

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 26, 2014

14-0360

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

PRESENT: [15] Rawlings, Atkins (*9:09 a.m.), Alonzo, Griggs (*1:53 p.m.),
Medrano, Hill, Caraway (*9:18 a.m.), Callahan, Davis (*9:09 a.m.),
Kadane, Allen (*9:12 a.m.), Kleinman (*9:12 a.m.), Greyson, Gates,
Kingston

ABSENT: [0]

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

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

The invocation was given by Randy Thompson, Associate Pastor, Fellowship Bible Church Dallas.

Councilmember Medrano led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered, the city council adjourned at 2:52 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, FEBRUARY 26, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 26, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0361

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: Paul Sokal, 7447 Malabar Ln.
SUBJECT: Photograph of the city (photograph donated to city)

Councilmember Medrano requested to suspend Section 6.3 of the City Council Rules of Procedure to allow all registered speakers to address the city council on the LGBT issue to speak in the morning under the "Begin Open Microphone" category; there was no objection voiced to his request.

SPEAKER: Cece Cox, 2701 Reagan St.
REPRESENTING: Resource Center/LGBT Task Force
SUBJECT: LGBT resolution

SPEAKER: C.D. Kirven, 8712 Woodfell Ct.
REPRESENTING: LGBT City of Dallas Task Force
SUBJECT: LGBT resolution

SPEAKER: Nell Gaither, 2116 Siesta Dr.
REPRESENTING: Dallas LGBT Task Force
SUBJECT: LGBT resolution

SPEAKER: Omar Narvaez, 9309 Lynbrook Dr.
REPRESENTING: LGBT Task Force-City of Dallas
SUBJECT: Equality resolution

SPEAKER: Patti Fink, 324 Easton Rd.
REPRESENTING: LGBT Task Force
SUBJECT: City of Dallas

SPEAKER: Steve Rudner, 6346 Woodland Dr.
SUBJECT: Human rights ordinance

SPEAKER: Stephen Sprinkle, 3141 Mapleleaf Ln.
SUBJECT: LGBT issues

SPEAKER: Jim Mitulski, 3707 Royal Ln.
SUBJECT: Equality resolution

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0361

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OPEN MICROPHONE – END OF MEETING:

SPEAKER: Herb Phelan, 4321 Rawlins St. (handout provided)
REPRESENTING: UT Southwestern
SUBJECT: Description of Pamper Study

SPEAKER: Matthew Kempf, 6915 Windy Ridge Dr.
SUBJECT: Park and Recreation Department

SPEAKER: Dale Smith, 3026 Elm St. (handout provided)
REPRESENTING: Black Contemporary TV
SUBJECT: Bridging gap between north/south

SPEAKER: Alvin Fuller, 3163 North Dallas Ave., Lancaster, TX
SUBJECT: LGBT resolution

SPEAKER: Juan Martin, 1090 S. Charles St., Lewisville, TX
SUBJECT: Constitutional rights/LGBT

SPEAKER: David Williams, Private
SUBJECT: Youth leadership in the city

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

SPEAKER: Richard Sheridan, 11661 Dennis Rd.
REPRESENTING: The Homeless
SUBJECT: The homeless/free speech/FBI

SPEAKER: Roy Williams, 13410 Preston Rd.
REPRESENTING: 40 Acres and a Mule
SUBJECT: 1st amendment/Agenda Item 68

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0361

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

(Continued)

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.

REPRESENTING: Malcolm X Community Council

SUBJECT: Political prisoners/Agenda Item 68

SPEAKER: Deloris Phillips, P.O. Box 530236, Grand Prairie, TX (handout
provided)

REPRESENTING: Human Dignity

SUBJECT: White supremacy “oneness”

SPEAKER: Ruth Henderson, 3430 Galaway Bay Dr., Grand Prairie, TX

SUBJECT: LGBT resolution

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0362

Item 1: Approval of Minutes of the February 12, 2014 City Council Meeting

Councilmember Hill moved to adopt the minutes of the February 12, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0363

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-59 and addendum addition consent agenda items 1-10, was presented for consideration.

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

Councilmember Greyson requested consent agenda item 51 be considered as an individual item later in the meeting; there was no objection voiced to her request.

The city secretary announced the City Attorney's Office requested addendum addition consent agenda item 2 be considered as an individual item to allow consideration of addendum addition agenda item 15 prior to consideration of addendum addition consent agenda item 2; there was no objection voiced to the request.

Councilmember Kadane moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 48, 51 and addendum addition consent agenda item 2.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0364

Item 2: Authorize a service contract for the purchase and installation of library shelving for Highland Hills Branch Library - Southwest Solutions Group through the Texas Multiple Award Schedule - Not to exceed \$87,950 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0365

Item 3: Authorize a three-year professional services contract, with three two-year renewal options, for franchise fee compliance and recovery services - MuniServices, LLC, most advantageous proposer of three - Estimated Total Net Revenue: \$1,262,675

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0366

Item 4: Authorize a two-year master agreement for granulated and liquid fertilizer - Greensmiths, Inc. in the amount of \$158,224, BWI Dallas/Ft. Worth in the amount of \$96,642, Turf Care of Texas in the amount of \$36,980, Helena Chemical Co. in the amount of \$29,909, Winfield Solutions, LLC in the amount of \$28,621, Turfgrass Solutions, Inc. in the amount of \$14,075, Verde Environmental, Inc. in the amount of \$12,150, John Deere Landscapes in the amount of \$9,866 and Justin Seed Co. in the amount of \$490, lowest responsible bidders of nine - Total amount not to exceed \$386,957 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0367

Item 5: Authorize a three-year master agreement for printer toners and cartridges - Hill Country Computer in the amount of \$617,825, Encon Systems, Inc. in the amount of \$492,731, Enhanced Laser Products in the amount of \$37,050, LD Products, Inc. dba 4inkjets.com in the amount of \$1,500 and Printing Supplies USA LLC in the amount of \$750, lowest responsible bidders of ten - Total not to exceed \$1,149,856 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0368

Item 6: Authorize a three-year master agreement for aftermarket automotive and heavy equipment parts - Midway Auto Supply, Inc. in the amount of \$1,914,105, Freedom Dodge in the amount of \$1,689,800, Installer Sales and Service in the amount of \$1,537,392, Uni-Select USA in the amount of \$961,830 and Alterstart Systems, Inc. in the amount of \$2,000, lowest responsible bidders of eight - Total not to exceed \$6,105,127 - Financing: Current Funds (\$5,754,977), Water Utilities Current Funds (\$282,865), Stormwater Drainage Management Current Funds (\$41,750), Confiscated Monies Funds (\$9,500), Aviation Current Funds (\$9,835) and Convention and Event Services Current Funds (\$6,200)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0369

Item 7: Authorize a three-year service contract, with two one-year renewal options, for certificate of insurance and payment and performance bond compliance tracking services - S2000 Corporation dba CertFocus, most advantageous proposer of three - Not to exceed \$740,550 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0370

Item 8: Authorize Supplemental Agreement No. 3 to increase the service contract with Green Planet, Inc. for hazardous and non-hazardous material clean-up and disposal services for City departments to extend the contract term through December 18, 2014 - Not to exceed \$210,555, from \$1,092,221 to \$1,302,776 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0371

Item 9: Authorize a one-year extension of the Master Equipment Lease/Purchase Agreement for the financing of personal property purchases - Banc of America Public Capital Corp, and approving other matters in connection therewith including annual legal fees therewith - Not to exceed \$20,000 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0372

Item 10: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0373

Item 11: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0374

Item 12: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0375

- Item 13: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0376

Item 14: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0377

- Item 15: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0378

- Item 16: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0379

Item 17: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0380

Item 18: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0381

Item 19: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0382

Item 20: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0383

- Item 21: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District) and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property and to the State Comptroller, as required by state law
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0384

Item 22: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0385

Item 23: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0386

Item 24: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0387

Item 25: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0388

Item 26: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0389

Item 27: A resolution accepting the FY 2013 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District), submitted by the Cypress Waters TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0390

Item 28: Authorize the nomination of Ryan, LLC located at 13155 Noel Road to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended, (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0391

Item 29: Authorize the nomination of Tenet Hospitals Limited located at 9440 Poppy Drive to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended, (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0392

Item 30: Authorize the nomination of WWF Operating Company located at 3333 Dan Morton Drive to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended, (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0393

- Item 31: Authorize a public hearing to be held on March 26, 2014, to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 83 located on approximately 87 acres located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 83; **(2)** a 90 percent real property tax abatement for 10-years with Courtland Group, LLC (Courtland) associated with Phase I of a two-building speculative warehouse development consisting of approximately 621,920 square feet located on approximately 87 acres; and **(3)** a 90 percent real property tax abatement for 10-years with Courtland Group, LLC (Courtland) associated with Phase II of the aforementioned two-building speculative warehouse development consisting of approximately 594,880 square feet located on approximately 87 acres - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0394

Item 32: Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2013 through March 31, 2014 - Not to exceed \$30,008, from \$7,183,199 to \$7,213,207 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0395

Item 33: A resolution consenting to proposed changes to the Section 380 Agreement between the City of Irving and Aviall Services, Inc. - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0396

Item 34: Authorize approval of the Fiftieth Supplemental Concurrent Bond Ordinance authorizing one or more services of Dallas/Fort Worth International Airport Joint Revenue Bonds, for lawful purposes; providing the security therefore; providing for the sale, execution and delivery thereof subject to certain parameters - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29274

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0397

Item 35: Authorize a public hearing to be held on March 26, 2014 to receive comments on the proposed FY 2014-15 Operating, Capital, and Grant / Trust budgets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0398

Item 36: Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work which includes existing water line relocations and replacement near Anatole Partners property and at Wycliff Avenue; and the replacement of a damaged existing storm line, retaining wall and repair of a parking lot at the Trinity Strand Trail located between Farrington Street and Oak Lawn Avenue - Not to exceed \$205,679, from \$5,230,254 to \$5,435,933 - Financing: North Central Texas Council of Governments Grant Funds (\$35,951) and Water Utilities Capital Improvement Funds (\$169,728)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0399

Item 37: Authorize **(1)** the application for and acceptance of the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant from the U.S. Department of Justice, Office of Justice Programs as a sub-grantee in the amount of \$180,950 to provide a proactive program to address the problem of human trafficking, for the period October 1, 2013 through September 30, 2015; **(2)** In-Kind contributions in the amount of \$118,560; and **(3)** execution of the grant agreement - Total not to exceed \$299,510 - Financing: U.S. Department of Justice Grant Funds (\$180,950) and In-Kind Contributions (\$118,560) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0400

Item 38: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design of two street reconstruction projects on Beall Street from Dolphin Road to dead end and Mingo Street from Dolphin Road to dead end - Not to exceed \$86,610 - Financing: 2013-14 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0401

Item 39: Authorize **(1)** a professional services contract with Atkins North America, Inc. for construction management services for the Airfield Guidance Signage Wiring and Foundation Project at Dallas Love Field; and **(2)** the use of Aviation Capital Construction Funds as the City's required match - Total not to exceed \$315,500 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$18,769) and Aviation Capital Construction Funds (\$296,731)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0402

Item 40: Authorize an increase in the construction contract with Omega Contracting, Inc. for sidewalk, paving and miscellaneous concrete repairs at various locations throughout the city, and extend the contract term for an additional six-months - Not to exceed \$1,634,000, from \$14,259,312 to \$15,893,312 - Financing: Capital Assessment Funds (\$183,246), General Obligation Commercial Paper Funds (\$122,500), 2012-13 Community Development Block Grant Funds (\$424,254) and Stormwater Drainage Management Capital Construction Funds (\$904,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0403

Item 41: Authorize Supplemental Agreement No. 2 to the professional services contract with Salcedo Group, Inc. for additional engineering services to extend the Rosemont Plaza project limits to include a section of Seventh Street, prepare field notes for four parcels to be acquired for the Rosemont Safe Route to School project on Stevens Forest Drive between Stevens Village and Mary Cliff Road, and create a Greenways map for the Rosemont Elementary School - Not to exceed \$15,000, from \$53,479 to \$68,479 - Financing: Davis Garden TIF District Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0404

Item 42: 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 Distribution, L.L.C., located near the intersection of Bekay Street and Plano Road for the Park District Maintenance Service Center Project - Not to exceed \$8,789, increased from \$1,715,000 (\$1,700,000, plus closing costs and title expenses not to exceed \$15,000) to \$1,723,789 (\$1,708,789, plus closing costs and title expenses not to exceed \$15,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0405

Item 43: Authorize acquisition from Providence Bank, of approximately 786,714 square feet of land located near the intersection of Crouch Road and Patrol Way for the Singing Hills Recreation Center Relocation Project - Not to exceed \$488,000 (\$483,000, plus closing costs and title expenses not to exceed \$5,000) - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0406

Item 44: Authorize a seven-year lease agreement with Brixmor Holdings 12 SPE, LLC for approximately 5,213 square feet of office space located at 655 West Illinois Avenue, Building 700, Suite 721 to be used as a Southwest Building Inspection District office for the period May 1, 2014 through April 30, 2021 - Not to exceed \$610,860 - Financing: Building Inspections Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0407

Item 45: Authorize a ten-year lease extension with Marcer Investments, LLC, for a total of approximately 7,400 square feet of office space located at 6925 Lake June Road for the Women, Infants, and Children Clinic for the period August 1, 2015 through July 31, 2025 - Not to exceed \$1,341,290 (\$1,301,290 rental amount and \$40,000 for lease improvements) - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0408

Item 46: Authorize an amendment to Resolution No. 11-1320, previously approved on May 25, 2011 to authorize acquisition of a smaller tract of land containing approximately 155,114 square feet from White Property Company No. 2, LTD, located near Telephone Road and Dizzy Dean Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0409

Item 47: Authorize an amendment to Resolution No. 11-1321, previously approved on May 25, 2011 to authorize acquisition of a larger tract of land containing approximately 65,838 square feet from White Property Company No. 2, LTD, located near Telephone and Lancaster Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$2,949, increased from \$230,484 (\$225,484, plus closing costs and title expenses not to exceed \$5,000) to \$233,433 (\$230,433, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0410

Item 48: An ordinance granting a revocable license to Cleyera, Inc. for the installation, use and maintenance of a total of approximately 190 square feet of land for a canopy with a sign and landscaping located on portions of Greenville Avenue near its intersection with Goodwin Avenue - Revenue: \$2,000 one-time fee and \$1,000 annually, plus the \$20 ordinance publication fee

Councilmember Kingston requested consent 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 agenda item 48 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

Assigned ORDINANCE NO. 29275

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0411

Item 49: An ordinance granting a private license to 1600 Main Street Holdings, LP for approximately 1,084 square feet of land to install, maintain and use lighted bollards on a portion of Commerce Street located near its intersection with Ervay Street - Revenue: \$7,187 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29276

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0412

Item 50: An ordinance amending Ordinance No. 28922, which abandoned a portion of an alley, located near the intersection of Hampton and Mountain Lake Roads, to Kojo Plaza, L.L.C., to extend the final replat and dedication requirement from one year to 18 months - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29277

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0413

Item 51: Authorize a professional services contract with Huitt-Zollars, Inc. for engineering design services associated with the Trinity Parkway Borrow Area/Phase I Lakes Project - Not to exceed \$737,000 - Financing: Stormwater Drainage Management Capital Construction Funds (\$147,000) and 1998 Bond Funds (\$590,000)

Councilmember Greyson requested consent agenda item 51 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 51 was brought up for consideration.

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill.

Councilmember Kingston moved a substitute motion to deny the item.

Motion seconded by Councilmember Greyson.

Mayor Rawlings called the vote on Councilmember Kingston's substitute motion to deny the item.

By voice vote, with the majority being opposed, Mayor Rawlings declared the substitute motion failed.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' original motion to adopt the item.

By voice vote, with the majority being in favor, Mayor Rawlings declared the motion adopted with Councilmember Greyson and Councilmember Kingston voting "No." (Griggs absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0414

Item 52: Authorize **(1)** the acceptance of a private donation from the Trinity Trust Foundation in the amount of \$105,000; **(2)** the establishment of appropriations in the amount of \$105,000 in the Trinity Trust Phase I Lakes Amenities Fund; and **(3)** a professional services contract with Wallace Roberts & Todd, LLC for review of the proposed phasing plans for consistency with the original Balanced Vision Plan, visioning, renderings and basic cost estimates for donor packages - Not to exceed \$105,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0415

Item 53: Authorize a professional services contract with Espey Consultants, Inc., dba RPS Espey to evaluate alternatives and provide designs for the **(1)** renewal of Wastewater Interceptor Mains impacted by Texas Department of Transportation's Downtown Horseshoe project; and **(2)** renewal of deteriorated water and wastewater mains at various locations - Not to exceed \$2,610,166 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0416

Item 54: Authorize a contract for the installation of water and wastewater mains at 24 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of five - Not to exceed \$6,811,853 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0417

**2014 Water Conservation Plan/ Drought
Contingency Plan**

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

Item 55: Authorize adoption of the 2014 Water Conservation Plan for the City of
Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0418

**2014 Water Conservation Plan/ Drought
Contingency Plan**

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

Item 56: Authorize adoption of the 2014 Drought Contingency Plan for the City of
Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0419

Item 57: Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for the construction of water and wastewater main relocations and appurtenance adjustments in Harry Hines Boulevard (LP 354) from Manana Drive to Royal Lane - Not to exceed \$157,000 - Financing: Water Utilities Capital Construction Funds (\$26,403) and Water Utilities Capital Improvement Funds (\$130,597)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0420

Item 58: Authorize an amendment to Resolution No. 12-2278 to change the scope of the contract with Archer Western Construction, LLC for **(1)** additional and deductive work associated with the rehabilitation of the Carrollton, California Crossing, and Frasier Dams; and **(2)** authorize payment for emergency repairs to the shoreline at White Rock Lake near Mockingbird Lane - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0421

Item 59: Authorize Supplemental Agreement No. 2 to the professional services contract with Westin Engineering, Inc. for additional services required for the completion of the Supervisory Control and Data Acquisition project at Dallas Water Utilities' White Rock Operations Control Center - Not to exceed \$218,400, from \$1,070,767 to \$1,289,167 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0422

Item 60: 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 FEBRUARY 26, 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.

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

Councilmember Greyson moved the re-appointment of Mr. Streetman, along with the following individuals for the full 2013–2015 board term:

- Mari Hidalgo, Volunteer Involvement in Visual/Performing Arts, and Terrance L. Perkins, Experience in Urban Planning, to the Cultural Affairs Commission; Robert F. Agnich to the Board of Adjustment Alternate Members; Kelli Thomas-Drake, Experience in Historic Preservation, to the Landmark Commission; Cristine Baril, Dallas County Resident, to the Reinvestment Zone Three Board (Oak Cliff Gateway); Douglas Lattner, Dallas County Resident, to the Reinvestment Zone Nine Board (Vickery Meadow); Martina C. Alvarado and Marlene A Cohen, 55+ years of age, to the Senior Affairs Commission; Gerald S. Sutton, Experience in Underwriting/Business Development, to the South Dallas/Fair Park Trust Fund Board; and
- nominees to “individual appointment” positions.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0422

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

14-5450	ARC	AUTOMATED RED LIGHT ENFORCEMENT COMMISSION
14-5451	BOX	BOARD OF ADJUSTMENT ALTERNATE MEMBERS
14-5452	CAC	CULTURAL AFFAIRS COMMISSION
14-5453	CDC	COMMUNITY DEVELOPMENT COMMISSION
14-5454	CPC	CITY PLAN AND ZONING COMMISSION
14-5455	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
14-5456	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
14-5457	JNC	JUDICIAL NOMINATING COMMISSION
14-5458	LMC	LANDMARK COMMISSION
14-5459	MLB	MUNICIPAL LIBRARY BOARD
14-5460	RZ03	REINVESTMENT ZONE THREE BOARD (OAK CLIFF GATEWAY)
14-5461	RZ09	REINVESTMENT ZONE NINE BOARD (VICKERY MEADOW)
14-5462	SAC	SENIOR AFFAIRS COMMISSION
14-5463	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0423

Item 61: Authorize **(1)** an amendment to the 2013-14 Fair Housing Assistance Program (FHAP) grant from the U.S. Department of Housing and Urban Development (HUD) to increase the grant for expansion of education and outreach to underrepresented and underserved communities within the City of Dallas; and **(2)** execution of the amended grant agreement - Not to exceed \$40,000, from \$356,889 to \$396,889 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Funds

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0424

Item 62: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the County of Dallas, of an unimproved tract of land containing approximately 9,517 square feet located on South Riverfront Boulevard near its intersection with Old Zang Road for the Able Pump Station Project - Not to exceed \$5,707 (\$3,807 plus closing costs and title expenses not to exceed \$1,900) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 62-67 and addendum addition agenda item 11 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 62-67 and addendum addition agenda item 11, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 62 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 the *County of Dallas*, a tract of land containing approximately 9,517 square feet, located on South Riverfront Boulevard near its intersection with Old Zang Road in City of Dallas Block 2/416, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for the construction of the Able Pump Station.

Councilmember Davis moved to adopt agenda items 62-67 and addendum addition agenda item 11.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt agenda items 62-67 and addendum addition agenda item 11:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [1] Callahan

Absent when vote taken: [1] Griggs*

The city secretary declared the item adopted.

*Note: At the beginning of the meeting, Mayor Rawlings announced Councilmember Griggs would not be attending the meeting due to personal reasons. At the time the vote was taken on agenda items 62-67 and addendum addition agenda item 11, Councilmember Griggs was reflected on the record to be "absent." However, Councilmember Griggs did attend the meeting later in the afternoon and the City Secretary announced the record would be changed to reflect Councilmember Griggs was simply absent when the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0425

Item 63: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Greyhound Lines, Inc., of two tracts of improved land containing a total of approximately 4,526 square feet located on Continental Avenue at its intersection with Dragon Street for the reconstruction of Continental Avenue - Not to exceed \$181,782 (\$177,282 plus closing costs and title expenses not to exceed \$4,500) - Financing: General Obligation Commercial Paper Funds

Mayor Rawlings announced the city secretary would read agenda items 62-67 and addendum addition agenda item 11 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 62-67 and addendum addition agenda item 11, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 63 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 *Greyhound Lines, Inc.*, two tracts of improved land containing a total of approximately 4,526 square feet, located on Continental Avenue at its intersection with Dragon Street in 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.

Councilmember Davis moved to adopt agenda items 62-67 and addendum addition agenda item 11.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt agenda items 62-67 and addendum addition agenda item 11:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [1] Callahan

Absent when vote taken: [1] Griggs*

The city secretary declared the item adopted.

*Note: At the beginning of the meeting, Mayor Rawlings announced Councilmember Griggs would not be attending the meeting due to personal reasons. At the time the vote was taken on agenda items 62-67 and addendum addition agenda item 11, Councilmember Griggs was reflected on the record to be "absent." However, Councilmember Griggs did attend the meeting later in the afternoon and the City Secretary announced the record would be changed to reflect Councilmember Griggs was simply absent when the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0426

Item 64: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Prescott Interests, Ltd., of an unimproved tract of land containing approximately 15,352 square feet located on Beckley Avenue at its intersection with Interstate Highway 30 for the IH-30 Bike and Pedestrian Facility Improvements - Not to exceed \$288,012 (\$284,012 plus closing costs and title expenses not to exceed \$4,000) - Financing: General Obligation Commercial Paper Funds

Mayor Rawlings announced the city secretary would read agenda items 62-67 and addendum addition agenda item 11 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 62-67 and addendum addition agenda item 11, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 64 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Prescott Interests, Ltd.*, a tract of land containing approximately 15,352 square feet, located on Beckley Avenue at its intersection with Interstate Highway 30 in City of Dallas Block 3406, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for IH-30 Bicycle and Pedestrian Facility Improvements.

Councilmember Davis moved to adopt agenda items 62-67 and addendum addition agenda item 11.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt agenda items 62-67 and addendum addition agenda item 11:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [1] Callahan

Absent when vote taken: [1] Griggs*

The city secretary declared the item adopted.

*Note: At the beginning of the meeting, Mayor Rawlings announced Councilmember Griggs would not be attending the meeting due to personal reasons. At the time the vote was taken on agenda items 62-67 and addendum addition agenda item 11, Councilmember Griggs was reflected on the record to be "absent." However, Councilmember Griggs did attend the meeting later in the afternoon and the City Secretary announced the record would be changed to reflect Councilmember Griggs was simply absent when the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0427

Item 65: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Chan Ha and Van Phouc Pham, of an unimproved tract of land containing approximately 11,237 square feet located on Junius Street near its intersection with North Carroll Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$99,800 (\$96,900 plus closing costs and title expenses not to exceed \$2,900) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 62-67 and addendum addition agenda item 11 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 62-67 and addendum addition agenda item 11, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 65 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Chan Ha and Van Phouc Pham*, a tract of land containing approximately 11,237 square feet, located on Junius Street near its intersection with North Carroll Avenue in City of Dallas Block 793, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for drainage improvements required for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Davis moved to adopt agenda items 62-67 and addendum addition agenda item 11.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt agenda items 62-67 and addendum addition agenda item 11:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [1] Callahan

Absent when vote taken: [1] Griggs*

The city secretary declared the item adopted.

*Note: At the beginning of the meeting, Mayor Rawlings announced Councilmember Griggs would not be attending the meeting due to personal reasons. At the time the vote was taken on agenda items 62-67 and addendum addition agenda item 11, Councilmember Griggs was reflected on the record to be "absent." However, Councilmember Griggs did attend the meeting later in the afternoon and the City Secretary announced the record would be changed to reflect Councilmember Griggs was simply absent when the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0428

Item 66: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Judy Ann Burroughs, of an unimproved tract of land containing approximately 19,623 square feet located on McKenzie Street at its intersection with Herndon Street, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$57,840 (\$55,340 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 62-67 and addendum addition agenda item 11 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 62-67 and addendum addition agenda item 11, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 66 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Judy Ann Burroughs*, a tract of land containing approximately 19,623 square feet, located on McKenzie Street at its intersection with Herndon Street in City of Dallas Block 1437, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for drainage improvements required for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Davis moved to adopt agenda items 62-67 and addendum addition agenda item 11.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt agenda items 62-67 and addendum addition agenda item 11:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [1] Callahan

Absent when vote taken: [1] Griggs*

The city secretary declared the item adopted.

*Note: At the beginning of the meeting, Mayor Rawlings announced Councilmember Griggs would not be attending the meeting due to personal reasons. At the time the vote was taken on agenda items 62-67 and addendum addition agenda item 11, Councilmember Griggs was reflected on the record to be "absent." However, Councilmember Griggs did attend the meeting later in the afternoon and the City Secretary announced the record would be changed to reflect Councilmember Griggs was simply absent when the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0429

Item 67: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Time Traders, Inc., of an unimproved tract of land containing approximately 4,520 square feet located on McKenzie Street near its intersection with Herndon Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$15,250 (\$12,750 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 62-67 and addendum addition agenda item 11 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 62-67 and addendum addition agenda item 11, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 67 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Time Traders, Inc.*, a tract of land containing approximately 4,520 square feet, located on McKenzie Street near its intersection with Herndon Street in City of Dallas Block 1437, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for drainage improvements required for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Davis moved to adopt agenda items 62-67 and addendum addition agenda item 11.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt agenda items 62-67 and addendum addition agenda item 11:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [1] Callahan

Absent when vote taken: [1] Griggs*

The city secretary declared the item adopted.

*Note: At the beginning of the meeting, Mayor Rawlings announced Councilmember Griggs would not be attending the meeting due to personal reasons. At the time the vote was taken on agenda items 62-67 and addendum addition agenda item 11, Councilmember Griggs was reflected on the record to be "absent." However, Councilmember Griggs did attend the meeting later in the afternoon and the City Secretary announced the record would be changed to reflect Councilmember Griggs was simply absent when the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0430

Item 68: 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

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Kleinman.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt the item.

Voting Yes: [9] Rawlings, Atkins, Medrano, Hill, Caraway,
Kadane, Kleinman, Greyson, Gates

Voting No: [5] Alonzo, Medrano, Davis, Allen, Kingston

Absent when vote taken: [1] Griggs

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0431

Item 69: A resolution authorizing: **(1)** the execution and 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; and **(2)** the execution and delivery to Dallas Area Rapid Transit of documents evidencing ownership of the new bridge to be constructed on said land - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0432

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

Agenda item 74 was removed from the consent zoning docket to be considered as an individual hearing.

Agenda item 70: Zoning Case Z123-320(RB)

~~Agenda item 71: Zoning Case Z123-353(MW)~~ **[considered individually later in the meeting]**

Agenda item 72: Zoning Case Z123-372(MW)

Agenda item 73: Zoning Case Z134-103(MW)

~~Agenda item 74: Zoning Case Z134-114(MW)~~ **[considered individually]**

Agenda item 75: Zoning Case Z134-132(MW)

Agenda item 76: Zoning Case Z134-136(WE)

Agenda item 77: Zoning Case Z123-137(WE)

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

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

Vincent Parker, 1101 Reverend C.B.T. Smith St., representing Golden Seeds Foundation, opposition to consent zoning agenda item 72

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

The following individual addressed the city council:

Marvin Crenshaw, 5134 Malcolm X Blvd., consent zoning agenda item 70

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

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Hill moved a substitute motion to pull consent zoning agenda item 72 from the consent zoning docket, continue the public hearing and hold the item under advisement until the April 9, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Kleinman.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0432

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After discussion, Mayor Rawlings clarified Councilmember Hill's substitute motion was to adopt the consent zoning docket, close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases, pass the ordinances (excluding consent zoning agenda item 74), and continue the public hearing on consent zoning agenda item 72 and hold the item under advisement until the April 9, 2014 voting agenda meeting of the city council.

Councilmember Hill accepted the clarification on her motion.

Councilmember Kleinman, who seconded the motion, also accepted the clarification.

At Councilmember Hill's request, the following individual addressed the city council regarding consent zoning agenda item 72:

Peter Kavanagh, 1620 Handley, representing the applicant

After further discussion, Councilmember Hill amended her substitute motion specific to consent zoning agenda item 72 to continue the public hearing and hold the item under advisement until the March 5, 2014 briefing meeting of the city council.

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

Mayor Rawlings called the vote on Councilmember Hill's amended substitute motion.

Mayor Rawlings declared the motion adopted on a divided vote with Deputy Mayor Pro Tem Alonzo, Councilmember Medrano, Councilmember Kadane and Councilmember Kingston voting "No." (Griggs, Caraway absent when vote taken)

Later in the meeting, Councilmember Callahan moved to reconsider the consent zoning docket as well as allow consent agenda item 71 be considered as an individual item.

Motion seconded by Councilmember Caraway.

Councilmember Kingston stated Councilmember Griggs was on his way to the meeting and requested consent zoning agenda item 72 also be considered as an individual item and be held until he arrived at the meeting.

Mayor Rawlings stated the request would be held to later in the meeting and called the vote on Councilmember Callahan's motion to reconsider the consent zoning docket as well as providing for consent zoning agenda item 71 to be considered individually.

The motion was unanimously adopted. (Griggs, Greyson absent when vote taken)

Discussion and consideration of other agenda items continued to allow for the arrival of Councilmember Griggs.

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Later in the meeting, Councilmember Griggs arrived at the meeting and Mayor Rawlings presented the consent zoning docket for consideration, which does not include consent zoning agenda items 71 and 74.

Councilmember Hill moved to continue the public hearing on consent zoning agenda item 72 and hold the item under advisement until the March 5, 2014 briefing meeting of the city council.

Motion seconded by Councilmember Kleinman.

Mayor Rawlings clarified Councilmember Hill's motion was to adopt the consent zoning docket, close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases, pass the ordinances (excluding consent zoning agenda items 71 and 74 which were considered as individual items earlier in the meeting), and for consent zoning agenda item 72 to be held under advisement until the March 5, 2014 briefing meeting of the city council.

Councilmember Hill accepted the clarification on her motion.

Councilmember Kleinman, who seconded the motion, also accepted the clarification.

Councilmember Griggs moved a substitute motion to close the public hearing on consent zoning agenda item 72, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Kingston.

Mayor Rawlings requested a record vote.

Mayor Rawlings called the vote on Councilmember Griggs' substitute motion.

Voting Yes: [12] Rawlings, Alonzo, Griggs, Medrano,
Caraway, Callahan, Davis, Kadane, Allen,
Greyson, Gates, Kingston

Voting No: [2] Hill, Kleinman

Absent when vote taken: [1] Atkins

The city secretary declared the consent zoning docket adopted.

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Mayor Rawlings clarified Councilmember Griggs substitute motion was to adopt the consent zoning docket, close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases, pass the ordinances (excluding consent zoning agenda item 71 and 74 which were considered as individual items earlier in the meeting).

Councilmember Griggs accepted the clarification on his motion.

Councilmember Kingston, who seconded the motion, also accepted the clarification.

There was no objection voiced to Mayor Rawlings' clarification by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0433

Item 70: Zoning Case Z123-320(RB)

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned an R-7.5(A) Single Family District on the southwest line of Hibiscus Drive, south of Ferguson Road.

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

The following individual addressed the city council regarding the item:

Marvin Crenshaw, 5134 Malcolm X Blvd.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29278

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0434

Item 71: Zoning Case Z123-353(MW)

The consent zoning docket, consisting of agenda items 70-77, 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. 1916 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 northeast corner of Lake June Road and North Jim Miller Road.

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

Adopted as part of the consent zoning docket.

Later in the meeting, Councilmember Callahan moved to reconsider the consent zoning docket as well as allow consent zoning agenda item 71 to be considered as an individual item.

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

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 and unanimously adopted. (Griggs absent when vote taken)

Assigned ORDINANCE NO. 29279

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0435

Item 72: Zoning Case Z123-372(MW)

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict in Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District on the northeast corner of Comal Street and East Jefferson Boulevard.

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

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

Vincent Parker, 1101 Reverend CBT Smith St., representing Golden Seeds Foundation

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

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

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Hill moved a substitute motion to pull consent zoning agenda item 72 from the consent zoning docket, continue the public hearing and hold the item under advisement until the April 9, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Kleinman.

After discussion, Mayor Rawlings clarified Councilmember Hill's substitute motion was to adopt the consent zoning docket, close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases, pass the ordinances (excluding consent zoning agenda item 74), and continue the public hearing on consent zoning agenda item 72 and hold the item under advisement until the April 9, 2014 voting agenda meeting of the city council.

Councilmember Hill accepted the clarification on her motion.

Councilmember Kleinman, who seconded the motion, also accepted the clarification.

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At Councilmember Hill's request, the following individual addressed the city council regarding consent zoning agenda item 72:

Peter Kavanagh, 1620 Handley, representing the applicant

After further discussion, Councilmember Hill amended her substitute motion specific to consent zoning agenda item 72 to continue the public hearing and hold the item under advisement until the March 5, 2014 briefing meeting of the city council.

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

Mayor Rawlings called the vote on Councilmember Hill's amended substitute motion.

Mayor Rawlings declared the motion adopted on a divided vote with Deputy Mayor Pro Tem Alonzo, Councilmember Medrano, Councilmember Kadane and Councilmember Kingston voting "No." (Griggs, Caraway absent when vote taken)

Held under advisement until the March 5, 2014 briefing meeting of the city council.

Later in the meeting, Councilmember Callahan moved to reconsider the consent zoning docket as well as allow consent agenda item 71 be considered as an individual item.

Motion seconded by Councilmember Caraway.

Councilmember Kingston stated Councilmember Griggs was on his way to the meeting and requested consent zoning agenda item 72 also be considered as an individual item and be held until he arrived at the meeting.

Mayor Rawlings stated the request would be held to later in the meeting and called the vote on Councilmember Callahan's motion to reconsider the consent zoning docket as well as providing for consent zoning agenda item 71 to be considered individually.

The motion was unanimously adopted. (Griggs, Greyson absent when vote taken)

Discussion and consideration of other agenda items continued to allow for the arrival of Councilmember Griggs.

Later in the meeting, Councilmember Griggs arrived at the meeting and Mayor Rawlings presented the consent zoning docket for consideration, which does not include consent zoning agenda items 71 and 74.

Councilmember Hill moved to continue the public hearing on consent zoning agenda item 72 and hold the item under advisement until the March 5, 2014 briefing meeting of the city council.

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Motion seconded by Councilmember Kleinman.

Mayor Rawlings clarified Councilmember Hill's motion was to adopt the consent zoning docket, close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases, pass the ordinances (excluding consent zoning agenda items 71 and 74 which were considered as individual items earlier in the meeting), and for consent zoning agenda item 72 to be held under advisement until the March 5, 2014 briefing meeting of the city council.

Councilmember Hill accepted the clarification on her motion.

Councilmember Kleinman, who seconded the motion, also accepted the clarification.

Councilmember Griggs moved a substitute motion to close the public hearing on consent zoning agenda item 72, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Kingston.

Mayor Rawlings requested a record vote.

Mayor Rawlings called the vote on Councilmember Griggs' substitute motion.

Voting Yes: [12] Rawlings, Alonzo, Griggs, Medrano,
Caraway, Callahan, Davis, Kadane, Allen,
Greyson, Gates, Kingston

Voting No: [2] Hill, Kleinman

Absent when vote taken: [1] Atkins

The city secretary declared the consent zoning docket adopted.

Mayor Rawlings clarified Councilmember Griggs substitute motion was to adopt the consent zoning docket, close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases, pass the ordinances (excluding consent zoning agenda item 71 and 74 which were considered as individual items earlier in the meeting).

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Councilmember Griggs accepted the clarification on his motion.

Councilmember Kingston, who seconded the motion, also accepted the clarification.

There was no objection voiced to Mayor Rawlings' clarification by the city council.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29280

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0436

Item 73: Zoning Case Z134-103(MW)

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict in Planned Development District No. 466, the Hall Street Special Purpose District on the east side of North Central Expressway, north of Cochran Street.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29281

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0437

Item 74: Zoning Case Z134-114(MW)

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1711 for a vehicle or engine repair or maintenance use and add an outside salvage or reclamation use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the east side of C.F. Hawn Freeway, south of Lake June Road.

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

Councilmember Callahan requested consent zoning agenda item 74 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 74 was brought up for consideration.

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

Marvin Crenshaw, 5134 Malcolm X Blvd.

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

Councilmember Callahan moved to continue the public hearing and hold the item under advisement until the March 26, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0438

Item 75: Zoning Case Z134-132(MW)

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the site plan for Specific Use Permit No. 1868 for a government installation other than listed limited to a youth residential facility and treatment and rehabilitation center on property zoned an IM Industrial Manufacturing District on the northwest corner of Lombardy Lane and Denton Drive.

Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29282

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0439

Item 76: Zoning Case Z134-136(WE)

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 581 to revise the development plan for a public school on the north corner of Chiswell Road and Bellewood Drive.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29283

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0440

Item 77: Zoning Case Z134-137(WE)

The consent zoning docket, consisting of agenda items 70-77, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 523 to revise the development plan for a public school on the northeast corner of Estate Lane and Ferndale Road.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29284

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0441

Item 78: Zoning Case Z123-253(VM) - INDIVIDUAL

A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned a CH Cluster Housing District with consideration given to a CS Commercial Service District on the south side of Ronnie Drive between Bannister Street and Dickerson Street; the southeast quadrant of Ronnie Drive and Dickerson Street; the northwest corner of Dickerson Street and Newt Drive; the west side of Dickerson Street, north of Newt Drive; and the north side of Newt Drive, east of Dickerson Street and an ordinance granting the amendment.

Recommendation of Staff: Approval

Recommendation of CPC: Approval, except no change on 7771 Newt, Lots 7 and 8B in City Block 5.

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

Marvin Crenshaw, 5134 Malcolm X Blvd.

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

Councilmember Greyson moved to close the public hearing, accept the recommendation of the staff and pass the ordinance.

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

Assigned ORDINANCE NO. 29285

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0442

Item 79: Zoning Case Z123-325(WE) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street.

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

Prior to the item being read into the record, Councilmember Davis moved to continue the public hearing and 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 Mayor Pro Tem Atkins and unanimously adopted. (Griggs absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0443

Item 80: Zoning Case Z134-126(JH) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a live music venue and dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north side of Canton Street, east of Henry Street.

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

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

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

Marvin Crenshaw, 5134 Malcolm X Blvd.

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

Audra Buckley, 416 S. Ervay St., representing the applicant
Scott Rohrman, 3720 Marquette

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

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

Assigned ORDINANCE NO. 29286

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0444

Item 81: Zoning Case Z123-208(RB) - UNDER ADVISEMENT - INDIVIDUAL

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.

Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until February 26, 2014, with the public hearing open.

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

Marvin Crenshaw, 5134 Malcolm X Blvd.

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

Parvez Malik, 901 Central Dr., Bedford, TX, 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 Mayor Pro Tem Atkins and unanimously adopted. (Griggs, Kingston absent when vote taken)

Assigned ORDINANCE NO. 29287

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0445

DESIGNATED ZONING CASES - INDIVIDUAL

Item 82: Zoning Case Z123-363(MW)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use and a resolution terminating the deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of East Northwest Parkway and Solta Drive.

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and conditions and approval of the termination of the deed restrictions.

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 Kadane moved to close the public hearing, accept the recommendation of the city plan commission with the ordinance and deed restrictions to return on March 26, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0446

MISCELLANEOUS HEARINGS

Item 83: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Trinity Basin Preparatory School/Oak Cliff Academy required by Section 6-4 of the Dallas City Code to allow a brewer's permit and a manufacturer's permit for a proposed microbrewery, microdistillery, or winery and alcoholic beverage manufacturing [DBA Nobel Rey Brewing Company] on property on the northeast corner of Comal Street and East Jefferson Boulevard - AV134-002 - Financing: No cost consideration to the City.

The city secretary announced the item would require two seconds as it provides for an alcohol variance.

The item was read into the record; and at the request of Mayor Rawlings was held to later in the meeting as it needed to be considered in conjunction with consent zoning agenda item 72. There was no objection voiced to his request.

Later in the meeting, the item was presented for public comment and consideration.

The following individuals addressed the city council regarding the item:

Richard Sheridan, 11661 Dennis Rd.
William Hopkins, 2011 Leath St.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0447

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 84: A public hearing to receive comments on Substantial Amendment No. 1 to the 2013-14 Action Plan for **(1)** 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 the CDBG Community Based Development Organization Program in the amount of \$1,744,142 and increase appropriations in HOME, Housing Development Loan Program in the amount of \$600,000 made possible by unanticipated program income - 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."

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0448

Closed Session

6ES

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

- Legal issues regarding the adoption of a resolution directing the City Manager to address disparate and unequal treatment of lesbian, gay, bisexual and transgender (LGBT) employees, residents, and their families.

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

- Discussion regarding evaluation of the performance of City Secretary Rosa Rios.
- Discussion regarding evaluation of the performance of City Auditor Craig Daniel Kinton.

At 10:31 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.)

- Legal issues regarding the adoption of a resolution directing the City Manager to address disparate and unequal treatment of lesbian, gay, bisexual and transgender (LGBT) employees, residents, and their families.

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

- Discussion regarding evaluation of the performance of City Secretary Rosa Rios.
- Discussion regarding evaluation of the performance of City Auditor Craig Daniel Kinton.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:08 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0449

Addendum Addition 1: Authorize settlement of the lawsuit styled H. Olivia Lord v. Dwayne A. Thompson, Civil Action No. 3:11-CV-3241-M -
Not to exceed \$1,200,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0450

Addendum Addition 2: A resolution authorizing approval of The City of Dallas Housing Finance Corporation (DHFC), as a conduit lender, to provide development funding in the form of a loan with funds provided by FSC Asset Administration, Inc., a sub-entity of First Southwest Company, to Wynnewood Seniors Housing II, L.P. and/or its successors and assigns, (a yet to be formed limited partnership) in an amount not to exceed \$1,750,000 in an attempt to be awarded up to fourteen (14) points under the Commitment of Development Funding from a Local Political Subdivision under Section 11.9 (d) (2) (B,C,D) of the Texas Department of Housing Community Affairs 2014 Qualified Allocation Plan, under specified terms and conditions and providing a firm commitment in this resolution for the Wynnewood Seniors, Phase II (aka High Point Seniors Phase II, which is Phase III of the Parks at Wynnewood Redevelopment) located at 1615 South Zang Boulevard, Dallas, Texas 75224 - Financing: No cost consideration to the City

The city secretary announced the City Attorney's Office requested addendum addition consent agenda item 2 be considered as an individual item to allow consideration of addendum addition agenda item 15 prior to the consideration of addendum addition consent agenda item 2; there was no objection voiced to the request.

Later in the meeting, addendum addition consent agenda item 2 was brought up for consideration after addendum addition agenda item 15 had been considered.

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

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

Note: The city secretary announced for the record the item pertained to District 1 not District 3.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0451

Addendum Addition 3: A resolution authorizing an amendment of the Deed Restrictions placed on 6 unimproved properties sold to City Wide Community Development Corporation (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0452

Addendum Addition 4: Authorize **(1)** the acceptance of the United States Economic Development Administration Grant in the amount of \$1,200,000 from the United States Economic Development Administration (EDA) for infrastructure and improvements to compliment the Briscoe Carpenter Center Project, Fair Park located at 1419 South Washington Street subject to final approval and appropriations by the EDA; **(2)** matching funds in the amount of \$1,186,945; and **(3)** an agreement with the United States Economic Development Administration - Not to exceed \$2,386,945 - Financing: United States Economic Development Administration Grant Funds (\$1,200,000) and General Obligation Commercial Paper Funds (\$1,186,945)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0453

Addendum Addition 5: Authorize an increase in the contract with J.C. Commercial, Inc. for additional work necessary to meet code requirements, replacement of existing plumbing fixtures, plaster repairs, and other repairs at Anita Martinez Recreation Center located at 3212 North Winnetka Avenue - Not to exceed \$106,164, from \$1,064,734 to \$1,170,898 - Financing: 2006 Bond Funds (\$91,959) and 2003 Bond Funds (\$14,205)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0454

Addendum Addition 6: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Carolyn Parker Schum, et al., Cause No. CC-13-05442-D (\$16,757, which was \$2,957 more than what was previously authorized by Council), pending in Dallas County Court at Law No. 4, to acquire approximately 19,714 square feet of land located at 3500 Telephone Road, Dallas, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$2,957, increased from \$16,000 (\$13,800, plus closing costs and title expenses not to exceed \$2,200) to \$18,957 (\$16,757, plus closing costs and title expenses not to exceed \$2,200) - Financing: Water Utilities Capital Improvement Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0455

Addendum Addition 7: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Terrell Country Club, et al., Cause No. 84264CC (\$74,000, which was \$3,589 more than what was previously authorized by Council), pending in Kaufman County Court at Law, to acquire approximately 278,813 square feet of land located at the north corner of CR-245 and Boathouse Drive, Kaufman County, Texas for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project; and (2) settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the award - Not to exceed \$6,589, increased from \$70,411 to \$77,000 (which includes \$3,000 in closing costs and title expenses not included in the original offer) (\$74,000, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0456

Addendum Addition 8: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Main Capital Partners, L.P., et al., Cause No. CC-13-00525-A (\$30,000, which was \$21,800 more than what was previously authorized by Council), pending in Dallas County Court at Law No. 1, to acquire approximately 401,480 square feet of land located at the west side of Lawson Road, approximately 1,500 feet south of US-80, Sunnyvale, Dallas County, Texas for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the award - Not to exceed \$21,800, increased from \$11,000 to \$32,800 (\$30,000, plus closing costs and title expenses not to exceed \$2,800) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0457

Addendum Addition 9: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. John Derek Gibson, et al., Cause No. 84257CC (\$305,000, which was \$37,740 more than what was previously authorized by Council), pending in Kaufman County Court at Law, to acquire approximately 69,956 square feet of land located at the south corner of FM-740 and FM-460, Kaufman County, Texas for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project; and (2) settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$41,240, increased from \$267,260 to \$308,500 (which includes \$3,500 in closing costs and title expenses not included in the original offer) (\$305,000, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0458

Addendum Addition 10: A resolution authorizing the conveyance of an easement and right-of-way containing approximately 20,881 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Pemberton Hill Road near its intersection with Jeane Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0459

Addendum Addition 11: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from BNSF Railway Company, of a drainage easement containing approximately 3,000 square feet and a temporary working space easement containing approximately 61,812 square feet located near the intersection of Morrell Avenue and Sargent Road for the Trinity River Corridor Project - Upper Chain of Wetlands - Not to exceed \$5,445 (\$3,545 plus closing costs and title expenses not to exceed \$1,900) - Financing: 1998 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 62-67 and addendum addition agenda item 11 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 62-67 and addendum addition agenda item 11, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 11 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 *BNSF Railway Company*, a drainage easement containing approximately 3,000 square feet and a temporary working space easement containing approximately 61,812 square feet, located near the intersection of Morrell Avenue and Sargent Road in City of Dallas Blocks 7718 and 7719, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for the Trinity River Corridor Project - Upper Chain of Wetlands.

Councilmember Davis moved to adopt agenda items 62-67 and addendum addition agenda item 11.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Davis' motion to adopt agenda items 62-67 and addendum addition agenda item 11:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [1] Callahan

Absent when vote taken: [1] Griggs*

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0459

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The city secretary declared the items adopted.

*Note: At the beginning of the meeting, Mayor Rawlings announced Councilmember Griggs would not be attending the meeting due to personal reasons. At the time the vote was taken on agenda items 62-67 and addendum addition agenda item 11, Councilmember Griggs was reflected on the record to be “absent.” However, Councilmember Griggs did attend the meeting later in the afternoon and the City Secretary announced the record would be changed to reflect Councilmember Griggs was simply absent when the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0460

Addendum Addition 12: Authorize the acceptance of a dedication from Prestonwood Golf Club, LLC, of a wastewater easement along White Rock Creek within Prestonwood Golf Club's The Creek Course in Dallas valued at \$772,000, based on an independent appraisal, in settlement of a disputed, unfiled claim for water usage - Not to exceed \$6,000 (closing costs and title expenses) - Financing: Water Utilities Capital Improvement Funds

At the request of the presiding officer, addendum addition agenda items 12-13 were simultaneously read into the record by the city secretary to allow consideration of the items under one motion; there was no objection voiced to the request.

Councilmember Kleinman moved to adopt addendum addition agenda items 12-13 with the following change:

- Authorize acceptance of the dedication of wastewater easement and award of the Untreated Water Purchase Contract to Prestonwood Golf Club, LLC, subject to the acceptance of \$50,000 in addition to the dedication of the wastewater easement to settle the unfiled claim for unpaid water diversion and replace the resolution for addendum addition agenda item 12 to reflect the in-kind and monetary dedication by Prestonwood Golf Club, LLC.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the vote on Councilmember Kleinman's motion.

Mayor Rawlings declared the motion adopted on a divided vote with Councilmember Davis and Councilmember Kingston voting "No." (Griggs absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0461

Addendum Addition 13: Authorize a five-year contract, with two five-year renewal options, with the Prestonwood Golf Club, LLC to provide untreated water for the Prestonwood Golf Club's The Hills Golf Course located in Plano, Texas, for the period February 12, 2014 through February 11, 2019 - Estimated Annual Revenue: \$46,013

At the request of the presiding officer, addendum addition agenda items 12-13 were simultaneously read into the record by the city secretary to allow consideration of the items under one motion; there was no objection voiced to the request.

Councilmember Kleinman moved to adopt addendum addition agenda items 12-13 with the following change:

- Authorize acceptance of the dedication of wastewater easement and award of the Untreated Water Purchase Contract to Prestonwood Golf Club, LLC, subject to the acceptance of \$50,000 in addition to the dedication of the wastewater easement to settle the unfiled claim for unpaid water diversion and replace the resolution for addendum addition agenda item 12 to reflect the in-kind and monetary dedication by Prestonwood Golf Club, LLC.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the vote on Councilmember Kleinman's motion.

Mayor Rawlings declared the motion adopted on a divided vote with Councilmember Davis and Councilmember Kingston voting "No." (Griggs absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0462

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Item 14: A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2014 9% Low Income Housing tax Credits for Serenity Place Apartments, a 45-unit multifamily project, located at 3124 South Denley Drive, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize **(1)** a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) application and allocation for Serenity Place Apartments located at 3124 South Denley Drive for the acquisition and new construction of the proposed 45-unit multifamily residential supportive housing development for low income families; **(2)** a loan in the amount of \$1,000,000 to City Wide Community Development Corporation (CWCDC), or the applicant for LIHTC (Applicant) for the construction of Serenity Place Apartments, conditioned upon 2014 9% LIHTC award; **(3)** a grant in the amount of \$959,913 to CWCDC, or Applicant for the construction of Serenity Place Apartments, conditioned upon 2014 9% LIHTC award; and **(4)** a predevelopment grant in the amount of \$38,000 to CWCDC for costs associated with the TDHCA 9% application not conditioned upon 2014 9% LIHTC award - Not to exceed \$1,997,913 - Financing: FY13-14 CDBG Program Income #1 (\$1,744,142); 2012-13 Community Development Block Grant Funds (\$215,771) and General Obligation Commercial Paper Funds (\$38,000)

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."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0462

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The city secretary stated a revised resolution was distributed prior to the meeting.

The city attorney's office clarified there was no revision to this item.

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 26, 2014

14-0463

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Item 15: A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2014 9% Low Income Housing Tax Credits for Wynnewood Senior Housing II, LP a 140-unit multifamily senior project, located at 1805 South Zang Boulevard, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize (1) a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) application and allocation for Wynnewood Senior Housing II, LP located at 1805 South Zang Boulevard for the construction of the proposed 140-unit multifamily residential development for low income seniors; and (2) an amendment to the terms of a housing redevelopment loan provided for The Parks at Wynnewood located at 1910 Argentia Drive to forgive \$425,000 of the current balance of the loan conditioned on the award of 2014 9% Low Income Housing Tax Credit - Financing: No cost consideration to the City

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

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

No one addressed the city council regarding the item.

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 26, 2014

EXHIBIT C