

**“CORRECTED”**  
MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 23, 2014

14-0650

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

PRESENT: [14] Rawlings, Atkins, Alonzo, Griggs (\*9:19 a.m.), Medrano, Hill, Caraway (\*10:11 a.m.), Callahan, Kadane, Allen, Kleinman, Greyson (\*9:07 a.m.), Gates, Kingston

ABSENT: [1] Davis\*\*

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 Rabbi Asher Knight of Temple Emanu-El.

Deputy Mayor Pro Tem Alonzo led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 1:15 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

The annotated agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the City Secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

\* **Indicates arrival time after meeting called to order**

\*\* **Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 23, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 23, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0651

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: Chantel Arashvand, 9306 Clearwater Dr.  
REPRESENTING: Activist For Truth  
SUBJECT: Fluoride

SPEAKER: Sandra Crenshaw, 2018 Lanark Ave.  
SUBJECT: City of Dallas Charter Revision

SPEAKER: Diane Birdwell, 5705 Meadowick Ln.  
SUBJECT: Home Rule

Later in the meeting, Councilmember Caraway requested to suspend Section 6.3 of the City Council Rules of Procedure to allow the following individual to speak; there was no objection voiced to his request.

SPEAKER: Jasper Baccus, 3509 Sunnyvale St.  
REPRESENTING: Baccus Foundation  
SUBJECT: Launching new T-Shirt Ministry

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0652

Item 1: Approval of Minutes of the April 9, 2014 City Council Meeting

Mayor Pro Tem Atkins moved to adopt the minutes of the April 9, 2014 City Council Meeting.

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

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0653

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-27 and addendum addition consent agenda items 1-3, was presented for consideration.

Councilmember Gates requested consent agenda item 9 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Councilmember Kingston requested consent agenda items 14, 15 and 21 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Kadane moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 9, 14, 15 and 21.

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

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0654

Item 2: Authorize an amendment to the Interlocal Agreement with the North Texas Tollway Authority, effective April 1, 2014, to extend the contract for a period of twelve months for the installation, maintenance, upgrading and clearinghouse functions of the automated vehicle identification system equipment for tolltag exit lanes in the parking facilities, and tolltag readers for ground transportation vehicles throughout the roadways at Dallas Love Field - Not to exceed \$250,000 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0655

Item 3: Authorize a one-year construction services contract to provide micro-surfacing and slurry seal for Street Services - Intermountain Slurry Seal, Inc., lowest responsible bidder of four - Not to exceed \$4,118,575 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0656

Item 4: Authorize a six-year service contract for elevator and escalator maintenance and repair at the Kay Bailey Hutchison Convention Center Dallas and Union Station - EMR Elevator, Inc., lowest responsible bidder of three - Not to exceed \$1,539,000 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0657

Item 5: Authorize settlement of the lawsuit styled Eric A. Williams v. City of Dallas, Cause No. DC-12-07793-J - Not to exceed \$50,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0658

Item 6: Authorize the re-establishment of the South Dallas/Fair Park Area Business Façade/Revitalization Program which provides façade improvements for buildings with operating businesses along Martin Luther King Jr. Boulevard from Robert B. Cullum to the S.M. Wright Freeway, pursuant to Chapter 380 of the Texas Local Government Code ~~and the City's Public/Private Partnership Program~~, in order to promote economic development in the South Dallas/Fair Park area – Financing: This action has no cost consideration to the City

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0659

Item 7: Authorize **(1)** a public hearing to be held on May 14, 2014, to receive comments to consider the designation of a Tax Increment Financing Reinvestment Zone for the Mall Area Redevelopment TIF District (comprising the Valley View Center Mall area and the Southwest Center Mall area) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and, at the close of the hearing **(2)** consideration of an ordinance designating the Mall Area Redevelopment TIF District - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0660

Item 8: Authorize **(1)** the acceptance of additional grant funds in the amount of \$10,000 from the March of Dimes to provide training for the Becoming a Mom program for the period February 1, 2014 through January 31, 2015; **(2)** an increase in appropriations in the amount of \$10,000, from \$17,000 to \$27,000 in the March of Dimes Community Baby Cafe Fund; and **(3)** execution of the grant agreement - Not to exceed \$10,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0661

Item 9: Authorize an amendment to Resolution No. 13-2059, Section 2 (e), previously approved on December 11, 2013, to reduce the financing requirement from \$37,000,000 to a minimum of \$28,000,000 for the development loan with Dallas Housing Authority for the Turner Courts Project located at 6601 Bexar Street within the Bexar Street Redevelopment Corridor in the amount of \$2,500,000 at 4% interest for infrastructure improvements for a 206-unit apartment project - Financing: No cost consideration to the City

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

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

Councilmember Hill moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Gates abstain; Caraway absent when vote taken; Davis absent\*)

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0662

Item 10: Authorize the first one year extension to the contract with Standard Life Insurance Company, to provide basic and supplemental group term life, voluntary dependent life and accidental death and dismemberment insurance coverage - Not to exceed \$2.00 per month per employee - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0663

Item 11: An ordinance amending Section 34-24.1, "Family Leave," of Chapter 34, "Personnel Rules," to **(1)** allow employees to take family leave for a "designated care recipient"; and **(2)** providing a definition of "designated care recipient"; ~~providing a penalty not to exceed \$500~~; providing a saving clause; providing a severability clause; and providing an effective date - Financing: This item has no cost consideration to the City

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29320



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0664

Item 12: Authorize an amendment to Resolution No. 09-2956, previously approved on December 9, 2009, to the Park & Recreation Public Art Plan for the 2006 Bond Program in compliance with the City's Public Art Ordinance of the Dallas City Code, Chapter 2, Article X (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0665

Item 13: An ordinance authorizing an amendment to the Dallas/Fort Worth International Airport's Code of Rules and Regulations - Appendix I, to include proposed new street names at the Southgate Plaza Development; providing a penalty not to exceed \$500; 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. 29321

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0666

**Street Resurfacing and Street Improvements  
for 2014**

**Note:** Item Nos. 14 and 15  
must be considered collectively.

Item 14: Authorize a contract with NPL Construction Company, Inc., lowest responsible bidder of four, in the amount of \$14,648,832 for the construction of pavement surface improvements for Street Resurfacing and Street Improvements for 2014 (list attached) - Not to exceed \$14,648,832 - Financing: General Obligation Commercial Paper Funds (\$14,555,136) and Water Utilities Capital Construction Funds (\$93,696)

Councilmember Kingston requested consent agenda items 14-15 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 14-15 were brought up for consideration.

Mayor Pro Tem Atkins moved to adopt agenda items 14-15.

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

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0667

**Street Resurfacing and Street Improvements  
for 2014**

**Note:** Item Nos. 14 and 15  
must be considered collectively.

Item 15: Authorize a professional services contract with Kleinfelder Central, Inc., to provide construction material testing during the construction of the Street Resurfacing and Street Improvements for 2014 - Not to exceed \$187,139 - Financing: General Obligation Commercial Paper Funds

Councilmember Kingston requested consent agenda items 14-15 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 14-15 were brought up for consideration.

Mayor Pro Tem Atkins moved to adopt agenda items 14-15.

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

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0668

Item 16: An ordinance granting a private license to Preston Hollow United Methodist Church, for approximately 3,713 square feet of land to install, use and maintain landscaping on portions of Stichter Avenue located near its intersection with Tibbs Street - Revenue: \$1,000 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29322

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0669

Item 17: An ordinance abandoning certain aerial rights over portions of Record Crossing Road and Harry Hines Boulevard to the Board of Regents of the University of Texas System, the abutting owner, containing a total of approximately 14,837 square feet of land, located near the intersection of Record Crossing Road and Harry Hines Boulevard and authorizing the quitclaim - Revenue: \$155,789, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29323

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0670

Item 18: An ordinance amending Ordinance No. 28975, which abandoned portions of Harrison, Clarence, Myrtle and Atlanta Streets, two alleys, three street easements, a sight easement, two sanitary sewer main easements, a water and sewer main easement, and a utility easement, to Dallas Independent School District, the abutting owner, to extend the final replat requirement from one year to 30 months - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29324

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0671

Item 19: Authorize (1) acceptance of a donation of \$12,615 from the Trinity Trust Foundation for the purpose of hiring an intern for the Southwest Airlines Conservation Corps program; and (2) the establishment of appropriations in the amount of \$12,615 - Not to exceed \$12,615 - Financing: Trinity Trust Foundation Fund - SW Airline Conservation Corps

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0672

Item 20: Authorize the ratification of emergency work performed by Cleaning Guys, LLC for abatement and removal of mercury vapor light residue from the affected areas in and around Peary Park - Not to exceed \$77,982 - Financing: Stormwater Drainage Management Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0673

Item 21: Authorize **(1)** an increase in the construction contract with AUI Contractors, LLC for construction of the Levee Drainage System - Hampton-Oak Lawn sump, also referred to as the Baker No. 3 Pump Station; and **(2)** extend the contract by an additional ninety-days - Not to exceed \$4,616,624, from \$37,961,493 to \$42,578,117 - Financing: General Obligation Commercial Paper Funds

Councilmember Kingston requested consent agenda item 21 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 21 was brought up for consideration.

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0674

Item 22: Authorize Supplemental Agreement No. 2 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for additional surveying and engineering design services necessary for the realignment of Wheatland Road from the Lancaster city limits to Lancaster Road at Plaza Drive - Not to exceed \$84,443, from \$405,931 to \$490,374 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0675

Item 23: Authorize a five-year franchise agreement, with a five-year renewal option, between the City of Rockwall and All Harbors Ferry Service, for ferry boat service from the docks at The Harbor of Rockwall, Texas, on Lake Ray Hubbard - Estimated Annual Revenue: \$9,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0676

Item 24: Authorize a five-year franchise agreement, with a five-year renewal option, between the City of Rockwall and Aquafly Ray Hubbard, for flyboard rental service from the docks at The Harbor of Rockwall, Texas on Lake Ray Hubbard - Estimated Annual Revenue: \$1,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0677

Item 25: Authorize a five-year franchise agreement, with a five-year renewal option, between the City of Rockwall and Flyboard Rockwall, for flyboard rental service from the docks at The Harbor of Rockwall, Texas on Lake Ray Hubbard - Estimated Annual Revenue: \$1,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0678

Item 26: Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water and wastewater main relocations and appurtenance adjustments in Northwest Highway (Loop 12) from 0.1 mile west of Midway Road to U.S. Highway 75 (North Central Expressway) - Not to exceed \$1,116,258 - Financing: Water Utilities Capital Construction Funds (\$30,415) and Water Utilities Capital Improvement Funds (\$1,085,843)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0679

Item 27: Authorize Supplemental Agreement No. 1 to the professional services contract with CDM Smith Inc. for additional engineering services associated with the rehabilitation of the White Rock Raw Sewage Pump Station at the Central Wastewater Treatment Plant - Not to exceed \$2,389,552, from \$1,224,983 to \$3,614,535 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0680

Item 28: 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 APRIL 23, 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.

Deputy Mayor Pro Tem Alonzo moved to appoint the following:

- Jennifer S. Roberts, General Public, to the Animal Shelter Commission; Stephen Birch to the Landmark Commission Alternate Members; and Tony Hinojosa Jr. to the Reinvestment Zone Fifteen Board (Fort Worth Avenue)

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Davis absent\*)

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

**14-5860    ASC    ANIMAL SHELTER COMMISSION**  
**14-5861    LMX    LANDMARK COMMISSION ALTERNATE MEMBERS**  
**14-5862    RZ15    REINVESTMENT ZONE FIFTEEN BOARD (FORT WORTH AVENUE)**

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0681

**Note:** If Agenda Item No. 29 is adopted, Council will not consider Agenda Item No. 30.

Item 29: Authorize a three-year master agreement, with two one-year renewal options, for the purchase of unleaded and diesel fuels based on Platts index rates - W. Douglass Distributing, LTD. in the amount of \$9,410,524, Martin Eagle Oil Company, Inc. in the amount of \$10,129,681 and Mansfield Oil Company of Gainesville, Inc. in the amount of \$2,891,003, lowest responsible bidders of nine and Truman Arnold Companies dba TAC Energy in the amount of \$40,909,090, local preference bidder - Total not to exceed \$63,340,298 - Financing: Current Funds (subject to annual appropriations)

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway.

After discussion, Mayor Rawlings requested a record vote.

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

Voting Yes: [8] Rawlings, Atkins, Alonzo, Hill, Caraway, Callahan,  
Kadane, Kleinman

Voting No: [6] Griggs, Medrano, Allen, Greyson, Gates, Kingston

Absent: [1] Davis\*

The city secretary declared the item adopted.

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0682

**Note:** If Agenda Item No. 29 is adopted, Council will not consider Agenda Item No. 30.

Item 30: Authorize a three-year master agreement, with two one-year renewal options, for the purchase of unleaded and diesel fuels based on Platts index rates - Hartland Fuel Products, LLC in the amount of \$23,437,730, W. Douglass Distributing, LTD. in the amount of \$9,410,524, Martin Eagle Oil Company, Inc. in the amount of \$10,129,681 or \$27,551,736 (**Tie Bids - Group 3**) and Mansfield Oil Company of Gainesville, Inc. in the amount of \$2,891,003 or \$20,313,058 (**Tie Bids - Group 3**), lowest responsible bidders of nine - Total not to exceed \$63,290,993 - Financing: Current Funds (subject to annual appropriations)

This item was not considered as agenda item 29 was approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0683

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from ADRCC, LLC, of approximately 47,180 square feet of land located near the intersection of Finnell Street and Lombardy Lane for a wastewater pipeline for the Shady Trail Relief Interceptor Project - \$6,000 (\$4,000, plus closing costs and title expenses not to exceed \$2,000) - Financing: Water Utilities Capital Construction Funds

The city secretary announced agenda item 31 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 *ADRCC, LLC*, approximately 47,180 square feet of land located near the intersection of Finnell Street and Lombardy Lane in City of Dallas Block 8/6495, and more fully described in Exhibit A of the proposed written resolution for this item, for a wastewater pipeline for the Shady Trail Relief Interceptor Project.

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins.

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

Voting Yes: [14] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill,  
Caraway, Callahan, Kadane, Allen, Kleinman,  
Greyson, Gates, Kingston

Voting No: [0]

Absent: [1] Davis\*

The city secretary declared the item adopted.

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0684

DESIGNATED PUBLIC SUBSIDY MATTERS

**Statler/Library/Jackson Street  
Redevelopment Project**

**Note:** Item Nos. 32 and 33  
must be considered collectively.

Item 32: Authorize a development agreement with Centurion Acquisitions, LP for eligible project costs, street and utility improvements in an amount not to exceed \$3,000,000 plus an Economic Development TIF Grant in an amount not to exceed \$43,500,000 for a total not to exceed \$46,500,000 for redevelopment of the buildings addressed as 1914 Commerce Street (Statler building) and 1954 Commerce Street (Old Dallas Central Library building) and properties addressed as 2002 Commerce Street, 210, 300 and 308 South Harwood Street and 2003 Jackson Street from revenues accruing to Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) - Total not to exceed \$46,500,000 - Financing: Downtown Connection TIF District Funds

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

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

Councilmember Kingston moved to adopt agenda items 32-33.

Motion seconded by Councilmember Medrano and Councilmember Callahan and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0685

DESIGNATED PUBLIC SUBSIDY MATTERS

**Statler/Library/Jackson Street  
Redevelopment Project**

**Note:** Item Nos. 32 and 33  
must be considered collectively.

Item 33: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Centurion Acquisitions, LP up to \$46,500,000, of which up to \$43,500,000 is in the form of an Economic Development TIF Grant, for project costs pursuant to the development agreement with Centurion Acquisitions, LP - Financing: This action has no cost consideration to the City

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

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

Councilmember Kingston moved to adopt agenda items 32-33.

Motion seconded by Councilmember Medrano and Councilmember Callahan and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0686

DESIGNATED PUBLIC SUBSIDY MATTERS

**Note:** Agenda Item Nos. 34, 35, 36, 37 and 38 must be considered collectively.

**Frazier Revitalization Inc. Hatcher Station Clinic**

Item 34: Authorize a New Markets Tax Credit (NMTC) transaction, between the Dallas Development Fund (DDF) and its subsidiaries, J.P. Morgan Chase (Chase) and its subsidiaries, and Frazier Revitalization, Inc. (FRI) and its affiliates (Developer) for the construction of a medical clinic located at 4600 Scyene Road (Project) - 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."

Mayor Pro Tem Atkins moved to adopt agenda items 34-38.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0687

DESIGNATED PUBLIC SUBSIDY MATTERS

**Note:** Agenda Item Nos. 34, 35, 36, 37 and 38 must be considered collectively.

**Frazier Revitalization Inc. Hatcher Station Clinic**

Item 35: Authorize a 90 percent real property tax abatement agreement for 10 years with Hatcher at Scyene Title Holding Company, an affiliate of Frazier Revitalization Inc., for a new medical clinic facility of 44,000 square feet located at 4600 Scyene Road in Dallas pursuant to the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$10,233; ten-year revenue estimated at \$102,335 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$921,013)

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 34-38.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0688

DESIGNATED PUBLIC SUBSIDY MATTERS

**Note:** Agenda Item Nos. 34, 35, 36, 37 and 38 must be considered collectively.

**Frazier Revitalization Inc. Hatcher Station Clinic**

Item 36: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Frazier Revitalization, Inc. or Hatcher at Scyene Title Holding Company (collectively, "FRI"), in an amount up to \$2,000,000 associated with the development of a medical facility to be constructed at 4600 Scyene Road - Not to exceed \$2,000,000 - Financing: Public/Private Partnership Funds

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

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

Mayor Pro Tem Atkins moved to adopt agenda items 34-38.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0689

DESIGNATED PUBLIC SUBSIDY MATTERS

**Note:** Agenda Item Nos. 34, 35, 36, 37 and 38 must be considered collectively.

**Frazier Revitalization Inc. Hatcher Station Clinic**

Item 37: Authorize an amendment to certain conditions contained in Section 3 of Resolution No. 07-0522, which established a forgivable loan to Frazier Revitalization, Inc., related to land acquisition to: **(1)** add “medical” to the allowed project type; **(2)** clarify language related to the job requirements; and **(3)** clarify that the date established for a Certificate of Occupancy is March 31, 2015 - 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."

Mayor Pro Tem Atkins moved to adopt agenda items 34-38.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0690

DESIGNATED PUBLIC SUBSIDY MATTERS

**Note:** Agenda Item Nos. 34, 35, 36, 37 and 38 must be considered collectively.

**Frazier Revitalization Inc. Hatcher Station Clinic**

Item 38: Authorize **(1)** a Special Economic Development Grant Agreement with Frazier Revitalization, Inc. or a project-specific affiliate or subsidiary controlled by Frazier Revitalization, Inc. (Collectively, "FRI"), in an amount not to exceed \$200,000 to fund, and/or retire indebtedness associated with, land acquisition related to the construction of a new medical clinic in the South Dallas/Fair Park area; said grant being conditioned upon Parkland entering into a 25 year lease (with a purchase option) with FRI for the operation of the medical clinic; and **(2)** an increase in appropriations in the amount of \$200,000 - Not to exceed \$200,000, from \$3,177,481 to \$3,377,481 - Financing: South Dallas/Fair Park Trust Funds

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

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

Mayor Pro Tem Atkins moved to adopt agenda items 34-38.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0691

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 39: Authorize **(1)** a Special Economic Development Loan Agreement with Two Podners Retail Eateries, LLC, in the amount of \$100,000 to partially underwrite the cost of development of an 11,000 square foot structure to be located at 1441 Robert B. Cullum in Dallas to expand Two Podners Barbeque and Seafood Restaurant and add 6,500 square feet of tenant space; and **(2)** an increase in appropriations in the amount of \$100,000 - Not to exceed \$100,000, from \$3,377,481 to \$3,477,481 - Financing: South Dallas/Fair Park Trust Funds

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

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

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Davis absent\*)

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0692

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 40: Authorize an amendment to the Chapter 380 economic development grant agreement with Jefferson Monument, LLC, authorized pursuant to City Council Resolution No. 12-3014, previously approved on December 12, 2012 increasing the amount by \$345,000 associated with the redevelopment of Jefferson Tower, located at 301-375 West Jefferson Boulevard and 304, 314-328 Sunset Avenue in Dallas - Not to exceed \$345,000, from \$1,500,000 to \$1,845,000 - Financing: Public/Private Partnership 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 Griggs moved to adopt the item.

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

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0693

The consent zoning docket, consisting of agenda items 41-44, was presented for consideration.

No items were removed from the consent zoning docket to be considered as individual hearings.

Agenda item 41: Zoning Case Z123-359(WE)

Agenda item 42: Zoning Case Z134-122(LHS)

Agenda item 43: Zoning Case Z134-159(WE)

Agenda item 44: Zoning Case Z134-161(WE)

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.

Mayor Pro Tem Atkins moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Allen absent when vote taken; Davis absent\*)

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0694

Item 41: Zoning Case Z123-359(WE)

The consent zoning docket, consisting of agenda items 41-44, 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. 1931 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 Community Retail District with a D-1 Liquor Control Overlay on the north side of Ann Arbor Avenue, east of South Marsalis Avenue.

Recommendation of Staff and 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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29325

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0695

Item 42: Zoning Case Z134-122(LHS)

The consent zoning docket, consisting of agenda items 41-44, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned an A(A) Agricultural District, south of the terminus of South Northlake Road, south of Belt Line Road.

Recommendation of Staff and CPC: Approval.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29326



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0696

Item 43: Zoning Case Z134-159(WE)

The consent zoning docket, consisting of agenda items 41-44, 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. 1966 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay south of Great Trinity Forest Way (Loop 12), east of Oklaunion Drive.

Recommendation of Staff and 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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29327

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0697

Item 44: Zoning Case Z134-161(WE)

The consent zoning docket, consisting of agenda items 41-44, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-1ac(A) Single Family District uses on property zoned an R-1ac(A) Single Family District on the north side of Park Lane, west of Preston Road.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29328

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0698

Item 45: Zoning Case Z123-269(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southeast corner of Moberly Lane and South Buckner Boulevard.

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

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

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:

Pamela Craig, 2410 Taylor St., representing the applicant

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, Allen absent when vote taken; Davis absent\*)

Assigned ORDINANCE NO. 29329

\*Note: Absent – Approved as “Official City Business” per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0699

DESIGNATED ZONING CASES - INDIVIDUAL

Item 46: Zoning Case Z123-330(LHS)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District uses on property zoned an IM Industrial Manufacturing District on the east corner of Forest Park Road and Bomar Avenue.

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

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

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

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

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

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

Assigned ORDINANCE NO. 29330

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0700

DESIGNATED ZONING CASES - INDIVIDUAL

Item 47: Zoning Case Z123-346(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1241 for a utility or government installation other than listed on property zoned an IR Industrial Research District on the west line of Irving Boulevard, north of Quaker Street.

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

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

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

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

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

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

Assigned ORDINANCE NO. 29331

\*Note: Absent – Approved as "Official City Business" per Resolution 14-0792 on May 14, 2014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0701

Addendum Addition 1: Authorize a one-year service contract for installation of tree and building ornamental lights at Fair Park - The Christmas Light Company, Inc., lowest responsible bidder of two - Not to exceed \$340,775 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0702

Addendum Addition 2: Authorize **(1)** the application for and acceptance of the 2013-14 State Criminal Justice Planning Fund grant from the Office of the Governor, Criminal Justice Division, for support of the Prostitution Diversion Initiative for the period September 1, 2013, through August 31, 2014; and **(2)** execution of the grant agreement - Not to exceed \$145,992 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 23, 2014

14-0703

Addendum Addition 3: Authorize **(1)** the Southern Dallas Adaptive Reuse Pilot Program (Adaptive Reuse Program) to encourage reuse of underperforming and vacant buildings, maintenance, code compliance and job creation in southern Dallas pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program; and **(2)** the City Manager to execute economic development grant agreements approved as to form by the City Attorney in accordance with the requirements in the Southern Dallas Adaptive Reuse Pilot Program Statement to promote local economic development - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

**Note:** The city secretary announced for the record the item pertained to Districts 1-8.



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 23, 2014

EXHIBIT C