199

Item 27: Authorize acquisition from Jaime A. Alford and Marshall C. Alford, of approximately 16,426 square feet of land located in Dallas County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$18,500 (\$15,769, plus closing costs and title expenses not to exceed \$2,731) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0200

Item 28: Authorize acquisition from PSA Institutional Partners, L.P., of a total of approximately 916 square feet of land located near the intersection of Hawkins and Florence Streets for the Cesar Chavez Boulevard and Pearl Street from Commerce Street to Live Oak Street Project - Not to exceed \$52,540 (\$50,000, plus closing costs and title expenses not to exceed \$2,540) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0201

Item 29: Authorize moving expense and replacement housing payments for Leticia Gonzalez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 707 Pontiac Avenue for future City facilities - Not to exceed \$46,400 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0202

Item 30: A resolution authorizing the City Manager to sell a tract of land used for parking and dumpsters at the Dallas Farmers Market to FM Park, LLC by executing: (1) a purchase and sale agreement; and (2) a deed without warranty - Revenue: \$185,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0203

Item 31: A resolution authorizing the dedication of a drainage easement containing approximately 3,619 square feet of City-owned land to the public for the purpose of drainage improvements at the Highland Hills Branch Library site located near the intersection of Bonnie View Road and Highland Hills Drive
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0204

Item 32: A resolution authorizing the conveyance of bridge and drainage easements containing approximately 36,360 square feet of land to Valwood Improvement Authority and Dallas Area Rapid Transit for the construction, maintenance and use of the bridge and drainage improvements across City owned land located in the City of Farmers Branch - Financing: No cost consideration to the City

At the time the consent agenda was presented for consideration, the city secretary announced, Interim City Manager A. C. Gonzalez requested consent agenda item 32 be deferred to February 12, 2014; there was no objection voiced to his request.

Deferred until the February 12, 2014 voting agenda meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0205

Item 33: An ordinance amending Chapter 43 of the Dallas City Code to establish temporary application, annual, and one-time fees for licenses for certain uses of the public right-of-way - Financing: No cost consideration to the City

Councilmember Kingston and Councilmember Griggs requested consent agenda item 33 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 33 was brought up for consideration.

Councilmember Griggs moved to remand the item to the Economic Development Council Committee.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0206

Item 34: An ordinance abandoning an alley to Elan Dallas City Lights Owner, LP, the abutting owner, containing approximately 1,100 square feet of land, located near the intersection of Good Latimer Expressway and Live Oak Street, and authorizing the quitclaim - Revenue: \$38,665, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29247

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0207

Item 35: An ordinance abandoning a portion of a sanitary sewer easement to Elan Dallas City Lights Owner, LP, the abutting owner, containing approximately 2,806 square feet of land, located near the intersection of Good Latimer Expressway and Live Oak Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29248

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0208

Item 36: An ordinance abandoning a portion of an easement to Kwang Chong, the abutting owner, containing approximately 1,848 square feet of land, located near the intersection of Great Trinity Forest Way and Jim Miller Road - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29249

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0209

Item 37: An ordinance abandoning a portion of Gibson Street and a subsurface drive to FM Futsal, Ltd, the abutting owner, containing a total of approximately 41,301 square feet of land, located near the intersection with Cesar Chavez Boulevard, and authorizing the quitclaim - Revenue: \$16,456, plus the \$20 ordinance publication fee

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0210

Item 38: An ordinance abandoning portions of Short Boulevard to Corinth I-35 & Ledbetter, LLC, the abutting owner, containing a total of approximately 13,375 square feet of land, located near the intersection of Vistawood and Short Boulevards, authorizing the quitclaim, and providing for the dedication of approximately 717 square feet of land needed for street right-of-way - Revenue: \$11,295, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29250

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0211

Item 39: Authorize a construction contract with Norstino Construction Company, ACA, lowest responsible bidder of five, for the 1667 Sylvan Storm Drainage Improvements - Not to exceed \$370,000 - Financing: 1998 Bond Funds (\$38,739), 2006 Bond Funds (\$270,097), Water Utilities Capital Improvement Funds (\$58,024) and Water Utilities Capital Construction Funds (\$3,140)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0212

Item 40: Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for the design and construction of water and wastewater main relocations and appurtenance adjustments for S.M. Wright Freeway Phase I from C.F. Hawn Freeway (U.S. Highway 175) to Julius Schepps Freeway (Interstate Highway 45) - Not to exceed \$3,513,000 - Financing: Water Utilities Capital Construction Funds (\$15,000) and Water Utilities Capital Improvement Funds (\$3,498,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0213

Item 41: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for additional work associated with repairs to the 96-inch Jim Miller water transmission main between the Eastside Water Treatment Plant and the Jim Miller Pump Station - Not to exceed \$3,675,000, from \$15,550,000 to \$19,225,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0214

Item 42: 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 22, 2014.

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

Deputy Mayor Pro Tem Alonzo moved to appoint the following:

- George H. Billingsley, to the Cypress Waters Municipal Management District; and
- nominees to "individual appointment" positions outlined in the report.

Motion seconded by Councilmember Greyson and unanimously adopted. (Kleinman absent when vote taken; Rawlings absent on city business)

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

14-5200	CPC	CITY PLAN AND ZONING COMMISSION
14-5201	CYP	CYPRESS WATERS MUNICIPAL MANAGEMENT DISTRICT
14-5202	MLB	MUNICIPAL LIBRARY BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0215

Item 43: Authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary, from *PNYX, LTD.*, of an unimproved tract of land containing approximately 988 square feet located on Continental Avenue at its intersection with North Riverfront Boulevard for the reconstruction of Continental Avenue - Not to exceed \$41,139 (\$37,939 plus closing costs and title expenses not to exceed \$3,200) - Financing: 2006 Bond Funds

The city secretary announced agenda item 43 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *PNYX, LTD.*, a tract of land containing approximately 988 square feet, located on Continental Avenue at its intersection with North Riverfront Boulevard in the City of Dallas, Block 1/409, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the reconstruction of Continental Avenue.

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Councilmember Caraway.

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

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

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0216

DESIGNATED PUBLIC SUBSIDY MATTERS

**Downtown Connection TIF District -
1401 Elm Street**

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

Item 44: Authorize a development agreement with Olympic 1401 Elm Associates, LLC, to reimburse eligible project costs related to environmental remediation, demolition, street/utility improvements and façade improvements associated with the Olympic redevelopment project (1401 Elm Street) in an amount not to exceed \$50,000,000, a portion of which is in the form of an Economic Development TIF Grant, from revenues accruing to Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) - Not to exceed \$50,000,000 - Financing: Downtown Connection TIF District Funds

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

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

Councilmember Kingston moved to adopt agenda items 44-45.

Motion seconded by Councilmember Caraway and Councilmember Davis and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0217

DESIGNATED PUBLIC SUBSIDY MATTERS

**Downtown Connection TIF District -
1401 Elm Street**

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

Item 45: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Olympic 1401 Elm Associates, LLC, up to \$50,000,000, a portion of which is in the form of an Economic Development TIF Grant, for TIF-eligible project costs pursuant to the development agreement with Olympic 1401 Elm Associates, LLC - Financing: No cost

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

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

Councilmember Kingston moved to adopt agenda items 44-45.

Motion seconded by Councilmember Caraway and Councilmember Davis and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0218

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 46: Authorize a 90 percent real property tax abatement agreement for 10 years with Cherokee Lamar Associates LLC (Cherokee) located on 3.9 acres within Reinvestment Zone Number Four located at 1210 South Lamar in Dallas pursuant to the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$21,543; ten-year revenue estimated at \$215,433 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$1,938,897)

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

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

Councilmember Medrano moved to adopt the item.

Motion seconded by Councilmember Davis and Councilmember Kingston and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0219

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 47: Authorize a 75 percent real property tax abatement agreement for 8 years with First Industrial Texas L.P., a Delaware limited Partnership wholly owned by the publically traded parent, First Industrial Realty Trust, Inc., for the development of a two-building speculative warehouse development consisting of approximately 598,138 square feet located on approximately 49 acres within an Enterprise Zone near the intersection of Cockrell Hill Road and West Davis Street in Dallas pursuant to the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$39,895; eight-year revenue estimated at \$319,160 (Estimated revenue foregone for eight-year real property tax abatement estimated at \$957,480)

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 Councilmember Hill and Councilmember Kingston and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0220

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

Agenda items 48, 49, 55, 56 and addendum addition item 14 were removed from the consent zoning docket to be considered as individual hearings.

~~Agenda item 48: Zoning Case Z123-135(WE)~~ [considered individually]
~~Agenda item 49: Zoning Case Z123-208(RB)~~ [considered individually]
Agenda item 50: Zoning Case Z123-289(RB)
Agenda item 51: Zoning Case Z123-335(MW)
Agenda item 52: Zoning Case Z123-360(MW)
Agenda item 53: Zoning Case Z123-373(WE)
Agenda item 54: Zoning Case Z134-104(WE)
~~Agenda item 55: Zoning Case Z134-108(JH)~~ [considered individually]
~~Agenda item 56: Zoning Case Z134-113(WE)~~ [considered individually]
~~Addendum Item 14: Zoning Case Z123-217(WE)~~ [considered individually]

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:

Linda Day, 3647 Stables Ln., opposition to agenda item 54
Gladys Brown, 3046 S. Denley Dr., opposition to agenda item 54

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

Tommy Mann, 2728 N. Harwood St., representing the applicant, favor of
agenda item 27

Councilmember Kleinman moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Davis absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0221

Item 48: Zoning Case Z123-135(WE)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street.

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

Councilmember Medrano requested consent zoning agenda item 48 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent zoning agenda item 48 was brought up for consideration.

Prior to the item being read into the record, Councilmember Medrano 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 Councilmember Callahan and unanimously adopted. (Caraway, Davis absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0222

Item 49: Zoning Case Z123-208(RB)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1835 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 Community Retail District with a D-1 Liquor Control Overlay on the south line of Scyene Road, east of Namur Street.

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

Councilmember Davis requested consent zoning agenda item 49 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 49 was brought up for consideration.

Prior to the item being read into the record, Councilmember Davis moved to continue the public hearing and defer the item until the February 26, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0223

Item 50: Zoning Case Z123-289(RB)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1939 for an Open-enrollment charter school on property zoned an R-7.5(A) Single Family District, on the southeast corner of Military Parkway and Delafield Lane.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29251

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0224

Item 51: Zoning Case Z123-335(MW)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District on property zoned a CR Community Retail District and a D(A) Duplex District with H/128 Historic Overlay District No. 128 (Junius Heights) southeast of Columbia Avenue and northwest of Alton Avenue.

Recommendation of Staff and CPC: Approval, subject to a development 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. 29252

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0225

Item 52: Zoning Case Z123-360(MW)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1909 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the southeast line of Belt Line Road, east of Kleberg Road.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29253

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0226

Item 53: Zoning Case Z123-373(WE)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, Deep Ellum/Near East Side Special Purpose District on the east corner of Main Street and North Exposition Avenue.

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site/landscape 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. 29254

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0227

Item 54: Zoning Case Z124-104(WE)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an LO-1 Limited Office District on the west side of Marsh Lane, north of Walnut Hill Lane.

Recommendation of Staff and CPC: Approval.

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

Linda Day, 3647 Stables Ln.
Gladys Brown, 3046 S. Denley Dr.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29255

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0228

Item 55: Zoning Case Z134-108(JH)

The consent zoning docket, consisting of agenda items 48-56 and addendum item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a liquor store on property zoned Subarea 10 within Planned Development District No. 298, the Bryan Area Special Purpose District, at the east corner of Live Oak Street and North Haskell Avenue.

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

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

Later in the meeting, consent zoning agenda item 55 was brought up for consideration.

Prior to the item being read into the record, Councilmember Medrano moved to continue the public hearing and defer the item until the March 26, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0229

Item 56: Zoning Case Z134-113(WE)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 764, the Second Avenue Special Purpose District, on the southwest line of Second Avenue, northwest of Hatcher Street.

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

Councilmember Davis requested consent zoning agenda item 56 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 56 was brought up for consideration.

Prior to the item being read into the record, Councilmember Davis 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 Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0230

Item 57: Zoning Case Z123-280(RB) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue.

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

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

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 Councilmember Medrano and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0231

Item 58: Zoning Case Z123-329(WE) - UNDER ADVISEMENT - 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 a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northwest corner of Bruton Road and North Prairie Creek 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 with eligibility for automatic renewal for additional two-year periods, subject to a site 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 22, 2014, 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:

Parvez Malik, 1901 Central Dr., Bedford, TX, representing the applicant

Councilmember Callahan moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance to allow an amendment to the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Davis absent when vote taken; Rawlings absent on city business)

Later in the meeting, Councilmember Callahan moved to reconsider the item to amend his previous motion to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Caraway absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0231

Page 2

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

- The Specific Use Permit is for 2 years with no automatic renewals

and pass the ordinance.

Motion seconded by Councilmember Kadane.

Mayor Pro Tem Atkins declared the motion adopted on a divided vote, with Councilmember Hill voting “No.” (Caraway, Davis absent when vote taken; Rawlings absent on city business)

Assigned ORDINANCE NO. 29256

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0232

Item 59: Zoning Case Z123-334(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Convalescent and nursing home, hospice care, and related institutions use and a resolution terminating the deed restrictions on property within Subdistrict 4A of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the northeast line of Bahama Drive, south of Ft. Worth Avenue.

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional fifteen-year periods, subject to a site plan and conditions, and approval of the termination of existing deed restrictions.

Note: This item was considered by the City Council at a public hearing on December 11, 2013, and was taken under advisement until January 22, 2014, 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:

Santos Martinez, 900 Jackson St., representing the applicant

Councilmember Griggs moved to close the public hearing, amend the item as follows:

- The Specific Use Permit is for 4 years with no automatic renewals

with the deed restrictions and ordinance to return at a later date.

Motion seconded by Councilmember Kingston and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0233

DESIGNATED ZONING CASES - INDIVIDUAL

Item 60: Zoning Case Z123-283(MW)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses on property zoned an LC Light Commercial Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest corner of Routh Street and McKinney Avenue.

Recommendation of Staff and 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."

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

Jack C. Irwin, 2203 Allen St.

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

Frank Stitch, 4224 N. Hall St., representing the Oak Lawn Committee
Karl Crawley, 900 Jackson St., representing the applicant

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

- Sec. S-103.109 (b)(2) Off-Street Parking and Loading:
 - All required parking must be located underground.

Motion seconded by Councilmember Medrano and Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

Assigned ORDINANCE NO. 29257

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0234

DESIGNATED ZONING CASES - INDIVIDUAL

Item 61: Zoning Case Z123-340(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue.

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

Prior to the item being read into the record, Councilmember Medrano moved to continue the public hearing and defer the item until the March 26, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0235

DESIGNATED ZONING CASES - INDIVIDUAL

Item 62: Zoning Case Z123-370(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 344 on the northeast line of Park Lane, northwest of Abrams Road.

Recommendation of Staff and CPC: Approval, subject to a revised development/landscape 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:

Robert Reeves, 3807 Vinecrest Dr., 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 Kadane and Councilmember Greyson and unanimously adopted. (Rawlings absent on city business)

Assigned ORDINANCE NO. 29258

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0236

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 63: Zoning Case Z123-361(CG)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office District on the southwest corner of LBJ Freeway and Bank Way Lane (formerly Nelda Lane).

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

Recommendation of CPC: Denial without prejudice.

Note: This item was considered by the City Council at a public hearing on December 11, 2013, and was taken under advisement until January 22, 2014, with the public hearing open.

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 Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0237

FLOODPLAIN APPLICATIONS

Item 64: 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 0.10 acres of the current 0.57 acres of land, located at the southeast corner of Zang Boulevard and Louisiana Avenue within the floodplain of South Branch of Cedar Creek, Fill Permit 13-04 - Financing: No cost consideration to the City.

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0238

THOROUGHFARE PLAN AMENDMENTS

Item 65: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Sylvan Avenue from IH-30 to Colorado Boulevard from a six-lane divided roadway M-6-D(A*) within 100 feet of right-of-way to a special four-lane divided roadway (SPCL 4-D) with bicycle lanes within 80 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City.

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

The following individuals addressed the city council regarding the item:

Leo Cusimano, 1619 Sylvan Ave.

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

Motion seconded by Councilmember Caraway and unanimously adopted. (Kleinman abstain; Rawlings absent on city business)

Assigned ORDINANCE NO. 29259

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0239

THOROUGHFARE PLAN AMENDMENTS

Item 66: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classifications of **(1)** Victory Avenue from Continental Avenue to Lamar Street from a one-way special three-lane couplet (SPCL 3 CPLT) within 56 feet of right-of-way to a special two-way three-lane undivided roadway (SPCL 3U) within 67 feet of right-of-way and 36 feet of pavement; **(2)** Victory Avenue from Lamar Street to North Houston Street from a one-way special four-lane couplet (SPCL 4 CPLT) within 64 to 80 feet of right-of-way to a special two-way four-lane undivided roadway (SPCL 4U) within 67 to 80 feet of right-of-way; **(3)** North Houston Street from Continental Avenue to All Star Way from a one-way special four-lane couplet (SPCL 4 CPLT) within 64 to 67 feet of right-of-way to a two-way special three-lane undivided roadway (SPCL 3U) within 67 feet of right-of-way with bicycle lanes; and **(4)** North Houston Street from All Star Way to Hi Line Drive from a one-way special four-lane couplet (SPCL 4 CPLT) within 64 to 67 feet of right-of-way to a two-way special four-lane undivided roadway (SPCL 4U) within 64 to 67 feet of right-of-way and 44 to 47 feet of pavement; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City.

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Caraway and unanimously adopted. (Davis absent when vote taken; Rawlings absent on city business)

Assigned ORDINANCE NO. 29260

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0240

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 67: 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 following individuals addressed the city council regarding the item:

Raul Reyes, 3455 Borger St., representing West Dallas One Coalition
Ronnie Mestas, 3215 Rutz St. (handout provided)
Richard Sheridan, 11661 Dennis Rd.
Stephanie Hanson, 1914 Nomas, representing Homestead Community Association
Ozumba Lnuke-X, 4106 Vineyard Dr.
Mary Paras, 3215 Rutz St.
Pat Stephens, 3643 Gallagher, representing Westmoreland Heights Neighborhood Association
Chance Smalley, 2907 N. Hampton Rd., representing Jewel Foundation/Lil Rascals
Cindy Young, 3130 Kingbridge St.
Ana Maria Ramos, no address provided, representing El Centro College West Campus
Katrina Higgs, 4038 Vine Maple Pl.
Butler Rayford, 3425 Chihuahua
Santos Martinez, 900 Jackson St., representing the applicant
William Hopkins, 2011 Leath St.

Deputy Mayor Pro Tem Alonzo moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Hill.

Mayor Pro Tem Atkins declared the motion adopted on a divided vote, with Councilmember Griggs voting "No." (Caraway, Davis absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0241

Closed Session

6ES

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

- Olivia Lord v. Dwayne A. Thompson, Civil Action No. 3:11-CV-3241-M

The closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0242

Addendum Addition 1: Authorize **(1)** an acquisition contract for the design, purchase and installation of a replacement microwave communication system in the amount of \$6,284,983; and **(2)** a five-year service contract for maintenance and support of the replacement microwave communication system in the amount of \$1,825,255 - Alcatel-Lucent USA, Inc., most advantageous proposer of five - Total not to exceed \$8,110,238 - 2011 Urban Area Security Initiative Grant Funds (\$65,000), 2012 Urban Area Security Initiative Grant Funds (\$4,600,000), 2013 Urban Area Security Initiative Grant Funds (\$1,930,069) and Current Funds (\$1,515,169) (subject to annual appropriations)

Councilmember Kingston 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 Kingston moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0243

Addendum Addition 2: Authorize Supplemental Agreement No. 1 to increase the contract with CGI Technologies and Solutions, Inc. through the State of Texas Department of Information Resources, to provide training services and material in support of the City's financial and accounting system upgrade - Not to exceed \$192,200, from \$1,130,411 to \$1,322,611 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0244

Addendum Addition 3: Authorize an amendment to Resolution No. 13-2148, previously approved on December 11, 2013, to amend the amount to be reimbursed by the appealing employees from \$4,000 to \$10,000, which is 50% of the total of all Administrative Law Judge contracts - Financing: No cost consideration to the City

Councilmember Greyson and Deputy Mayor Pro Tem Alonzo requested addendum addition consent agenda item 3 be considered as an individual item later in the meeting; there was no objection voiced to their request.

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

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0245

Addendum Addition 4: Authorize **(1)** the acceptance of a donation in the amount of \$450,000 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to individuals and families who are experiencing a temporary financial crisis; and **(2)** an increase in appropriations in the amount of \$450,000 in the Energy Emergency Assistance Fund - Not to exceed \$450,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0246

Addendum Addition 5: Authorize the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance effective February 1, 2014 through January 31, 2015 - Not to exceed \$425,000 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0247

Addendum Addition 6: Authorize an agreement between the National Collegiate Athletic Association (NCAA) and the City of Dallas for the NCAA to fund and execute the refurbishment of the indoor basketball facility and for the NCAA to fund the costs of the ribbon-cutting ceremony at Exline Recreation Center located 2525 Pine Street - Financing: No cost consideration to the City.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0248

Addendum Addition 7: Authorize a contract with Big Sky Construction Company, Inc., best value proposer of five for the construction of the Omni Convention Hotel and Convention Center Dallas Area Rapid Transit Station Sustainable Development Infrastructure Project, Phase II - Not to exceed \$3,831,950 - Financing: 2009 Convention Center Revenue Bonds (\$1,231,950); North Central Texas Council of Governments Grant Funds (\$600,000) and General Obligation Commercial Paper Funds (\$2,000,000)

Councilmember Kingston requested addendum addition consent agenda item 7 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, addendum addition consent agenda item 7 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0249

Addendum Addition 8: Authorize an increase in the contract with Texas Standard Construction, Ltd. for streetscape improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - Not to exceed \$177,638, from \$1,537,669 to \$1,715,307 - Financing: General Obligation Commercial Paper Funds

Councilmember Kleinman requested addendum addition consent agenda item 8 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 8 was brought up for consideration.

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

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Kleinman abstain; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0250

Addendum Addition 9: A resolution amending Paragraph (f), "Open Microphone," of Subsection 6.3, "Citizen Speakers," of Section 6, "Order of Business," of the City Council Rules of Procedure to specify that any individual may register to speak during the open microphone period of city council meeting once every 30 days - Financing: No cost consideration to the City

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

- Section 6.3 (f)(2) – Each speaker may only speak once and the presiding officer, with the concurrence of a majority of the city council, may determine the time limits for each person to speak.

Motion seconded by Councilmember Kadane.

Councilmember Medrano requested a record vote on Councilmember Hill's motion.

Following discussion, Mayor Pro Tem Atkins called the vote on Councilmember Hill's motion to adopt the item with the following change:

- Section 6.3 (f)(2) – Each speaker may only speak once and the presiding officer, with the concurrence of a majority of the city council, may determine the time limits for each person to speak.

Voting Yes:	[7]	Atkins, Hill, Kadane, Allen, Kleinman, Greyson, Gates
Voting No:	[7]	Alonzo, Griggs, Medrano, Caraway, Callahan, Davis, Kingston
Absent on city business:	[1]	Rawlings

The city secretary declared the motion failed.

Councilmember Gates moved to adopt the item as written.

Motion seconded by Councilmember Caraway.

Mayor Pro Tem Atkins requested a record vote on Councilmember Gates' motion.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0250

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Mayor Pro Tem Atkins called the vote on Councilmember Gates' motion to adopt the item as written:

Voting Yes:	[7]	Atkins, Caraway, Callahan, Allen, Kleinman, Greyson, Gates
Voting No:	[7]	Alonzo, Griggs, Medrano, Hill, Davis, Kadane, Kingston
Absent on city business:	[1]	Rawlings

The city secretary declared the motion failed.

Councilmember Hill moved to remand the item to the appropriate city council committee and return the item for consideration at the February 26, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Caraway.

After discussion, Councilmember Hill amended her motion to remand the item to the Quality of Life and Environment City Council Committee and Public Safety City Council Committee and return the item for consideration at the February 26, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Callahan.

Councilmember Caraway, who seconded the motion, also accepted the amendment.

Later in the meeting, Councilmember Kadane asked Councilmember Hill if she would accept a friendly amendment to remove the Public Safety City Council Committee from her motion in that, as chair, he did not believe this was the appropriate committee to address the issue.

Councilmember Hill accepted Councilmember Kadane's friendly amendment as part of her amended motion.

Councilmember Callahan, who seconded the amended motion, also accepted the friendly amendment.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0250

Page 3

Mayor Pro Tem Atkins called the vote on Councilmember Hill's amended motion, with the friendly amendment, to remand the item to the Quality of Life and Environment City Council Committee and return the item for consideration at the February 26, 2014 voting agenda meeting of the city council:

Voting Yes:	[8]	Atkins, Medrano, Hill, Caraway, Callahan, Kadane, Greyson, Gates
Voting No:	[6]	Alonzo, Griggs, Davis, Allen, Kleinman, Kingston
Absent on city business:	[1]	Rawlings

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0251

Addendum Addition 10: An ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Alonzo moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted. (Rawlings absent on city business)

Assigned ORDINANCE NO. 29261

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0252

DESIGNATED PUBLIC SUBSIDY MATTERS

City Center and Downtown Connection
TIF Districts

Note: Addendum Item Nos. 11 and 12 must be considered collectively.

Addendum Addition 11: Authorize a lease/development agreement with Arts District Property, Ltd., for TIF Incentives to provide public parking in a private garage to be constructed as a component of the Flora Lofts project in the Arts District, in an amount not to exceed \$2,000,000, from revenues accruing to the Parking Initiative budget line item of the Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Financing: City Center TIF District Funds

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

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

Councilmember Kingston moved to adopt addendum addition agenda items 11-12.

Motion seconded by Councilmember Caraway and Councilmember Davis and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0253

DESIGNATED PUBLIC SUBSIDY MATTERS

City Center and Downtown Connection
TIF Districts

Note: Addendum Item Nos. 11 and 12 must be considered collectively.

Addendum Addition 12: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to provide TIF Incentives in the form of annual lease payments to Arts District Property, Ltd., in an amount not to exceed \$2,000,000 to provide public parking in a private parking garage pursuant to the lease/development agreement with Arts District Property, Ltd. - Financing: No cost consideration to the City

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

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

Councilmember Kingston moved to adopt addendum addition agenda items 11-12.

Motion seconded by Councilmember Caraway and Councilmember Davis and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0254

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Addition 13: Authorize **(1)** preliminary adoption of Substantial Amendment No. 1 to the FY 2013-14 Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME); **(2)** addition of the CDBG Community Based Development Organization (CBDO) program to the FY 2013-14 Action Plan; **(3)** the use of funds for the Community Based Development Organization program and the Housing Development Loan Program; **(4)** the establishment of appropriations in CDBG Community Based Development Organization program and increase appropriations in HOME, Housing Development Loan Program made possible by unanticipated program income; and **(5)** a public hearing to be held on February 26, 2014 to receive comments on Substantial Amendment No. 1 to the FY 2013-14 Action Plan - Total not to exceed \$2,344,142 - Financing: FY13-14 CDBG Program Income #1 (\$1,744,142) and FY13-14 HOME Program Income #1 (\$600,000)

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

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

Councilmember Davis moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Kingston and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 22, 2014

14-0255

Addendum addition 14: Zoning Case Z123-217(WE)

The consent zoning docket, consisting of agenda items 48-56 and addendum addition item 14, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District, an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the south corner of East Corning Avenue and South Lancaster Road.

Recommendation of Staff and CPC: Approval, subject to a development plan and landscape plan for Tract I, Phase I, and a conceptual plan for Tract I, Phase II and Tract II, Phase III and conditions.

Councilmember Caraway requested addendum addition consent zoning item 14 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 zoning agenda item 14 was brought up for consideration.

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

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

- The requirement in Section 51A-7.301 that attached signs within 100 feet of private property in a non-business zoning district or a public park of more than one acre must comply with Division 51A-7.400 does not apply to flat attached signs illuminated with neon in Tract I, Phase 1.
- The prohibition in Section 51A-7.303 on changes of illumination producing an apparent motion of visual image does not apply to flat attached signs illuminated with neon in Tract I, Phase 1.

Motion seconded by Councilmember Kadane and unanimously adopted. (Davis absent when vote taken; Rawlings absent on city business)

Assigned ORDINANCE NO. 29262

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 22, 2014

EXHIBIT C