

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 11, 2014

14-0910

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs, Medrano (*9:10 a.m.), Hill, Caraway, Callahan, Davis (*9:13 a.m.), Kadane, Allen, Kleinman, Greyson, Gates, Kingston

ABSENT: [0]

The meeting was called to order at 9:09 a.m.

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

The invocation was given by Chaplin Al Taylor of the Dallas Police Department Southeast Patrol Division.

Jonathan Firra, Boy Scout of Troop 719, 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 5:44 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, JUNE 11, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 11, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0911

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: Linda Newland, 2468 Dorrington Dr.
SUBJECT: Panhandling

SPEAKER: John Franklin, Private
SUBJECT: Thanks for funding of fine arts

SPEAKER: Regina Imburgia, 5423 Goodwin Ave.
SUBJECT: Fluoride – Halting the addition

SPEAKER: Paul Connett, 104 Walnut St., Binghamton, NY
SUBJECT: Fluoride

SPEAKER: Alijah Wash, Private
REPRESENTING: TeCo Theatrical Productions
SUBJECT: Arts education

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Dalia Luttrell, 3445 Banning St.
SUBJECT: Water bill abuse/corruption

SPEAKER: Stephen Benavides, address not provided
SUBJECT: Office of the Police Monitor
[Speaker identified himself as Charles Goodson even after being asked to confirm his name by both the City Secretary and Councilmember Griggs. He was later identified to be Stephen Benavides.]

SPEAKER: Isabelle Edwards, 2626 Frankford Dr.
SUBJECT: Excess water in apartment complex

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr. (handout provided)
SUBJECT: We're living in revelation, watch!

SPEAKER: Kyla London, Private
SUBJECT: DISD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0911

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OPEN MICROPHONE – END OF MEETING:

(Continued)

SPEAKER: Lakolya London, 1411 N. Cockrell Hill Rd.

SUBJECT: Dallas hospitals

SPEAKER: Jonathan Vance, 5230 Bryan St.

SUBJECT: A vision for Texas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0912

Item 1: Approval of Minutes of the May 28, 2014 City Council Meeting

Councilmember Caraway moved to adopt the minutes of the May 28, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0913

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-25 and addendum addition consent agenda items 1-5, was presented for consideration.

Mayor Pro Tem Atkins requested consent agenda item 10 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Kleinman requested consent agenda item 11 and addendum addition consent agenda item 1 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Kingston requested consent agenda items 22, 23, 24 and addendum addition consent agenda item 4 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Hill requested addendum addition consent agenda item 4 be considered as an individual item 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 10, 11, 22, 23, 24 and addendum addition consent agenda items 1 and 4.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0914

Item 2: Authorize the purchase of (1) eight pieces of heavy equipment - Southwest International Trucks, Inc. in the amount of \$570,647, Texarkana Tractor Company dba Nor-Tex Tractor in the amount of \$451,479, Phelps Industries, Inc. in the amount of \$382,010, Hertz Equipment Rental Corporation in the amount of \$70,008, Waukesha-Pearce Industries, Inc. in the amount of \$63,400 and Nilfisk-Advance, Inc. in the amount of \$53,083, lowest responsible bidders of twenty; (2) nineteen pieces of heavy equipment - Rush Truck Center Crane in the amount of \$2,710,878 and Cues, Inc. in the amount of \$170,653 through the Houston-Galveston Area Council of Governments; and (3) one wheel loader - RDO Equipment Company in the amount of \$117,995 through Texas Association of School Boards (BuyBoard) - Total not to exceed \$4,590,153 - Financing: Municipal Lease Agreement Funds (\$3,092,888), Water Utilities Current Funds (\$1,273,529), Stormwater Drainage Management Current Funds (\$170,653), Aviation Current Funds (\$53,083)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-0915

Item 3: Authorize payment of a judgment in the lawsuit styled Tyrone J. Branley v. City of Dallas and Debra Williams, Cause No. DC-12-07125-A - Not to exceed \$52,337 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0916

Item 4: Authorize settlement of the lawsuit styled Julio Ramos and Ana Ramos, Individually and as next friends of Jessabel Ramos and Janine Ramos v. City of Dallas, Cause No. DC-13-00108-A - Not to exceed \$60,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0917

Item 5: Authorize settlement of the lawsuit styled Aaron Curtis v. Michael Wade Mosher and the City of Dallas, Civil Action No. 3:12-CV-4866 - Not to exceed \$150,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0918

Item 6: Authorize Supplemental Agreement No. 1 to the professional services contract with Walker Bright P.C. for additional services in the lawsuit styled Aaron Curtis v. Michael Wade Mosher and the City of Dallas, Civil Action No. 3:12-CV-4866 - Not to exceed ~~\$50,000~~ \$15,000, from \$50,000 to ~~\$100,000~~ \$65,000 - Financing: Current Funds

Corrected on the addendum.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0919

Item 7: Authorize the release of lien on a secured, no interest, forgivable loan, with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue, and Revlon Apartments located at 720 North Lancaster Avenue in the amount of \$161,500 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-0920

Item 8: Authorize the acceptance of additional grant funds from the U.S. Department of Homeland Security under the 2012 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, 2012 through July 31, 2014 - Not to exceed \$42,946, from \$5,295,442 to \$5,338,388 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0921

Item 9: Authorize an increase in the contract with J.C. Commercial, Inc. for additional scope of work to include: heating, ventilation and air conditioning repairs, painting, sheet rock replacement, installation of a new paging system and other miscellaneous items at the Anita Martinez Recreation Center located at 3212 North Winnetka Avenue - Not to exceed \$138,104, from \$1,170,898 to \$1,309,002 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0922

Item 10: Authorize Supplemental Agreement No. 3 to the professional services contract with Good Fulton & Farrell Architects for sitework scope additions and documents modification for the Briscoe Carpenter Center (formerly known as Livestock Arena) in Fair Park located at 1419 South Washington Street - Not to exceed \$88,450, from \$938,695 to \$1,027,145 - Financing: 2006 General Obligation Commercial Paper Funds

Mayor Pro Tem Atkins requested consent agenda item 10 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 10 was brought up for consideration.

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0923

Item 11: Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design of thoroughfare/streetscape improvements for Fort Worth Avenue from Sylvan Avenue to West Commerce Street - Not to exceed \$300,766 - Financing: General Obligation Commercial Paper Funds (\$220,735) and Water Utilities Capital Improvement Funds (\$80,031)

Councilmember Kleinman requested consent agenda item 11 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 11 was brought up for consideration.

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

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0924

Item 12: Authorize a contract with CORE Construction Services of Texas, Inc., best value proposer of five, for the construction of the Fretz Park Branch Library Renovation and Addition, located at 6990 Belt Line Road - Not to exceed \$4,343,564 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0925

Item 13: Authorize an increase in the contract with Munilla Construction Management, LLC to accommodate a change in the project schedule due to the project being shut down for Federal Aviation Administration review of a Construction Safety Phasing Plan on the Runway Safety Area Enhancements Project, Phase II at Dallas Love Field - Not to exceed \$368,364, from \$17,773,947 to \$18,142,311 - Financing: Aviation Capital Construction Funds (\$190,184) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$178,180)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0926

Item 14: Authorize an increase in funding for the Project Specific Agreement with Dallas County for the design and construction of paving, drainage, water main, and wastewater main improvements on Mountain Creek Parkway, from 2,400 feet southeast of Eagle Ford Drive to Clark Road - Not to exceed \$8,650,215, from \$480,253 to \$9,130,468 - Financing: General Obligation Commercial Paper Funds (\$5,325,000), Water Utilities Capital Construction Funds (\$38,500) and Water Utilities Capital Improvement Funds (\$3,286,715)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0927

Item 15: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. 635-I20 JV, et al., Cause No. CC-13-01705-E, pending in Dallas County Court at Law No. 1, to acquire approximately 480,413 square feet of land, including any improvements located at the intersection of Interstate Highway 20 and Rylie Crest Drive for the Southwest 120/96-inch Water Transmission Pipeline Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$953,214 (\$943,214 being the amount of the award, plus closing costs and title expenses not to exceed \$10,000); an increase of \$20,735 from the amount Council originally authorized for this acquisition - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0928

Item 16: Authorize acquisition from Matthews CCH Partners, L.P., of approximately 22,478 square feet of land improved with two buildings located near the intersection of Belleview and Browder Streets for the widening and extension of Belleview Street - Not to exceed \$221,000 (\$215,810, plus closing costs and title expenses not to exceed \$5,190) - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0929

Item 17: Authorize an amendment to Resolution No. 11-1715, previously approved on June 22, 2011, for acquisition from Clemmie Skief and Kathleen G. Skief, to increase the previously authorized amount for acquisition of approximately 1,065 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$1,300, increased from \$29,000 (\$27,111, plus closing costs and title expenses not to exceed \$1,889) to \$30,300 (\$27,111, plus closing costs and title expenses not to exceed \$3,189) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0930

Item 18: Authorize an amendment to Resolution No. 12-0469, previously approved on February 8, 2012, to authorize acquisition of a smaller tract of land containing approximately 75,629 square feet from Edward Handlin and Lafaye Handlin, located in the City of Balch Springs for the Southwest 120/96-inch Water Transmission Pipeline Project - Financing: This action has no additional cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0931

Item 19: Authorize an amendment to Resolution No. 13-0865, previously approved on May 22, 2013, to authorize acquisition of a larger tract of land containing approximately 71,544 square feet from Michael Franklin Green, located in Kaufman County for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project - Not to exceed \$13, increased from \$44,050 (\$41,050, plus closing costs and title expenses not to exceed \$3,000) to \$44,063 (\$41,063, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0932

Item 20: An ordinance abandoning a portion of Browder Street to Southwestern Bell Telephone Company, the abutting owner, containing a total of approximately 4,456 square feet of land, located near the intersection of Browder and Wood Streets - Revenue: \$220,572, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29360

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-0933

Item 21: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Eldorado Properties, Inc., et al., Cause No. CC-14-00665-A, pending in Dallas County Court at Law No. 1, to acquire approximately 7,345 square feet of land, including any improvements, located on North Carroll Avenue at its intersection with Victor Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$79,000 (\$75,000 being the amount of the award, plus closing costs and title expenses not to exceed \$4,000); an increase of \$30,000 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0934

IH 30 Bicycle and Pedestrian Connections

Note: Item Nos. 22 and 23
must be considered collectively.

Item 22: Authorize **(1)** the receipt and deposit of funds from Dallas County in the amount of \$1,980,000 for the County's share of design and construction costs of IH30 bicycle and pedestrian connections between Riverfront Boulevard and Beckley Avenue; and **(2)** an increase in appropriations in the IH30 Bicycle and Pedestrian Connection Funds in the amount of \$1,980,000 - Financing: IH30 Bicycle and Pedestrian Connection Funds

Councilmember Kingston requested consent agenda items 22-23 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 22-23 were brought up for consideration.

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 22-23.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0935

IH 30 Bicycle and Pedestrian Connections

Note: Item Nos. 22 and 23
must be considered collectively.

Item 23: Authorize **(1)** a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation (TXDOT) for the design and construction of the IH30 bicycle and pedestrian connections from Riverfront Boulevard to Beckley Avenue; and **(2)** payment to TXDOT for the local share of design and construction costs of IH30 bicycle and pedestrian connections from Riverfront Boulevard to Beckley Avenue - Not to exceed \$3,048,566 - Financing: General Obligation Commercial Paper (\$1,068,566), and IH30 Bicycle and Pedestrian Connection Funds (\$1,980,000)

Councilmember Kingston requested consent agenda items 22-23 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 22-23 were brought up for consideration.

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 22-23.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0936

Item 24: Authorize three contracts with the United States Army Corps of Engineers for a volumetric survey of Lake Ray Hubbard in the amount of \$35,233, White Rock Lake in the amount of \$20,456 and Bachman Lake in the amount of \$19,051 - Total not to exceed \$74,740 - Financing: Water Utilities Capital Construction Funds

Councilmember Kingston requested consent agenda item 24 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 24 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0937

Item 25: Authorize a contract for the installation of water and wastewater mains at 27 locations (list attached) - RKM Utility Services, Inc., lowest responsible bidder of five - Not to exceed \$12,473,390 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0938

Item 26: 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 JUNE 11, 2014.

The city secretary noted the report indicated a re-nominee for individual appointment cleared for city council action met all qualifications for service.

Councilmember Caraway moved to appoint the following:

- a nominee to an “individual appointment” position.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

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

14-6052 CPC CITY PLAN AND ZONING COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0939

Item 27: A resolution approving certain amendments to the Dallas City Charter for submission to the qualified voters of the City on November 4, 2014 - Financing: This action has no cost consideration to the City

Mayor Rawlings requested each proposed amendment be voted on separately rather than as a whole as suggested; there was no objection voiced to his request.

Proposed Amendment #1 – Records Management (IIIA§3)

Require the City Secretary's record management system to permanently retain all minutes, final orders, and any electronic recordings of the city council and certain boards and commissions.

Councilmember Kingston moved to add the amendment to the charter ballot.

Motion seconded by Councilmember Griggs.

After discussion, Mayor Rawlings called the vote on Councilmember Kingston's motion to add the amendment to the charter amendment ballot:

Voting Yes: [5] Griggs, Medrano, Caraway, Gates, Kingston

Voting No: [10] Rawlings, Atkins, Alonzo, Hill, Callahan, Davis, Kadane, Allen, Kleinman, Greyson

The city secretary declared the motion failed.

Mayor Rawlings called for a show of hands on directing the city attorney to draft an ordinance of the city code for this proposed amendment.

By a show of hands, with all having been raised in favor, Mayor Rawlings declared the motion adopted.

Mayor Rawlings asked the city attorney if proposed amendment #2 could be combined with proposed amendment #3. The city attorney's office confirmed that both proposed amendments #2 and #3 could be combined.

Mayor Rawlings stated proposed amendment #2 would be combined with proposed amendment #3; there was no objection voiced to his statement.

Proposed Amendment #2 – Civil Service (XVI §12(a))

Allow the Civil Service Board to designate the secretary of the Trial Board, rather than City Council.

Proposed Amendment #3 – Technical Amendments (Charter sections noted below)

- a. Delete the final sentence, which requires City Council to meet every week. (III §6)
- b. Allow city councilmembers to abstain from voting if required by any law. (III §10)
- c. Clarify when the Mayor is absent and when the Mayor Pro Tem (or Deputy Mayor Pro Tem) assumes the duties of the Mayor. (III §11)
- d. Amend the charter and code of ethics to conform to state law, which prohibits a city from terminating an employee who runs for public office. (III §17)
- e. Change reference to “accounts, records, and transactions” to “annual financial statements” because that is what is actually audited. (III §19)
- f. Require the firm that conducts the audit to be registered with the State of Texas. (III §19)
- g. Certification of budget estimates is the duty of the city’s internal auditor, not the external independent auditor. (III §19)
- h. Clarify that the Chief Financial Officer is responsible for management of the city’s financial assets. (III §20)
- i. Move responsibility for deposit of funds from XI §13 to this section. (III §20)
- j. Require that deposits be made promptly in a commercially reasonable manner, rather than within 24 hours. (III §20)
- k. Delete this section and move responsibility for deposit of funds to III §20. (XI §13)
- l. “Unencumbered” is misspelled. (XI §4)
- m. The cross-reference to Subdivisions (4) and (5) of Section 1 is not correct. (XI §5)
- n. The reference to the City Secretary is incorrect; the Chief Financial Officer provides any notice. (XI §6)
- o. Change “City Controller” to “Chief Financial Officer.” (XI §8)
- p. The cross-reference to Section 10 is not correct. (XI §11)
- q. The comprehensive plan is amended by ordinance, not resolution. (XV §1(2))
- r. Delete because alternate members of the Board of Adjustment are addressed in Dallas Development Code §51A-3.102(a). (XV §7)
- s. Change the item from 10 days to 10 working days to be consistent with the Personnel Rules. (XVI §12(c))

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- t. Amend the section to conform to Wachsman v. Dallas. (XVI §16(d))
- u. The assessment and collection of property taxes provision [XIX §1] does not reflect changes to the Texas Tax Code, and the proposed amendments are:
 - 1. Change the reference to the tax assessor and collector to the chief appraiser of the appraisal districts of the counties in which the City of Dallas is located.
 - 2. Change the date the tax appraiser submits tax list to the city from July 1st to July 25th.
 - 3. Delete the phrase “or as soon thereafter as practicable.”
- v. Improvements are ordered by ordinance. (XX §2)
- w. Delete the second sentence stating that notice of a council resolution is not required. (XX §2)
- x. The reference to Texas Local Government Code Chapter 402 is no longer current. (XX §11)
- y. Change the term “officer” to “official” to be consistent with Dallas City Code Chapter 12A. (XXII §11)
- z. Change September to August, and allow City Council to begin the nomination process, rather than make the appointments. (XXIV §13(a))

Councilmember Kingston moved to add proposed amendments #2 and #3 with the removal of technical amendment 3c to the charter amendment ballot.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called a recess of the city council meeting at 12:14 p.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the city attorney on posted executive session items.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:37 p.m.

Discussion continued on the item.

Mayor Pro Tem Atkins withdrew his second to Councilmember Kingston’s motion.

Councilmember Kingston restated his motion to add proposed amendments #2 and #3 with the removal of technical amendment 3c to the charter amendment ballot.

Motion seconded by Councilmember Griggs.

After further discussion, Councilmember Hill moved a substitute motion to add proposed amendments #2 and #3, as written, to the charter amendment ballot.

Motion seconded by Councilmember Kadane.

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Mayor Rawlings called the vote on Councilmember Hill's substitute motion to add proposed amendments #2 and #3, as written, to the charter amendment ballot:

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

Voting No: [2] Medrano, Kingston

The city secretary declared the motion adopted.

Proposed Amendment #4 – Petition Review (V§1(3) and XVIII §12)

Allow the City Secretary 45 days to review a petition.

Mayor Rawlings stated proposed amendment #4 would be held to later in the meeting to consider all other items on the agenda; there was no objection voiced to his statement.

Later in the meeting, proposed amendment #4 was brought forward for consideration.

Following discussion, Councilmember Kadane moved to add proposed amendment #4 to the charter amendment ballot.

Motion seconded by Councilmember Allen.

After discussion, Mayor Rawlings called the vote on Councilmember Kadane's motion to add proposed amendment #4 to the charter amendment ballot:

Voting Yes: [5] Alonzo, Callahan, Davis, Kadane,
Allen

Voting No: [9] Rawlings, Atkins, Griggs, Medrano,
Hill, Kleinman, Greyson, Gates,
Kingston

Absent when vote taken: [1] Caraway

The city secretary declared the motion failed.

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Proposed Amendment #5 – The proposed amendments include: (Charter sections noted below)

1. Require the audited financial statements to be posted on the city’s website and maintained in the central and branch libraries. (III §19)
2. Require the annual appropriation ordinance to be posted on the city’s website and maintained in the central and branch libraries. (XV §3)
3. Require notice of city plan commission meetings to be posted on the city’s website. (XV §4)
4. Require ordinances to be published on the city’s website unless otherwise required by law. (XVIII §7)
5. Require ordinances to be submitted to voters to be posted on the city’s website and made available in the central and branch libraries. (XVIII §15)
6. Require notice of contract letting be posted on the city’s website. (XXII §2(a))

Councilmember Davis moved to reject proposed amendment #5.

Motion seconded by Councilmember Hill.

After discussion, Mayor Rawlings called the vote on Councilmember Davis’ motion to reject proposed amendment #5:

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

The city secretary declared the motion adopted.

Proposed Amendment #6 – The proposed amendments include: (XXII §11)

1. Exempt ownership of an interest in a mutual or common investment fund.
2. Exempt non-negotiated form contracts for general city services or benefits made available on the same terms that they are made available to the general public.
3. Exempt board and commission members, but require that they comply with conflict of interest and ethics provisions in state law or the city code.

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Councilmember Kingston moved to add proposed amendment #6 to the charter amendment ballot.

Motion seconded by Mayor Pro Tem Atkins.

After discussion, Mayor Rawlings called the vote on Councilmember Kingston's motion to add proposed amendment #6 to the charter amendment ballot:

Voting Yes:	[13]	Rawlings, Atkins, Alonzo, Griggs, Medrano, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston
Voting No:	[1]	Hill
Absent when vote taken:	[1]	Caraway

The city secretary declared the motion adopted.

Proposed Amendment #7 – The proposed amendments include: (III §17 and VIII§4A)

1. Clarify that the prohibition on running for other offices applies to municipal judges and commission members as well as board members.
2. Make the prohibition on running for other offices apply to DART board members and DFW board members.
3. Clarify that a municipal judge automatically resigns if the judge announces that he/she is a candidate for an elected office, and add a cross-reference to III §17.

Councilmember Greyson moved to add proposed amendment #7 to the charter amendment ballot.

Motion seconded by Deputy Mayor Pro Tem Alonzo.

After discussion, Councilmember Kingston moved a substitute motion to reject proposed amendment #7.

Motion seconded by Councilmember Davis.

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After further discussion, Councilmember Hill moved a substitute motion to separate proposed amendment #7 to two parts:

- Part 1
 1. Clarify that the prohibition on running for other offices applies to municipal judges and commission members as well as board members.
 3. Clarify that a municipal judge automatically resigns if the judge announces that he/she is a candidate for an elected office, and add a cross-reference to III §17.
- Part 2
 2. Make the prohibition on running for other offices apply to DART board members and DFW board members.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Hill's substitute motion to separate proposed amendment #7 to two parts:

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

The city secretary declared the motion failed.

After discussion, Mayor Rawlings called the vote on Councilmember Kingston's substitute motion to reject proposed amendment #7:

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

The city secretary declared the motion failed.

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Mayor Rawlings called the vote on Councilmember Greyson's motion to add proposed amendment #7 to the charter amendment ballot:

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

The city secretary declared the motion adopted.

*Councilmember Hill requested the record reflect she voted in favor of the motion as it would apply to the municipal judges.

Proposed Amendment #8 – Increase councilmember compensation to \$60,000, effective June 2015, and the Mayor's compensation to \$80,000, effective upon the swearing in as mayor of an individual who did not hold the office of mayor on November 4, 2014. (III §4)

Councilmember Kingston moved to increase council compensation to \$80,000, effective June 2015 and the Mayor's compensation to \$160,000, effective upon the swearing in as mayor of an individual who did not hold the office of mayor on November 4, 2014 (with Consumer Price Index (CPI) increase annually), and add to the charter amendment ballot.

Motion seconded by Councilmember Griggs.

After discussion, Councilmember Davis moved a substitute motion to increase council compensation to \$60,000 and the mayor's compensation to \$80,000, effective January 1, 2015, and add to the charter amendment ballot.

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Griggs moved a substitute motion to increase council compensation to \$80,000 and mayor compensation to \$160,000, effective upon the swearing in of both a councilmember and mayor as an individual who did not hold office on November 4, 2014 (with Consumer Price Index (CPI) increase annually), and add to the charter amendment ballot.

Motion seconded by Councilmember Medrano.

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After further discussion, Mayor Rawlings called the vote on Councilmember Griggs' substitute motion to increase council compensation to \$80,000 and mayor compensation to \$160,000, effective upon the swearing in of both a councilmember and mayor as an individual who did not hold office on November 4, 2014 (with Consumer Price Index (CPI) increase annually), and add to the charter amendment ballot:

Voting Yes: [4] Griggs, Medrano, Allen, Kingston

Voting No: [10] Rawlings, Atkins, Alonzo, Hill,
Callahan, Davis, Kadane, Kleinman,
Greyson, Gates

Absent when vote taken: [1] Caraway

The city secretary declared the motion failed.

Mayor Rawlings called the vote on Councilmember Davis' substitute motion to increase council compensation to \$60,000 and the mayor's compensation to \$80,000, effective January 1, 2015, and add to the charter amendment ballot:

Voting Yes: [4] Atkins, Alonzo, Griggs, Davis

Voting No: [10] Rawlings, Medrano, Hill, Callahan,
Kadane, Allen, Kleinman, Greyson,
Gates, Kingston

Absent when vote taken: [1] Caraway

The city secretary declared the motion failed.

Mayor Rawlings called the vote on Councilmember Kingston's motion to increase council compensation to \$80,000, effective June 2015, and the Mayor's compensation to \$160,000, effective upon the swearing in as mayor of an individual who did not hold the office of mayor on November 4, 2014 (with Consumer Price Index (CPI) increase annually), and add to the charter amendment ballot:

Voting Yes: [3] Griggs, Allen, Kingston

Voting No: [11] Rawlings, Atkins, Alonzo, Medrano,
Hill, Callahan, Davis, Kadane,
Kleinamn, Greyson, Gates

Absent when vote taken: [1] Caraway

The city secretary declared the motion failed.

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Mayor Rawlings stated all prior motions failed and that the floor was now open for further discussion and motion(s).

Deputy Mayor Pro Tem Alonzo moved to increase councilmember compensation to \$60,000, effective June 2015, and the Mayor's compensation to \$80,000, effective upon the swearing in as mayor of an individual who did not hold the office of mayor on November 4, 2014, and add to the charter amendment ballot.

Motion seconded by Councilmember Davis.

Councilmember Kingston moved a substitute motion to increase councilmember compensation to \$60,000, effective June 2015, and the Mayor's compensation to \$80,000, effective upon the swearing in as mayor of an individual who did not hold the office of mayor on November 4, 2014 (with Consumer Price Index (CPI) increase annually), and add to the charter amendment ballot.

Motion seconded by Councilmember Allen.

Councilmember Griggs moved a substitute motion to increase council compensation to \$60,000, and mayor compensation to \$80,000, effective upon the swearing in of both a councilmember and mayor as an individual who did not hold office on November 4, 2014 (with Consumer Price Index (CPI) increase annually), and add to the charter amendment ballot.

Motion seconded by Councilmember Medrano.

After discussion, Mayor Rawlings called the vote on Councilmember Griggs' substitute motion to increase council compensation to \$60,000, and mayor compensation to \$80,000, effective upon the swearing in of both a councilmember and mayor as an individual who did not hold office on November 4, 2014 (with Consumer Price Index (CPI), increase annually), and add to the charter amendment ballot:

Voting Yes: [5] Atkins, Griggs, Medrano, Allen,
Kingston

Voting No: [9] Rawlings, Alonzo, Hill, Callahan,
Davis, Kadane, Kleinman, Greyson,
Gates

Absent when vote taken: [1] Caraway

The city secretary declared the motion failed.

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Mayor Rawlings called the vote on Councilmember Kingston's substitute motion to increase councilmember compensation to \$60,000, effective June 2015, and the Mayor's compensation to \$80,000, effective upon the swearing in as mayor of an individual who did not hold the office of mayor on November 4, 2014 (with Consumer Price Index (CPI) increase annually), and add to the charter amendment ballot:

Voting Yes: [5] Atkins, Griggs, Callahan Allen,
Kingston

Voting No: [9] Rawlings, Alonzo, Medrano, Hill,
Davis, Kadane, Kleinman, Greyson,
Gates

Absent when vote taken: [1] Caraway

The city secretary declared the motion failed.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to increase councilmember compensation to \$60,000, effective June 2015, and the Mayor's compensation to \$80,000, effective upon the swearing in as mayor of an individual who did not hold the office of mayor on November 4, 2014, and add to the charter amendment ballot:

Voting Yes: [8] Rawlings, Atkins, Alonzo, Griggs,
Davis, Allen, Greyson, Kingston

Voting No: [6] Medrano, Hill, Callahan, Kadane,
Kleinman, Gates

Absent when vote taken: [1] Caraway

The city secretary declared the motion adopted.

Proposed Amendment #9 – The proposed amendments include: (IV §5)

1. a widely-publicized application process,
2. qualifications for applicants,
3. persons who are not eligible to be applicants,
4. independent outside auditor review of applications,
5. each city councilmember appoints one member from qualified applicant pool
6. guidelines for drawing district lines,
7. prohibits commissioners from running for city council for the next two terms or serving on a city board for two years,
8. prohibits city councilmembers contact with commissioners, except in open meetings,

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Proposed Amendment #9 – The proposed amendments include: (IV §5) [continued]

9. training and staffing for the commission and public input on proposed maps,
10. requires a written explanations, 72 hours public notice, and three-fourths vote of city council to modify the proposed map.

Councilmember Griggs moved to defer discussion of proposed amendment #9 until the June 25, 2014 voting agenda meeting of the city council.

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

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JUNE 11, 2014

14-0940

DESIGNATED PUBLIC SUBSIDY MATTERS

Courtland Farms LLC Amendment to Development Agreement and Tax Abatement Agreements **Note:** Item Nos. 28 and 29 must be considered collectively.

Item 28: Authorize an amendment to Resolution No. 14-0549, previously approved on March 26, 2014, authorizing a development agreement with Courtland Group, LLC changing the name of the contracting entity from Courtland Group, LLC to Courtland Farms, LLC and revising the terms to clarify that the City will be constructing the Grady Niblo extension - 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 Hill moved to adopt the item revising the terms of the development agreement with Courtland Group LLC and changing the name of the contracting party to Courtland Farms LLC with the following change:

- Section 2G of the resolution shall define completion of the warehouse as a shell or temporary certificate of occupancy and that the development agreement will not require a final certificate of occupancy.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Kadane and unanimously adopted.

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JUNE 11, 2014

14-0941

DESIGNATED PUBLIC SUBSIDY MATTERS

Courtland Farms LLC Amendment to Development Agreement and Tax Abatement Agreements **Note:** Item Nos. 28 and 29 must be considered collectively.

Item 29: Authorize an amendment to Resolution No. 14-0550, previously approved on March 26, 2014, authorizing two real property tax abatement agreements with Courtland Group, LLC changing the name of the contracting entity from Courtland Group, LLC to Courtland Farms, LLC and extending the dates of substantial completion - 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 Hill moved to adopt the item amending the resolution for the tax abatement agreements for Phase I and Phase II that is also correcting the name of the contracting entity to Courtland Farms LLC with the following change:

- The total investment commitment of \$36.5M for both phases and the commitment to complete Phase II shall be removed from Section 5(f) of the resolution.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Kadane and unanimously adopted.

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14-0942

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

Agenda items 30 and 36 were removed from the consent zoning docket to be considered as individual hearings.

~~Agenda item 30: Zoning Case Z134-155(OTH)~~ **[considered individually]**
Agenda item 31: Zoning Case Z134-165(RB)
~~Agenda item 32: Zoning Case Z134-173(DJ)~~ **[considered individually later
in the meeting]**
Agenda item 33: Zoning Case Z134-174(OTH)
Agenda item 34: Zoning Case Z134-176(WE)
Agenda item 35: Zoning Case Z134-179(WE)
~~Agenda item 36: Zoning Case Z134-183(MW)~~
Agenda item 37: Zoning Case Z134-189(OTH) **[considered individually]**

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

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

Richard Sheridan, 11301 Dennis Rd., opposition to agenda items 31 and 33

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

Councilmember Caraway 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 Medrano and unanimously adopted.

Later in the meeting, Councilmember Kadane moved to reconsider the zoning consent docket to allow agenda item 32 to be considered individually as requested by Councilmember Davis.

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

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 Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0943

Item 30: Zoning Case Z134-155(OTH)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a vehicle or engine repair or maintenance use on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District on the east line of Langford Street, north of Yorktown Street.

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

The city secretary announced consent zoning agenda item 30 needed to be considered as an individual item later in the meeting as it required a $\frac{3}{4}$ vote; there was no objection voiced to her announcement.

Later in the meeting, consent zoning agenda item 30 was brought up for consideration.

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.

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

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29361

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0944

Item 31: Zoning Case Z134-165(RB)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for an Open-enrollment charter school and R-7.5(A) Single Family District Uses on property zoned an R-7.5(A) Single Family District, and an ordinance granting the termination of Specific Use Permit No. 1742 for an Open-enrollment charter school, on property on the north line of Bohannon Drive, east of Pleasant Drive.

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan, and conditions, and approval of the termination of Specific Use Permit No. 1742.

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 NOS. 29362 AND 29364

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JUNE 11, 2014

14-0945

Item 32: Zoning Case Z134-173(DJ)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing to receive comments regarding an application for a CR Community Retail District on property zoned an MF-2(A) Multifamily District on the southwest side of Highland Road, east of Ferguson Road with consideration being given to and an ordinance granting an NS(A) Neighborhood Service District.

Recommendation of Staff and CPC: Approval of an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District.

Approved as part of the consent zoning docket.

Later in the meeting, Councilmember Kadane moved to reconsider the zoning consent docket to allow agenda item 32 to be considered individually as requested by Councilmember Davis.

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

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

Councilmember Davis moved to continue the public hearing and hold the item under advisement until the August 13, 2014 voting agenda meeting of the city council.

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

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14-0946

Item 33: Zoning Case Z134-174(OTH)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2028 for an open-enrollment charter school on property zoned an RR Regional Retail District generally bounded by Kiest Boulevard, Morse Drive and Walton Walker Boulevard.

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

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. 29364

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0947

Item 34: Zoning Case Z134-176(WE)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict E-2 within Planned Development District No. 305 for mixed uses on the northeast corner of North Central Expressway and North Haskell Avenue.

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. 29365

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0948

Item 35: Zoning Case Z134-179(WE)

The consent zoning docket, consisting of agenda items 30-37, 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. 1726 for a vehicle display, sales and services use on property zoned Subdistrict 2 within Planned Development District No 534, the C.F. Hawn Special Purpose District No. 2 on the southeast corner of C.F. Hawn Freeway and Dowdy Ferry Road.

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.

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. 29366

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0949

Item 36: Zoning Case Z134-183(MW)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District on the southwest line of John W. Carpenter Freeway, southeast of Metromedia Place.

Recommendation of Staff and CPC: Approval.

Deputy Mayor Pro Tem Alonzo requested consent zoning agenda item 36 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent zoning agenda item 36 was brought up for consideration.

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

Deputy Mayor Pro Tem Alonzo moved to deny the item without prejudice.

Motion seconded by Councilmember Medrano and unanimously adopted.

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JUNE 11, 2014

14-0950

Item 37: Zoning Case Z134-189(OTH)

The consent zoning docket, consisting of agenda items 30-37, 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. 1692 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, west of Parry Avenue.

Recommendation of Staff and CPC: Approval for a three-year period, 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. 29367

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0951

Item 38: Zoning Case Z134-157(WE) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subdistrict 2 within Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3 with a D-1 Liquor Control Overlay on the northwest corner of C.F. Hawn Freeway and St. Augustine Road.

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 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 with the following change:

- No automatic renewals

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29368

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0952

Item 39: Zoning Case Z112-267(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1624 for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District on the northwest corner of Commerce Street and Manila Road.

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

Note: This item was considered by the City Council at a public hearing on May 28, 2014, and was taken under advisement until June 11, 2014, with the public hearing open.

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

Deputy Mayor Pro Tem Alonzo moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- Specific Use Permit for a 3-year period

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29369

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0953

Item 40: Zoning Case Z134-133(MW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar on property zoned Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the east side of Harry Hines Boulevard, north of Royal Lane.

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

Note: This item was considered by the City Council at a public hearing on May 28, 2014, and was taken under advisement until June 11, 2014, with the public hearing open.

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

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

Motion seconded by Mayor Pro Tem Atkins.

Deputy Mayor Pro Tem Alonzo withdrew her motion.

Mayor Pro Tem Atkins, who seconded the motion, also withdrew his motion.

Deputy Mayor Pro Tem Alonzo moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- Specific Use Permit expires on June 11, 2016

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 29370

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0954

Item 41: Zoning Case Z134-146(MW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new tract within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District, on the west side of Denton Drive, north of Royal Lane.

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

Note: This item was considered by the City Council at a public hearing on May 28, 2014, and was taken under advisement until June 11, 2014, with the public hearing open.

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

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

Motion seconded by Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 29371

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0955

DESIGNATED ZONING CASES - INDIVIDUAL

Item 42: Zoning Case Z123-193(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for multiple family uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west line of Cole Avenue, north of Hester Avenue.

Recommendation of Staff: Denial

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

Deleted on the addendum.

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JUNE 11, 2014

14-0956

DESIGNATED ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 43: Zoning Case Z123-365(MW)

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 MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

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

Note: This item was considered by the City Council at a public hearing on May 14, 2014, and was taken under advisement until June 11, 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:

- Jesus Garcia, 2020 N. Garrett Ave.

Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission subject to a new conceptual plan with amended height zones and removal of sidewalks and with the following changes to the ordinance:

- Fences located in the front yard must be at least 25 percent open.
- Minimum side yard from an alley is five feet.
- Maximum number of dwelling units is 305.
- Within 170 feet of Moser Avenue, maximum structure height is 36 feet measured to the midpoint of a sloped roof from the building's finished floor at grade level.

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- Along Garrett Avenue, maximum structure height is 60 feet in the area shown on the conceptual plan.
- An elevator penthouse or bulkhead may project a maximum of 12 feet above the maximum structure height if located a minimum of 170 feet from the Moser Avenue property line.
- The maximum number of stories within 170 feet of Moser Avenue is three.
- A fifth level common area is permitted in the area shown on the conceptual plan. The common area may include a pool and recreation facilities.
- Along Moser Avenue, individual private yard entrances may not be gated.
- Masonry facades must include a mix of at least three distinct colors and a variation in material depth to ensure façade variation and texture.
- Exterior façade walls, exclusive of fenestration, must be constructed of at least 75 percent masonry. Masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials.
- Dark gray colored siding is prohibited.
- Metal siding and vinyl siding is prohibited.
- Parking structures must be located underground or fully screened by a residential building, excluding driveways and entryways.
- The maximum allowed roof pitch is 3:12.
- Wall-mounted light fixtures must be mounted so that the cone of light is contained on-site and does not cross the Property line.
- Blade signs are permitted along Monarch Avenue and Garrett Avenue.
- Detached signs are prohibited along Moser Avenue.

and pass the ordinance.

Motion seconded by Councilmember Hill and Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 29372

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0957

MISCELLANEOUS HEARINGS

Item 44: A public hearing to receive comments on the Proposed FY 2014-15 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and the Proposed FY 2013-14 Reprogramming Budget - Financing: No cost consideration to the City.

The following individual addressed the city council on the item:

Richard Sheridan, 11301 Dennis Rd.

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

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0958

Closed Session

6ES

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

- Legal issues associated with Project Reconnect.

At 12:14 p.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- Legal issues associated with Project Reconnect.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:37 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0959

Addendum Addition 1: Authorize an increase in the contract with Texas Standard Construction, Ltd. for paving improvements and other necessary construction field adjustments for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - Total net amount not to exceed \$144,144, from \$1,715,307 to \$1,859,450 and decrease portion of funding previously allocated to Water Utilities Capital Construction Funds (total decrease of \$51,265) - Financing: General Obligation Commercial Paper Funds (\$154,250) and Water Utilities Capital Construction Funds (\$41,159)

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

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0960

Street Reconstruction Group 06-618

Note: Item Nos. 2 and 3
must be considered collectively.

Addendum Addition 2: Authorize an increase in the contract with Texas Standard Construction, Ltd. for the construction of monuments, sidewalks, crosswalks, pedestrian lighting and minor landscape improvements for Martin Luther King, Jr. Boulevard at Atlanta Street, Malcolm X Boulevard and Robert B. Cullum Boulevard - Not to exceed \$879,000, from \$12,150,167 to \$13,029,167 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0961

Street Reconstruction Group 06-618

Note: Item Nos. 2 and 3
must be considered collectively.

Addendum Addition 3: Authorize a Gateway Monument Agreement with the Texas Department of Transportation for installing and maintaining monuments in the median of Robert B. Cullum Boulevard at Martin Luther King, Jr. Boulevard - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0962

Addendum Addition 4: An ordinance amending Section 9-2, "Bicycles in Public Buildings," and Article II, "Bicycle Helmets," of Chapter 9, "Bicycles," of the Dallas City Code to amend the requirements on (1) bringing bicycles into public buildings; and (2) providing that bicycle helmets are required for minors only; providing a penalty not to exceed \$50; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Councilmember Kingston and Councilmember Hill requested addendum addition 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, addendum addition consent agenda item 4 was brought up for consideration.

Councilmember Kleinman moved to adopt agenda item with the following changes:

- Section 9-2 prohibiting bicycles in public buildings is deleted;
- Section 9-3 prohibiting stunt riding and racing is deleted; and
- Bicycles helmets are required for minors only.

Motion seconded by Councilmember Griggs.

Councilmember Kingston asked Councilmember Kleinman if he would accept a friendly amendment to the following part of his motion:

- Bicycle helmets required for ages 13 and under.

Councilmember Kleinman agreed to accept the friendly amendment as part of his motion.

Councilmember Griggs, who seconded the original motion, also accepted Councilmember Kingston's friendly amendment.

Councilmember Hill requested a record vote, following her statement on her opposition to the proposed helmet requirement change

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0962

Page 2

During discussion, Councilmember Caraway moved a substitute motion to adopt the item with the following changes:

- Section 9-2 prohibiting bicycles in public buildings is deleted;
- Section 9-3 prohibiting stunt riding and racing is deleted; and
- Bicycles helmets are required ages 17 and under.

Motion seconded by Councilmember Gates.

Mayor Rawlings called the vote on Councilmember Caraway's substitute motion:

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

Voting No: [3] Alonzo, Hill, Kingston

Absent when vote taken: [0]

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29373

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0963

Addendum Addition 5: An ordinance granting the street name change from Ables Lane between Walnut Hill Lane and Electronic Lane to “James Parker Way” - NC134-001 Financing - No cost consideration to the City.

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29374

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0964

Addendum Addition 6: A resolution designating absences by Councilmember Dwaine R. Caraway, Councilmember Carolyn R. Davis and Councilmember Philip T. Kingston as being for "Official City Business" - Financing: No cost consideration to the City.

Councilmember Caraway, Councilmember Davis and Councilmember Kingston announced they had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Caraway, Councilmember Davis and Councilmember Kingston left the city council chamber.

Councilmember Hill moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Davis, Kingston abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2014

14-0965

Addendum Addition 7: Authorize a loan in the amount of \$500,000 to Bruton Apartments, Ltd. for the construction of retail/commercial space in conjunction with the Bruton Road Mixed Use Development, located at 9514 Bruton Road, Dallas, Texas 75217 - Not to exceed \$500,000 - 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 Davis moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Hill.

At the request of Councilmember Callahan, the following individual addressed the city council regarding the item:

Michael Davis, 2807 Allen St.

After discussion, Mayor Rawlings called the vote on Councilmember Davis' motion to adopt the item.

Mayor Rawlings declared the item adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 11, 2014

EXHIBIT C