

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

14-0490

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

PRESENT: [14] Rawlings, Atkins, Alonzo, Griggs (\*9:08 a.m.), Medrano, Caraway, Callahan (\*9:07 a.m.), Davis (\*9:14 a.m.), Kadane, Allen, Kleinman, Greyson, Gates, Kingston

ABSENT: [1] Hill

The meeting was called to order at 9:02 a.m.

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

The invocation was given by Caleb Crutchfield, Associate Pastor – Connecting & Community, Fellowship Bible Church Dallas.

Councilmember Gates led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 5:00 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, MARCH 26, 2014

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0491

SPECIAL PRESENTATIONS

At the beginning of each briefing meeting of the city council a time is set aside for the mayor and city council to recognize special individuals or groups, to read mayoral proclamations, to confer honorary citizenships, and to make special presentations.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0492

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: Charlene Rushing, 133 S. Acres Dr. (handout provided)  
SUBJECT: Civil Rights/Right to remain silent

SPEAKER: Elizabeth Jolly, 10208 Ridge Oak St.  
SUBJECT: Lack of AT&T U-verse in our area

SPEAKER: T.H. Hill, 3014 Puget St.  
SUBJECT: Plastic bags/Crimes/Housing

SPEAKER: Kermit Mitchell, 5659 Marblehead Dr. (handout provided)  
SUBJECT: Omni Dallas Convention Center Hotel

SPEAKER: Jonathan Halsey, 415 E. 9<sup>th</sup> St., Irving, TX  
SUBJECT: American Museum of God

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Ronnie Mestas, 3215 Rutz St.  
SUBJECT: Variance request

SPEAKER: Irish Evette Watson, 3979 Granite Hill Dr.  
SUBJECT: Parking enforcement

SPEAKER: Frank Ward, P.O. Box 130694  
REPRESENTING: The Trinity Reunion  
SUBJECT: There's Simply Just a Better Way

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0493

Item 1: Approval of Minutes of the February 26, 2014 City Council Meeting

Mayor Pro Tem Atkins moved to adopt the minutes of the February 26, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0494

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-31 and addendum addition consent agenda items 1-12, was presented for consideration.

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

Councilmember Kingston requested consent agenda items 4, 6, 20, 21, 30 and addendum addition consent agenda items 1, 6, 9, 10 and 11 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Griggs requested addendum addition consent agenda item 6 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested addendum addition consent agenda items 9, 10 and 11 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Kadane moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 4, 6, 20, 21, 30 and addendum addition consent agenda items 1, 6, 9, 10 and 11.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0495

Item 2: Authorize a three-year service contract for maintenance and parts for hot water boilers at the Southside Wastewater Treatment Plant - Page Boiler, Inc., lowest responsible bidder of two - Not to exceed \$173,888 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0496

Item 3: Authorize a three-year service contract for grounds maintenance service for Library facilities - William C Evans dba W E E Commerce Service in the amount of \$514,050 and Good Earth Corporation in the amount of \$96,390, lowest responsible bidders of four - Total not to exceed \$610,440 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0497

Item 4: Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas - A.C.A. Industries, Inc. dba American Maintenance, most advantageous proposer of six - Not to exceed \$21,253,314 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Councilmember Kingston and Mayor Pro Tem Atkins requested consent agenda item 4 be considered as an individual item later in the meeting; there was no objection voiced to their request.

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

\*Mayor Pro Tem Atkins moved to reject the bid and deny the item.

Motion seconded by Councilmember Kingston.

Mayor Rawlings requested a record vote.

Councilmember Medrano moved a substitute motion to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Alonzo.

Mayor Rawlings called the vote on Councilmember Medrano's substitute motion to adopt the item:

Voting Yes:	[4]	Alonzo, Medrano, Davis, Kadane
Voting No:	[9]	Rawlings, Atkins, Griggs, Callahan, Allen, Kleinman, Greyson, Gates, Kingston
Absent when vote taken:	[1]	Caraway
Absent:	[1]	Hill

The city secretary declared the motion failed.

\*Note: In that the substitute motion by Councilmember Medrano to approve the item failed, the item was subsequently denied and no vote was necessary on Mayor Pro Tem Atkins' motion to reject the bid and deny the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0498

Item 5: Authorize **(1)** an acquisition contract for the purchase and implementation of a citywide data storage system in the amount of \$1,017,559; **(2)** a five-year service contract for maintenance and support for the Citywide data system in the amount of \$427,949; and **(3)** a five-year master agreement for the purchase of additional hardware and software in the amount of \$969,834 - ViON Corporation, most advantageous proposer of five - Total not to exceed \$2,415,342 - Financing: Current Funds (\$1,451,533) and Municipal Lease Agreement Funds (\$963,809) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0499

Item 6: Authorize a three-year master agreement for the purchase of bagged ice - Emergency Ice, Inc., lowest responsible bidder of two - Not to exceed \$343,473 - Financing: Current Funds (\$106,928), Water Utilities Current Funds (\$224,231) and Stormwater Drainage Management Current Funds (\$12,314)

Councilmember Kingston requested consent agenda item 6 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 6 was brought up for consideration.

Councilmember Kingston moved to adopt the item, with the understanding that staff is to explore efficiency in this area.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0500

Item 7: Authorize a three-year master agreement for automotive, truck and heavy equipment batteries - Continental Battery Company, lowest responsible bidder of five - Not to exceed \$1,260,658 - Financing: Current Funds (\$1,155,778), Water Utilities Current Funds (\$61,336), Convention and Event Services Current Funds (\$19,986), Aviation Current Funds (\$11,810) and Stormwater Drainage Management Current Funds (\$11,748 )

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0501

Item 8: Authorize a three-year master agreement for the purchase of anhydrous ammonia - DPC Industries, Inc., lowest responsible bidder of two - Not to exceed \$2,636,220 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0502

Item 9: Authorize a three-year master agreement for the purchase of bulk liquid oxygen - Matheson Tri-Gas, Inc., lowest responsible bidder of two - Not to exceed \$6,515,002 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0503

Item 10: Authorize a three-year contract with the Texas Department of State Health Services for asbestos abatement/demolition notification - Not to exceed \$150,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0504

Item 11: Authorize a three-year agreement with Invenergy Renewable, LLC, most advantageous proposer of nine in the amount of \$1,289,254 for the purchase of renewable energy credits for the calendar years 2014, 2015, and 2016 - Not to exceed \$1,289,254 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0505

Item 12: Authorize **(1)** the acceptance of additional grant funds from the Dallas Housing Finance Corporation (DHFC) for Bexar Street Redevelopment corridor maintenance and operating expenses; and **(2)** an increase in appropriations in the amount of \$8,000, from \$120,000 to \$128,000 for operating expenses - Not to exceed \$8,000 - Financing: Dallas Housing Finance Corporation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0506

Item 13: Authorize a ten-year lease agreement, with one ten-year renewal option, with AT&T and its affiliates, to house electronic equipment for the purpose of serving the Fair Park campus in approximately 675 square feet of building space in the telephone room at the Fair Park Tower Building located at 3809 Grand Avenue - Estimated Revenue: \$100

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0507

Item 14: Authorize Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc. for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course located at 11223 Luna Road - Not to exceed \$20,200, from \$79,925 to \$100,125 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0508

Item 15: Authorize Supplemental Agreement No. 2 to the master agreement for the development and operation of Robert E. Lee Park Hall with the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with further development of the Arlington Hall Master Plan to include construction of a ramp to connect Snyder Union Plaza on the Katy Trail to Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed \$523,000 - Financing: 2006 Bond Funds (\$97,248) and General Obligation Commercial Paper Funds (\$425,752)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0509

Item 16: Authorize a professional services contract with JQ Infrastructure, LLC to provide design services, preparation of construction documents, and construction management services for major maintenance repairs to the Perot Museum of Nature and Science at Fair Park (formerly the Dallas Museum of Natural History) - Not to exceed \$148,320 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0510

Item 17: Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of one bridge repair and three street reconstruction projects (list attached) - Not to exceed \$591,593 - Financing: 2006 Bond Funds (\$47,949), General Obligation Commercial Paper Funds (\$489,003) and Water Utilities Capital Improvement Funds (\$54,641)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0511

Item 18: Authorize a professional services contract with Kimley-Horn and Associates, Inc. best qualified proposer of four, to provide engineering services for the runway, taxiway and apron airfield pavement evaluation project at Dallas Love Field - Not to exceed \$1,270,000 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0512

Item 19: Authorize a three-year professional services contract with Granzow & Associates, Inc. for elevator and escalator inspections and consulting services (list attached) - Total not to exceed \$150,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0513

**Street Reconstruction Group 06-618**

**Note:** Item Nos. 20 and 21  
must be considered collectively

Item 20: Authorize (1) a contract with Texas Standard Construction, Ltd., lowest responsible bidder of four, in the amount of \$12,150,167 for the construction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 06-618 (list attached); (2) the receipt and deposit of funds from Dallas County in an amount not to exceed \$482,214; and (3) an increase in appropriations in the amount of \$482,214 in the Capital Projects Reimbursement Fund - Not to exceed \$12,150,167 - Financing: General Obligation Commercial Paper Funds (\$5,174,591), Capital Projects Reimbursement Funds (\$482,214), Regional Toll Revenue Funds (\$5,575,791), Water Utilities Capital Improvement Funds (\$904,371) and Water Utilities Capital Construction Funds (\$13,200)

Councilmember Kingston requested consent agenda items 20-21 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 20-21 were brought up for consideration.

Councilmember Kingston moved to deny agenda items 20-21.

Motion died due to lack of a second.

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 20-21.

Motion seconded by Councilmember Griggs.

Deputy Mayor Pro Tem Alonzo requested Councilmember Griggs withdraw his second to allow Councilmember Medrano to second the motion.

Councilmember Griggs agreed to Deputy Mayor Pro Tem Alonzo's request and withdrew his second to the motion.

Motion seconded by Councilmember Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0514

**Street Reconstruction Group 06-618**

**Note:** Item Nos. 20 and 21  
must be considered collectively

Item 21: Authorize **(1)** a professional services contract with Kleinfelder Central, Inc. in the amount of \$217,516 to provide construction material testing during the construction of Street Reconstruction Group 06-618; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$13,704; and **(3)** an increase in appropriations in the amount of \$13,704 in the Capital Projects Reimbursement Fund - Not to exceed \$217,516 - Financing: General Obligation Commercial Paper Funds (\$94,184), Capital Projects Reimbursement Funds (\$13,704) and Regional Toll Revenue Funds (\$109,628)

Councilmember Kingston requested consent agenda items 20-21 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 20-21 were brought up for consideration.

Councilmember Kingston moved to deny agenda items 20-21.

Motion died due to lack of a second.

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 20-21.

Motion seconded by Councilmember Griggs.

Deputy Mayor Pro Tem Alonzo requested Councilmember Griggs withdraw his second to allow Councilmember Medrano to second the motion.

Councilmember Griggs agreed to Deputy Mayor Pro Tem Alonzo's request and withdrew his second to the motion.

Motion seconded by Councilmember Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0515

Item 22: Authorize an increase in the construction contract with CORE Construction Services of Texas, Inc. for the addition of folding apparatus bay doors in lieu of rolling sectional doors and modifications to the facility's natural gas piping and meter location for the Fire Station No. 32 replacement facility, located at 4262 North Jim Miller Road - Not to exceed \$110,630, from \$3,856,780 to \$3,967,410 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0516

Item 23: Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2014 - Not to exceed \$49,640, from \$844,720 to \$894,360 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0517

Item 24: Authorize acquisition from A. T. Manahan, Trustee, of four tracts of land containing a total of approximately 76,018 square feet, located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$215,000 (\$211,178, plus closing costs and title expenses not to exceed \$3,822) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0518

Item 25: Authorize moving expense and rental assistance payments for Juan Juarez and Nohemi Maldonado in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 705 Pontiac Avenue for future City facilities - Not to exceed \$11,900 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0519

Item 26: Authorize a ten-year lease agreement with Marcer Investments, LLC for approximately 5,000 square feet of office space located at 828 South Carrier Parkway, Suite 100, Grand Prairie to be used as a Women, Infants and Children Clinic for the period May 1, 2014 through April 30, 2024 - Not to exceed \$970,000 - 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

MARCH 26, 2014

14-0520

Item 27: An ordinance repealing Ordinance No. 28151 granted to FC Continental Complex L.P., which is now assigned to FC Continental Landlord, LLC and correcting the legal description of the license area to accurately depict the location of the two subsurface ventilation shafts within the licensed area on St. Paul Street right-of-way - Revenue: \$1,000 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29288

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0521

Item 28: An ordinance terminating Ordinance No. 24823 and consolidating the uses into a new ordinance for two sidewalk cafes and two awnings without signs, landscaping, steps and handicap access ramps within the licensed area on Stone Place right-of-way - Revenue: \$11,813 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29289

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0522

Item 29: An ordinance granting an application for a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use and a resolution granting the termination of 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 - Z123-363 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29290

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0523

Item 30: Authorize a professional services contract with Halff Associates, Inc. to provide **(1)** architectural and engineering services for the design of roof and HVAC systems; and **(2)** a space utilization study for the Trinity Watershed Management Department - Not to exceed \$2,653,129 - Financing: Stormwater Drainage Management Capital Construction Funds (\$70,000) and Water Utilities Capital Improvement Funds (\$2,583,129)

Councilmember Kingston requested consent agenda item 30 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 30 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0524

Item 31: Authorize Supplemental Agreement No. 1 to the contract with the City of Mesquite for Wholesale Wastewater to add Reciprocal Agreement for Water and/or Wastewater Services - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0525

Item 32: 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 MARCH 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.

The city secretary noted an amended report was distributed for officer appointments; and announced ballots would be distributed later in the meeting to allow the casting of votes on the appointment of the Vice-Chair to the City Plan and Zoning Commission as 3 (re)nominees were submitted: Robert "Bobby" Abtahi, Varavoot Jed Anantasomboon and Michael W. Anglin.

Mayor Pro Tem Atkins moved to appoint the following:

- Brent P. McDougal to the Ethics Advisory Commission; Collin Chase Evans, Dallas County Resident, to the Reinvestment Zone Four Board (Cedars Area) and Reinvestment Zone Twelve Board (Deep Ellum); JB Jones, Registered Voter, to the Reinvestment Zone Fifteen Board (Fort Worth Avenue); John (Jack) Wierzenski, Dallas County Resident, to the Reinvestment Zone Seventeen Board (TOD);
- Gloria M. Tarpley, Chair, to the City Plan and Zoning Commission; Carmen R. Garcia, Chair, to the Automated Red Light Enforcement Commission; and James "Ed" Palmer, Chair, to the Municipal Library Board.

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

Prior to ballots being distributed, Deputy Mayor Pro Tem Alonzo stated that votes for an officer position could not be cast for individuals who have not been appointed to a board or commission. It was further clarified that only two nominees were eligible for the, Vice Chair, City Plan and Zoning Commission appointment.

Councilmember Griggs called for a point order in that Robert "Bobby" Abtahi was not currently on the City Plan and Zoning Commission, had not taken his oath of office and was therefore not a qualified member eligible for appointment as Vice Chair to the City Plan and Zoning Commission.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0525

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Deputy Mayor Pro Tem Alonzo withdrew her nomination of Varavoot Jed Anantasomboon for vice chair appointment to the City Plan and Zoning Commission.

The city secretary stated (1) the nominees presented did not include the “individual appointment” positions under which Mr. Abtahi was scheduled for appointment to the City Plan and Zoning Commission and (2) further confirmed Mr. Abtahi was not eligible for a vice chair appointment.

Councilmember Griggs moved to appoint Michael W. Anglin as Vice Chair to the City Plan and Zoning Commission.

Motion seconded by Deputy Mayor Pro Tem Alonzo.

Councilmember Kadane moved a substitute motion to postpone the appointment of Vice Chair to the City Plan and Zoning Commission and present this appointment at the next meeting of the city council.

Motion seconded by Councilmember Callahan.

Mayor Rawlings requested a record vote on Councilmember Kadane’s substitute motion.

Mayor Rawlings called the vote on Councilmember Kadane’s substitute motion to postpone the appointment of the Vice Chair position to the City Plan and Zoning Commission and present this appointment at the next meeting of the city council:

Voting Yes:	[6]	Rawlings, Atkins, Callahan, Kadane, Allen, Gates
Voting No:	[7]	Alonzo, Griggs, Medrano, Caraway, Kleinman, Greyson, Kingston
Absent when vote taken:	[1]	Davis
Absent:	[1]	Hill

The city secretary declared the motion failed.

Councilmember Caraway moved to reconsider the record vote taken on Councilmember Kadane’s substitute motion in which he voted on the prevailing side.

Motion seconded by Councilmember Kadane.

Mayor Rawlings requested a record vote on Councilmember Caraway’s motion to reconsider the record vote taken on Councilmember Kadane’s substitute motion.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0525

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Mayor Rawlings called the vote on Councilmember Caraway’s motion to reconsider the record vote on Councilmember Kadane’s substitute motion to postpone the appointment of the Vice Chair position to the City Plan and Zoning Commission and present this appointment at the next meeting of the city council:

Voting Yes:	[7]	Rawlings, Atkins, Caraway, Callahan, Kadane, Allen, Gates
Voting No:	[6]	Alonzo, Griggs, Medrano, Kleinman, Greyson, Kingston
Absent when vote taken:	[1]	Davis
Absent:	[1]	Hill

The city secretary declared the motion adopted.

Mayor Rawlings called the vote on Councilmember Kadane’s substitute motion to postpone the appointment of the Vice Chair position to the City Plan and Zoning Commission and present this appointment at the next meeting of the city council:

Voting Yes:	[7]	Rawlings, Atkins, Caraway, Callahan, Kadane, Allen, Gates
Voting No:	[6]	Alonzo, Griggs, Medrano, Kleinman, Greyson, Kingston
Absent when vote taken:	[1]	Davis
Absent:	[1]	Hill

The city secretary declared the motion adopted.

The city secretary presented nominees and renominees for individual appointment.

Councilmember Kadane moved to appoint the following:

- Bonnie L. Mathias, Experience in General Public, and Amanda Henry, Licensed Veterinarian, to the Animal Shelter Commission; Dorothy Willis, 55+ years of age, to the Senior Affairs Commission; and nominees to other “individual appointment” positions.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0525

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

<b>14-5700</b>	<b>ARC</b>	<b>AUTOMATED RED LIGHT ENFORCEMENT COMMISSION</b>
<b>14-5701</b>	<b>ASC</b>	<b>ANIMAL SHELTER COMMISSION</b>
<b>14-5702</b>	<b>CPC</b>	<b>CITY PLAN AND ZONING COMMISSION</b>
<b>14-5703</b>	<b>CSX</b>	<b>CIVIL SERVICE BOARD ADJUNCT MEMBERS</b>
<b>14-5704</b>	<b>EAC</b>	<b>ETHICS ADVISORY COMMISSION</b>
<b>14-5705</b>	<b>RZ04</b>	<b>REINVESTMENT ZONE FOUR BOARD (CEDARS AREA)</b>
<b>14-5706</b>	<b>RZ12</b>	<b>REINVESTMENT ZONE TWELVE BOARD (DEEP ELLUM)</b>
<b>14-5707</b>	<b>RZ15</b>	<b>REINVESTMENT ZONE FIFTEEN BOARD (FORT WORTH AVENUE)</b>
<b>14-5708</b>	<b>RZ17</b>	<b>REINVESTMENT ZONE SEVENTEEN BOARD (TOD)</b>
<b>14-5709</b>	<b>SAC</b>	<b>SENIOR AFFAIRS COMMISSION</b>
<b>14-5710</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0526

DESIGNATED PUBLIC SUBSIDY MATTERS

**City Center TIF District -  
Incentives for Hartford Building Renovation**

**Note:** Item Nos. 33 and 34  
must be considered collectively.

Item 33: Authorize a development agreement with The Dallas Hartford, LLC, to reimburse eligible project costs for environmental, demolition, façade restoration, and streetscape improvements associated with the Hartford Building Redevelopment project in an amount not to exceed \$1,200,000, from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed \$1,200,000 - Financing: City Center TIF District Funds

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

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

Councilmember Kingston moved to adopt agenda items 33-34.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0527

DESIGNATED PUBLIC SUBSIDY MATTERS

**City Center TIF District -  
Incentives for Hartford Building Renovation**

**Note:** Item Nos. 33 and 34  
must be considered collectively.

Item 34: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to reimburse the Dallas Hartford, LLC, up to \$1,200,000, for eligible project costs pursuant to the development agreement with the Dallas Hartford, LLC - Financing: No cost consideration to the City

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

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

Councilmember Kingston moved to adopt agenda items 33-34.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0528

DESIGNATED PUBLIC SUBSIDY MATTERS

**TCDFW Industrial Development Inc. Project**

**Note:** Item Nos. 35 and 36  
must be considered collectively.

Item 35: Authorize a real property tax abatement agreement with TCDFW Industrial Development Inc. located on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$7,173; ten-year revenue estimated at \$52,682; (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$474,135)

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

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

Mayor Pro Tem Atkins moved to adopt agenda items 35-36.

Motion seconded by Councilmember Caraway and Councilmember Kadane.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion:

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0529

DESIGNATED PUBLIC SUBSIDY MATTERS

**TCDFW Industrial Development Inc. Project**

**Note:** Item Nos. 35 and 36  
must be considered collectively.

Item 36: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$875,000 with TCDFW Industrial Development Inc. related to the construction of a 500,000 square foot speculative industrial/warehouse facility, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$875,000 - Financing: General Obligation Commercial Paper Funds (\$807,907) and 2006 Bond Funds (\$67,093)

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

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

Mayor Pro Tem Atkins moved to adopt agenda items 35-36.

Motion seconded by Councilmember Caraway and Councilmember Kadane.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion:

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0530

The consent zoning docket, consisting of agenda items 37-43, was presented for consideration.

Agenda items 37, 38 and 40 were removed from the consent zoning docket to be considered as individual hearings.

~~Agenda item 37: Zoning Case Z123-339(JH)~~      **[considered individually]**  
~~Agenda item 38: Zoning Case Z134-117(RB)~~      **[considered individually]**  
Agenda item 39: Zoning Case Z134-127(JH)  
~~Agenda item 40: Zoning Case Z134-134(RB)~~      **[considered individually]**  
Agenda item 41: Zoning Case Z134-135(MW)  
Agenda item 42: Zoning Case Z134-148(WE)  
Agenda item 43: Zoning Case Z134-151(JH)

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0531

Item 37: Zoning Case Z123-339(JH)

The consent zoning docket, consisting of agenda items 37-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District, on the northwest side of Kimsey Drive, northeast of Maple Avenue.

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

Councilmember Medrano requested consent zoning agenda item 37 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 37 was brought up for consideration.

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

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

- No guest parking is required for a shared access development

and pass the ordinance.

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

Assigned ORDINANCE NO. 29291

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0532

Item 38: Zoning Case Z134-117(RB)

The consent zoning docket, consisting of agenda items 37-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property zoned an IR Industrial Research District and an MU-3 Mixed Use District, on both sides of Harry Hines Boulevard, northwest of Medical District Drive.

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

Councilmember Medrano requested consent zoning agenda item 38 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 38 was brought up for consideration.

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

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

Jonathan Vinson, 6342 Vickery Blvd., representing the applicant

Councilmember Medrano move to close the public hearing, accept the recommendation of the city plan commission with the ordinance to come back with the abandonment of air rights, with the following change:

- This specific use permit has no expiration date.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0533

Item 39: Zoning Case Z134-127(JH)

The consent zoning docket, consisting of agenda items 37-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Subdistrict 1A on property zoned Subdistrict 1 within Planned Development District No. 830, the Davis Street Special Purpose District, on the east side of North Bishop Avenue, north of Neches Street.

Recommendation of Staff and CPC: Approval

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29292

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0534

Item 40: Zoning Case Z134-134(RB)

The consent zoning docket, consisting of agenda items 37-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District at the east corner of Fort Worth Avenue and Yorktown Street.

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

Councilmember Kleinman requested consent zoning agenda item 40 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 40 was brought up for consideration.

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

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

Susan Gandy, 5217 Shadywood Ln., representing 739 Fort Worth Ave, LLC.

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

Brent Jackson, 1910 Kessler Parkway, representing the applicant

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

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion.

Mayor Rawlings declared the motion adopted on a divided vote with Councilmember Greyson voting "No." (Kleinman abstain; Hill absent)

Assigned ORDINANCE NO. 29293

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0535

Item 41: Zoning Case Z134-135(MW)

The consent zoning docket, consisting of agenda items 37-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned Tract 2B in Planned Development District No. 160 on the west side of North Zang Boulevard, north of West Canty Street.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29294

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0536

Item 42: Zoning Case Z134-148(WE)

The consent zoning docket, consisting of agenda items 37-43, 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. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 2, Tract 3 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the southwest corner of Lake June Road and South Buckner Boulevard.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29295

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0537

Item 43: Zoning Case Z134-151(JH)

The consent zoning docket, consisting of agenda items 37-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 98 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of Carlisle Street and Routh 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. 29296

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0538

Item 44: Zoning Case Z134-131(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1993 for an industrial (outside) use not potentially incompatible limited to a concrete batch plant on property zoned an IR Industrial Research District on the south side of Crystal Lake Boulevard, west of Dan Morton Drive.

Recommendation of Staff: Approval for a five-year period, subject to conditions.

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

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

Mayor Pro Tem Atkins 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. (Caraway absent when vote taken; Hill absent)

Assigned ORDINANCE NO. 29297

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0539

Item 45: Zoning Case Z123-135(WE) - UNDER ADVISEMENT - INDIVIDUAL

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

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

Note: This item was considered by the City Council at public hearings on January 22, 2014 and February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open.

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

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

- A private recreation club or area is permitted.
- No parking is required for a private recreation club or area.
- On all dwelling units adjacent to the eastern property line, a parapet wall located on a rooftop deck must be four feet tall and opaque

and pass the ordinance.

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

Assigned ORDINANCE NO. 29298

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0540

Item 46: Zoning Case Z123-325(WE) - UNDER ADVISEMENT - 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.

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

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

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

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

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

Assigned ORDINANCE NO. 29299



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0541

Item 47: Zoning Case Z123-328(MW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue.

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

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

Note: This item was considered by the City Council at public hearings on January 8, 2014 and February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open.

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0541

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Councilmember Griggs moved to close the public hearing, accept the recommendation of the city plan commission subject to a revised site plan with the ordinances and revised site plan to come back at a later date with the following changes:

1. A notation that the pay phones are to be removed;
2. An eight-foot solid screening fence;
3. Closure of northern-most drive on Brighton Avenue with sidewalks shown;
4. A gate across the drive on Brighton Avenue that is closet to Jefferson Boulevard to be used for fuel delivery;
5. A minimum two-foot tall barrier with planters along the east side of the property to the extent that it does not conflict with items 3 and 4;
6. Eight-foot tall wrought iron gates at rear building;
7. Location of garbage receptacles near building entrance; and
8. Revised parking configuration.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0542

Item 48: Zoning Case Z134-108(JH) - UNDER ADVISEMENT - INDIVIDUAL

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

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

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

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

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

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

Diana Haynes, 4102 Live Oak St., Applicant

Councilmember Medrano 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. (Hill absent)

Assigned ORDINANCE NO. 29300

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0543

Item 49: Zoning Case Z134-114(MW) - UNDER ADVISEMENT - INDIVIDUAL

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.

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

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

Councilmember Callahan moved to close the public hearing, accept the recommendation of the city plan commission subject to a revised site plan, deny the request for the outside salvage and reclamation use and pass the ordinance.

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

Assigned ORDINANCE NO. 29301

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0544

DESIGNATED ZONING CASES - INDIVIDUAL

Item 50: Zoning Case Z123-326(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property bounded by Hartford Street, Hawthorne Avenue, Fairmount Street west of Kings Road, and Kings Road north of Fairmount Street.

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

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

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

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

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

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

Karl Crawley, 900 Jackson St., representing the applicant  
Leslie Matorin, 4777 Cedar Springs Rd.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0544

Page 2

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

- The driveway on Kings Road is limited to egress only and must have a gate as shown on the development plan

and pass the ordinance.

Motion seconded by Councilmember Caraway and Councilmember Kingston and unanimously adopted. (Gates abstain; Rawlings absent when vote taken; Hill absent)

Assigned ORDINANCE NO. 29302

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0545

DESIGNATED ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 51: Zoning Case Z123-148(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive.

Recommendation of Staff: Denial

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

Note: This item was considered by the City Council at a public hearing on February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open.

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

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

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

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

Dallas Cothrum, 900 Jackson St., representing the applicant

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

- The maximum floor area for Subarea B is increased from 35,000 square feet to 295,000 square feet; and
- For a mini-warehouse use, outside storage of vehicles, boats, or equipment is prohibited.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0545

Page 2

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

Assigned ORDINANCE NO. 29303



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0546

DESIGNATED ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 52: Zoning Case Z123-340(WE)

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

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

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

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

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

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

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

Jonathan Vinson, 6342 Vickery Blvd., representing the applicant

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

- Ingress and egress to and from Subdistrict II-B is permitted on Empire Central

and pass the ordinance.

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

Assigned ORDINANCE NO. 292304

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0547

MISCELLANEOUS HEARINGS

Item 53: A public hearing to receive comments on the proposed FY 2014-15 Operating, Capital, and Grant/ Trust budgets - Financing: No cost consideration to the City.

The following individuals addressed the city council regarding the item:

Lydia Simpson, 2602 Langdon Ave., representing Senior Affairs Commission

Pat Bowman, 7041 Tokalon Dr., representing Dallas Public Library

Kate Park, 412 N. Oak Cliff Blvd.

Chris Watts, 214 Windomere Ave.

Mary Spencer, 6943 Wildgrove Ave.

Teresa Gubbins, 2502 Live Oak St.

Jim Hanophy, 3201 Earhart Dr., Carrollton, TX, representing Operation Kindness

Donna Bellamy, 5848 Willow Wood Ln.

Katherine Savers McGovern, 4364 Royal Ridge Dr.

Claudia Meyer, 6015 Fox Point Trl.

Travis Roderick, 388 County Road 4421, Trenton, TX, representing Texas Alliance for Homeless Pets

Steven Arxer, 734 N. Windomere Ave., representing Friends of Dallas Public Library

Maria del Carmen Romero, 6719 Hollis, representing Friends of Dallas Public Library

Marvin Crenshaw, 5134 Malcolm X Blvd., representing Malcolm X Community Council

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0548

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Reinvestment Zone and Real Property  
Tax Abatement Authorization**

**Note:** Item Nos. 54 and 55  
must be considered collectively.

Item 54: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 83, incorporating approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland) - Financing: No cost consideration to the City.

Item 55: An ordinance designating the approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas as City of Dallas Reinvestment Zone No. 83, for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland), establishing the boundaries of the Reinvestment Zone and providing for an effective date - 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."

At the request of Deputy Mayor Pro Tem Alonzo, agenda items 54-57 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 her request.

No one addressed the city council regarding agenda item 54 (public hearing).

Mayor Pro Tem Atkins moved to close the public hearing (agenda item 54) and adopt agenda items 55-57.

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

Assigned ORDINANCE NO. 29305

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0549

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Reinvestment Zone and Real Property  
Tax Abatement Authorization**

**Note:** Item Nos. 56 and 57  
must be considered collectively.

Item 56: Authorize a development Agreement with Courtland Group, LLC (Courtland) for the purpose of the extension of Grady Niblo Road from the existing terminus east of Mountain Creek Parkway approximately 2,400 linear feet east in proximity to the planned development site - 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."

At the request of the Deputy Mayor Pro Tem Alonzo, agenda items 54-57 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 her request.

No one addressed the city council regarding agenda item 54 (public hearing).

Mayor Pro Tem Atkins moved to close the public hearing (agenda item 54) and adopt agenda items 55-57.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0550

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Reinvestment Zone and Real Property  
Tax Abatement Authorization**

**Note:** Item Nos. 56 and 57  
must be considered collectively.

Item 57: Authorize (1) a Phase I real property tax abatement agreement; and (2) a Phase II real property tax abatement agreement with Courtland Group, LLC (Courtland) located on approximately 87 acres just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas each in the amount of 90 percent on the value of new real property for ten years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$14,864; ten-year revenue estimated at \$262,452 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$2,618,145).

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."

At the request of the Deputy Mayor Pro Tem Alonzo, agenda items 54-57 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 her request.

No one addressed the city council regarding agenda item 54 (public hearing).

Mayor Pro Tem Atkins moved to close the public hearing (agenda item 54) and adopt agenda items 55-57.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0551

Addendum Addition 1: Authorize settlement of the lawsuit styled Ronald Bernard Jones v. Matthew Antkowiak, et al., Civil Action No. 3:11-CV-3443-P - Not to exceed \$1,100,000 - Financing: Current Funds

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

Later in the meeting, addendum addition consent agenda item 1 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0552

Addendum Addition 2: An ordinance amending Chapter 27 of the Dallas City Code to delete the requirement that the owner, operator, or other person in control of a multi-tenant property annually attend a safe complex symposium sponsored by the City; increasing the annual number of crime watch safety meetings required to be attended by the owner, operator, or other person in control of a multi-tenant property from three to four; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29306

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0553

Addendum Addition 3: Authorize an amendment to Resolution No. 13-1975, previously approved on November 12, 2013, for the housing development loan with 2122 Highland, LLC to extend the contract from January 31, 2014 through September 30, 2014 for completion of the rehabilitation and occupancy of the units - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0554

Addendum Addition 4: Authorize the acceptance of additional grant funds from the U.S. Department of Homeland Security under the 2011 Urban Area Security Initiative grant to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2011 through August 15, 2014 - Not to exceed \$245,083, from \$9,418,363 to \$9,663,446 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0555

Addendum Addition 5: Authorize an amendment to the Donor Recognition Agreement with the White Rock Lake Conservancy for the design and renovation of the picnic pavilion, stone tables and other related improvements to include other modifications to the Donor Recognition Agreement and provisions for special events for White Rock Lake Park located at 711 East Lawther Drive - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0556

Addendum Addition 6: Authorize the first amendment to the Fair Park Contract (hereinafter "Agreement") with the Friends of Fair Park, Inc. (FFP) to establish, operate, manage and market the bicycle rental program at Fair Park - Not to exceed \$125,000 - Financing: Current Funds.

Councilmember Kingston and Councilmember Griggs requested addendum addition consent agenda item 6 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, addendum addition consent agenda item 6 was brought up for consideration.

Councilmember Caraway moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Kingston moved a substitute motion to deny the item.

Motion seconded by Councilmember Callahan.

After discussion, Councilmember Griggs moved a substitute motion to adopt the item and provide for this program to move forward now and be a part of the City Bike Plan, give city staff its discretion on how to weigh the plan into future Request For Proposals ("RFPs"); and if necessary, for city staff working on the city's plan to work with the Park and Recreation Department to see what lessons can be learned on how to expedite the process.

Motion seconded by Councilmember Davis.

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

Mayor Rawlings declared the motion adopted on a divided vote with Councilmember Kingston voting "No." (Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0557

Addendum Addition 7: Authorize a contract with S.J. Louis Construction of Texas, Ltd., lowest responsible bidder of five, for the construction of street paving, storm drainage, water and wastewater main improvements for Cleveland Road from Bonnie View Road to west of the BNSF Railroad - Not to exceed \$2,858,568 - Financing: General Obligation Commercial Paper Funds (\$2,738,035) and Water Utilities Capital Improvement Funds (\$120,533)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0558

Addendum Addition 8: Authorize an agreement with the Texas Department of Transportation to contribute real property in lieu of right-of-way acquisition funds to cover the City's share of right-of-way acquisition and utility relocation costs associated with the S. M. Wright Project (Phase I) - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0559

**Pearl Street and Cesar Chavez Boulevard  
Improvements**

**Note:** Item Nos. 9 and 10  
must be considered collectively.

Addendum Addition 9: Authorize an increase in the contract with Tiseo Paving Company for the construction of sidewalk improvements on the Woodall Rodgers Freeway service road at Pearl Street, installation of new communication cables, and traffic signal upgrades along Pearl Street and Cesar Chavez Boulevard - Not to exceed \$582,303, from \$13,394,275 to \$13,976,578 - Financing: General Obligation Commercial Paper Funds (\$282,478) and 2006 Bond Funds (\$299,825)

Councilmember Greyson and Councilmember Kingston requested addendum addition consent agenda items 9-10 be considered as individual items later in the meeting; there was no objection voiced to their request.

Later in the meeting, addendum addition consent agenda items 9-10 were brought up for consideration.

Councilmember Kingston moved to adopt addendum addition consent agenda items 9-10.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0560

**Pearl Street and Cesar Chavez Boulevard  
Improvements**

**Note:** Item Nos. 9 and 10  
must be considered collectively.

Addendum Addition 10: Authorize an increase in the contract with Tiseo Paving Company for additional street improvements on Taylor Street from Cesar Chavez Boulevard to Pearl Street - Not to exceed \$776,713, from \$13,976,578 to \$14,753,291 - Financing: 2006 Bond Funds

Councilmember Greyson and Councilmember Kingston requested addendum addition consent agenda items 9-10 be considered as individual items later in the meeting; there was no objection voiced to their request.

Later in the meeting, addendum addition consent agenda items 9-10 were brought up for consideration.

Councilmember Kingston moved to adopt addendum addition consent agenda items 9-10.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0561

Addendum Addition 11: Authorize a professional services contract with Half Associates, Inc. for surveying, plating, environmental services and preparation of a Municipal Setting Designation application for the Dallas Floodway from the confluence of the West Fork and the Elm Fork of the Trinity River to the southern limit at DART Rail Line and the Santa Fe Trestle - Not to exceed \$640,498 - Financing: Stormwater Drainage Management Current Funds (\$316,294) and 1998 Bond Funds (\$324,204)

Councilmember Greyson and Councilmember Kingston requested addendum addition consent agenda item 11 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, addendum addition consent agenda item 11 was brought up for consideration.

Councilmember Caraway moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0562

Addendum Addition 12: Authorize Supplemental Agreement No. 1 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project - Not to exceed \$49,000, from \$73,950 to \$122,950 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0563

Addendum Addition 13: A resolution designating absences by Councilmember Rick Callahan and Councilmember Carolyn R. Davis as being for "official city business" - Financing: No cost consideration to the City

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

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Callahan abstain; Davis absent when vote taken; Hill absent)

Note: Councilmember Davis, although originally required to file a conflict of interest form on this item, was not present at the time the item was presented for consideration and adopted and therefore could not abstain.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0564

Addendum Item 14: An ordinance adding Chapter 9C, "Carryout Bags," to the Dallas City Code to provide regulations for single-use and reusable carryout bags; and a resolution instructing staff to explore options for reducing the impacts of single-use carryout bags - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Al Taylor, 5830 Buffridge Trl.  
Trey Taylor, 3130 Kingbridge St.

Mayor Rawlings called a recess of the city council meeting at 9:41 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the city attorney on the item.

Mayor Rawlings reconvened the city council meeting after the closed session at 10:17 a.m. No other matters were discussed during the closed session.

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

- The fee per single-use carryout bag provided to a customer is reduced to \$0.05.
- The option of charging a per transaction fee is removed.
- A business establishment may retain a maximum of 10 percent of the fees collected.
- A business establishment must remit fees collected to the city on a quarterly basis.
- A business establishment must maintain records for at least one year of the number of single-use carryout bags supplied to customers and the amount of environmental fees collected.
- All reusable carryout bags must be printed with the name of the business establishment.
- All single-use carryout bags must be printed with the thickness of the bag in mil.
- All reusable carryout bags made out of paper must be printed with the percentage of recyclable content.

Motion seconded by Mayor Pro Tem Atkins.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0564

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Councilmember Kingston moved a substitute motion to implement the ordinance described as the first alternate ordinance or the ban alternative that tracks the Austin legislation.

Motion seconded by Councilmember Griggs.

Councilmember Kadane moved a substitute motion to remand the ordinances to the Budget, Finance and Audit Council Committee and for the recommended ordinance to return to city council at a later date.

Motion seconded by Councilmember Medrano.

Having consulted with the City Attorney, Mayor Rawlings stated Councilmember Kadane's substitute motion was not in order since two motions were on the floor.

Councilmember Griggs called for a point of order in that under Roberts Rules of Order, two substitute motions were allowed. In the case of this agenda item, the primary motion was made by Councilmember Caraway, the first substitute or amended motion was made by Councilmember Kingston and the second substitute motion by Councilmember Kadane, if a second is received, could be considered. Therefore, the City Attorney's Office was mistaken.

Mayor Rawlings called a recess of the city council meeting at 10:40 a.m. to receive parliamentary clarification from the City Attorney's Office.

Mayor Rawlings reconvened the city council meeting at 10:45 a.m.

Having further consulted with the City Attorney's Office during the recess, Mayor Rawlings stated Councilmember Kadane's substitute motion could be considered.

Councilmember Davis requested a record vote on this item.

Mayor Rawlings called the vote on Councilmember Kadane's motion to remand the ordinances to the Budget, Finance and Audit Council Committee and for the recommended ordinance to return to city council at a later date:

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

The city secretary declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0564

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At Mayor Rawlings request, Councilmember Kingston clarified his substitute motion was to implement the ordinance described as the first alternate ordinance or the ban alternative that tracks the Austin legislation and to include the resolution that was distributed around the dais.

Councilmember Griggs, who seconded the motion, accepted the clarification.

Mayor Rawlings called the vote on Councilmember Kingston's clarified substitute motion to implement the ordinance described as the first alternate ordinance or the ban alternative that tracks the Austin legislation and to include the resolution that was distributed around the dais:

Voting Yes:	[3]	Griggs, Caraway, Kingston
Voting No:	[11]	Rawlings, Atkins, Alonzo, Medrano, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates
Absent:	[1]	Hill

The city secretary declared the motion failed.

Mayor Rawlings called the vote on Councilmember Caraway's original motion to adopt the item with the amendments earlier noted:

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

The city secretary declared the item adopted.

Assigned ORDINANCE No. 29307

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2014

14-0565

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Item 15:                    Authorize a conditional grant agreement with Sphinx Development Corporation or its wholly owned subsidiary in the amount of \$480,000 to construct fourteen townhomes at Eighth Street and Corinth Street just south of the newly constructed senior homes on Tonga Street - Not to exceed \$480,000 - Financing: General Obligation Commercial Paper Funds

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

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

Councilmember Caraway moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Kadane and unanimously adopted. (Callahan, Davis absent when vote taken; Hill absent)

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

EXHIBIT C