

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 8, 2014

14-1660

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs (*9:24 a.m.), Medrano, Hill, Caraway, Callahan, Davis (*9:34 a.m.), Kadane, Allen, Kleinman, Greyson (*9:14 a.m.), Gates, Kingston (*9:12 a.m.)

ABSENT: [0]

The meeting was called to order at 9:08 a.m.

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

The invocation was given by Senior Pastor Wes Magruder of Kessler Park United Methodist Church.

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 3:17 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, OCTOBER 8, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 8, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1661

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: Debbie Hill, 1718 Fargo St.
REPRESENTING: Griggs Chapel Baptist Church
SUBJECT: Fair Park parking boundaries

SPEAKER: Antonio Huerta, 3411 Borger St.
REPRESENTING: Builders of Hope
SUBJECT: Builders of Hope program

SPEAKER: Jose Barrientos, 3307 Falls Dr.
SUBJECT: Boxing tournament to City of Dallas

SPEAKER: Joe Ponce Jr., 4300 Poinsettia Dr. (handout provided)
SUBJECT: Boxing tournament to City of Dallas

SPEAKER: Dannion Pollard, 4814 Spring Ave.
SUBJECT: Boxing tournament to City of Dallas

ADDITIONAL – OPEN MICROPHONE:

There were no speakers present under this category.

OPEN MICROPHONE – END OF MEETING:

There were no speakers present under this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1662

Item 1: Approval of Minutes of the September 24, 2014 City Council Meeting

Mayor Pro Tem Atkins moved to adopt the minutes of the September 24, 2014 City Council Meeting.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1663

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-38 and addendum addition consent agenda items 1-3.

Councilmember Medrano requested consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Caraway requested consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Kingston requested consent agenda item 29 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda item 34 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Mayor Pro Tem Atkins moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 2, 29 and 34.

Motion seconded by Councilmember Griggs and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1664

Item 2: A resolution renaming a portion of Cedar Springs Road from Mockingbird Lane to the Dallas Love Field Terminal to “Herb Kelleher Way” - Not to exceed \$10,000 - Financing: Aviation Current Funds

Councilmember Medrano and Councilmember Caraway requested consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, consent agenda item 2 was brought up for consideration.

Councilmember Medrano moved to adopt the item.

Motion seconded by Councilmember Caraway.

Councilmember Caraway requested a record vote.

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

Voting Yes: [15] Rawlings, Atkins, Alonzo, Griggs, Medrano,
Hill, Caraway, Callahan, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1665

Item 3: Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of seven - Not to exceed \$212,530 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1666

Item 4: Authorize a three-year service contract for the rental of cranes with operators - TNT Crane & Rigging, Inc., lowest responsible bidder of two - Not to exceed \$361,147 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1667

Item 5: Authorize a five-year service contract for access to an internet database of second hand property transactions for Police - LeadsOnline, LLC, only proposer - Not to exceed \$342,500 - Financing: Confiscated Monies Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1668

Item 6: Authorize a five-year service contract for janitorial services at specific Water Utilities, Housing/Community Services and Trinity Watershed Management locations - Andrews Building Service, Inc., lowest responsible bidder of nine - Not to exceed \$2,162,783 - Financing: Water Utilities Current Funds (\$1,457,513), Texas Department of State Health Services Grant Funds (\$639,420) and Stormwater Drainage Management Current Funds (\$65,850) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1669

Item 7: Authorize **(1)** a five-year acquisition contract to establish a master agreement for the purchase of additional licenses and modules to expand and upgrade the Permit One Stop Solution Engine land management system in the amount of \$2,695,070; and **(2)** a five-year service contract to establish a master agreement to continue maintenance and support of the existing Permit One Stop Solution Engine land management system in the amount of \$599,760 - Computronix (USA), Inc. - Sole Source - Total not to exceed \$3,294,830 - Financing: Building Inspection Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1670

Item 8: Authorize the purchase and installation of modular walls and equipment for Dallas Love Field Airport - Facilitech, Inc. dba Business Interiors through the Texas Association of School Boards (BuyBoard) - Not to exceed \$435,134 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1671

Item 9: Authorize payment of annual software maintenance in support of the CityLaw Law Office Management System, a performance-based tracking system from Cycom Data Systems, Inc., for the period November 1, 2014 through October 31, 2015 - Not to exceed \$60,516 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1672

Item 10: Authorize **(1)** acceptance of a grant from The American Society for the Prevention of Cruelty to Animals to be used for donated vehicle fuel, insurance and related operating expenses for the period February 12, 2014 through February 12, 2015; and **(2)** execution of the grant agreement - Not to exceed \$7,500 - Financing: The American Society for the Prevention of Cruelty to Animals (ASPCA) Vehicle Expense Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1673

Item 11: Authorize **(1)** acceptance of the Dallas Companion Animal Project Volunteer Program Grant in the amount of \$100,000 a year for three years to be used for the development of a sustainable volunteer program at Dallas Animal Services for the period October 1, 2014 through September 30, 2017; **(2)** establishment of new positions funded by the grant; and **(3)** execution of the grant agreement - Not to exceed \$300,000 - Financing: Dallas Companion Animal Project Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1674

Item 12: Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for Women, Infants and Children for the period October 1, 2014 through September 30, 2015 - Not to exceed \$16,000,171 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1675

Item 13: Authorize the release of the lien and deed restrictions on FY1999-00 secured, no interest, forgivable loan in the amount of \$101,000, with Legacy Counseling Center, Inc., for substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1676

Item 14: Authorize the release of the lien and deed restrictions on FY2010-11 secured, no interest, forgivable loan in the amount of \$7,000, with Legacy Counseling Center, Inc., for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1677

Item 15: Authorize **(1)** a contract with the Dallas County Local Workforce Development Board, Inc. to receive the Texas Adult Education and Literacy Programs grant to provide adult education programs including: Workplace literacy, Family literacy and English literacy through a grant from Federal and State funding (Contract No. DPL-AEL 1-2014, CFDA No. 84.002A and CFDA No. 93.558 and State Adult Education and Family Leave Act Grant No. 0614AEL000) for the grant period July 1, 2014 through June 30, 2015; **(2)** establishment of two grant funded positions; and **(3)** execution of any and all documents required by the contract - Total not to exceed \$101,720 - Financing: Dallas County Local Workforce Development Board Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1678

Item 16: Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International - North America in the amount of \$55,985, Gartner, Inc. (IT Executives and Leaders) in the amount of \$237,251, North Central Texas Council of Governments in the amount of \$123,236, ~~North Texas Commission in the amount of \$91,020~~, The Steering Committee of Cities Served by Oncor in the amount of \$125,800, Texas Coalition of Cities For Utility Issues in the amount of \$50,307, Texas Municipal League in the amount of \$51,194, Water Environment Research Foundation in the amount of \$86,789, and Water Research Foundation in the amount of \$219,819 - Total not to exceed ~~\$1,041,401~~ \$950,381 - Financing: Current Funds ~~(\$678,808)~~ \$587,788, Aviation Current Funds (\$55,985) and Water Utilities Current Funds (\$306,608)

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1679

Item 17: Authorize a revision to the Financial Management Performance Criteria to increase the minimum unassigned fund balance of the General Fund from 18 days (5%) to 30 days (8.2%) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1680

Item 18: Authorize the acceptance of a grant from the Target Corporation for the period September 3, 2014 through September 30, 2014 to be used for the National Preparedness Month Fair - Not to exceed \$5,000 - Financing: Target Corporation Community Preparedness Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1681

- Item 19: Authorize a public hearing to be held on November 12, 2014 to receive comments on granting the Texas Department of Transportation (TxDOT) access denial lines in conjunction with a previous authorization for exchange of 1,767 square feet of land at the Dallas Zoo located at 650 South R.L. Thornton Freeway for the future TxDOT Southern Gateway Interstate Highway 35 East/US 67 Highway Improvement Project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1682

Item 20: Authorize a public hearing to be held on November 12, 2014 to receive comments on the proposed use of a portion of the Elm Fork Greenbelt, consisting of a total of approximately 1.08 acres of land, by the Texas Department of Transportation (TxDOT) for construction of improvements to State Highway 183/John W. Carpenter Freeway - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1683

Item 21: Authorize a Memorandum of Understanding between the City of Dallas and the Texas Department of Public Safety (DPS), authorizing the Dallas Police Department to perform commercial motor vehicle inspections and enforcement - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1684

Item 22: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 03-446; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on November 12, 2014, to receive comments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1685

Item 23: Authorize an increase in the contract with Omega Contracting, Inc. for the addition of paving, drainage and streetscape improvements for the Deep Ellum Streetscape Project on Elm Street from Good Latimer Expressway to Exposition Avenue, Crowds Street from Elm Street to Indiana Boulevard and Indiana Boulevard from July Alley to Malcolm X Boulevard - Not to exceed \$1,078,167, from \$6,284,202 to \$7,362,369 - Financing: 2006 Bond Funds (\$261,639) and Deep Ellum TIF District Funds (\$816,528)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1686

Klyde Warren Park Tunnel Project

Note: Item Nos. 24 and 25
must be considered collectively.

Item 24: Authorize an increase in the contract with Siemens Industry, Inc. for increased fire and Closed Circuit Television (CCTV) Camera monitoring requirements for revised cycle times for the Klyde Warren Park Tunnel - Not to exceed \$46,496, from \$436,640 to \$483,136 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1687

Klyde Warren Park Tunnel Project

Note: Item Nos. 24 and 25
must be considered collectively.

Item 25: Authorize an increase in the contract with Siemens Industry, Inc. for additional maintenance for tunnel lights and jet fans for the Klyde Warren Park Tunnel - Not to exceed \$380,525, from \$2,013,866 to \$2,394,391 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1688

Item 26: Authorize Supplemental Agreement No. 1 to the professional services contract with Jacobs Engineering Group, Inc. for the operation and maintenance oversight work for the Klyde Warren Park Tunnel - Not to exceed \$256,960, from \$122,450 to \$379,410 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1689

Item 27: An ordinance amending Chapter 28 of the Dallas City Code to designate the direction of travel of vehicles on Houston Street from Elm Street to Young Street (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29491

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1690

Item 28: Authorize an amendment to Resolution No. 13-0868, previously approved on May 22, 2013, to authorize acquisition of a smaller tract of land containing approximately 34,524 square feet from Marlen M. Woods and Mary Joann Woods located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$45,300, increased from \$33,350 (\$30,350, plus closing costs and title expenses not to exceed \$3,000) to \$78,650 (\$75,150, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1691

Item 29: An ordinance granting a private license to 2937 Greenville LP for the use of approximately 8 square feet of aerial space to occupy, use and maintain a sign on portions of Greenville Avenue right-of-way, near its intersection with Vanderbilt Avenue - Revenue: \$1,000 annually, plus the \$20 ordinance publication fee

Councilmember Kingston requested consent agenda item 29 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 29 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 29492

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1692

Item 30: An ordinance granting a private license to Crescent Ross Avenue Investors LLC, for the use of approximately 210 square feet of aerial space to install, maintain and use a canopy without a premise sign over a portion of Flora Street located near its intersection with Olive Street - Revenue: \$1,000 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29493

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1693

Item 31: An ordinance abandoning two sanitary sewer easements to Rawlins Hall, LLC, the abutting owner, containing a total of approximately 4,534 square feet of land, located near the intersection of Greenbriar Lane and Zang Boulevard - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29494

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1694

Item 32: An ordinance abandoning portions of Reeves Street and Wylie Drive to Regal Acquisition, LLC and B.M. Oates Investments, LLC, the abutting owners, containing a total of approximately 89,889 square feet of land, located near the intersection of Shorecrest Drive and Weiss Street, and authorizing the quitclaim - Revenue: \$275,000, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29495

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1695

Item 33: Authorize a contract with RoeschCo Construction, Inc., lowest responsible bidder of three, for construction of the South Central Park and Joppa Connector Trail Project, which includes site improvements for South Central Park and the construction of approximately one mile of multipurpose concrete trail including two bridges - Not to exceed \$3,536,435 - Financing: 1998 Bond Funds (\$542,050), 2003 Bond Funds (\$1,965,185), General Obligation Commercial Paper Funds (\$456,000) and 2006 Bond Funds (\$573,200)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1696

Item 34: Authorize adoption of Recommended Strategies, Alternate Strategies and Infrastructure Recommendations identified in the Dallas 2014 Long Range Water Supply Plan and authorize the City Manager to submit the adopted strategies and infrastructure recommendations to the Region C Planning Group in accordance with State law for the State's 2017 Water Plan (list attached) - Financing: This action has no cost consideration to the City

Councilmember Greyson requested consent agenda item 34 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 34 was brought up for consideration.

At the request of Councilmember Greyson, the following individual addressed the city council on the item:

David Marques, 3110 W. Kiest Blvd., representing Texas Conservation Alliance

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1697

Item 35: Authorize a professional services contract with Arredondo, Zepeda and Brunz, LLC to provide engineering services to investigate rehabilitation or replacement of the Garland Road elevated concrete water storage tank - Not to exceed \$615,330 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1698

Item 36: Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services to investigate rehabilitation or replacement of the Plano Road elevated water storage tank and rehabilitation of the Abrams Road ground storage reservoir and pump station facility - Not to exceed \$490,000 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1699

Item 37: Authorize a contract for the installation of water and wastewater mains at 27 locations (list attached) - Webber, LLC, lowest responsible bidder of five - Not to exceed \$12,900,221 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1700

Item 38: Authorize an increase in the 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 \$469,000, from \$1,116,258 to \$1,585,258 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1701

Item 39: 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 October 8, 2014.

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

Mayor Pro Tem Atkins moved to appoint the following:

- Jody Jones, Duties of Daily Operation of Animal Shelter, to the Animal Advisory Commission; Alex J. Winslow, Interested Citizen, to the Cultural Affairs Commission; James K. Sharp to the Housing Finance Corporation Board; Walter Brian Keith, Dallas County Resident, to the Reinvestment Zone Eight Board (Design District); Steve Idoux to the Southern Dallas Development Corporation Board; and
- M. Giovanni Valderas, Vice Chair, to the Cultural Affairs Commission; and
- nominees to “individual appointment” positions.

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

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

14-6825	ASC	ANIMAL ADVISORY COMMISSION
14-6826	CAC	CULTURAL AFFAIRS COMMISSION
14-6827	CDC	COMMUNITY DEVELOPMENT COMMISSION
14-6828	HFC	HOUSING FINANCE CORPORATION BOARD
14-6829	MLB	MUNICIPAL LIBRARY BOARD
14-6830	RZ08	REINVESTMENT ZONE EIGHT BOARD (DESIGN DISTRICT)
14-6831	SDD	SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD
14-6832		BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1702

Item 40: Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 234, 255, 256 and 258 for bid BJ1421 for a three-year master agreement for tubes and tires - Southern Tire Mart, Blagg Tire & Service and Tire Centers, LLC - Financing: This action has no cost consideration to the City

The city secretary was notified by the city manager there were bids that resulted in identical bid amounts. In accordance with Section 271.901 of the Texas Local Government Code, the municipality must select one of those bidders by casting lots. The casting of lots must be in a manner prescribed by the mayor of the municipality and must be conducted in the presence of the governing body of the municipality.

The city secretary announced the names of the tying bidders for lines 234, 255, 256 and 258 had been placed in separate plain envelopes for Mayor Rawlings to select one sealed envelope for each line. Mayor Rawlings selected one sealed envelope for each line and announced the selection as follows:

- Line 234 – Blagg Tire & Service and Tire Centers, LLC
- Line 255 – Southern Tire Mart
- Line 256 – Blagg Tire & Service and Tire Centers, LLC
- Line 258 – Blagg Tire & Service and Tire Centers, LLC

Note: During the selection/reading of Line 258, the envelope selected by Mayor Rawlings was inadvertently sealed with the names of both tying bidders. The city secretary stated only one bidder should be selected and the line would need to be redone. The Mayor was subsequently provided by two separate, sealed envelopes each containing the name of one of the two tying bidders. The winning bidder was announced as noted above.

Mayor Pro Tem Atkins moved to adopt the item with Lines 234, 255, 256 and 258 to be awarded as selected by Mayor Rawlings.

Motion seconded by Councilmember Caraway and unanimously adopted.

Note: On October 7, 2014, the City Secretary, Assistant City Secretary and Carmen Esquivel (Business Development and Procurement Services) met and sealed the envelopes, all ensuring each sealed envelope for the respective lines contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1703

Item 41: Authorize acceptance of a zoning application on property with delinquent taxes located at 4918 Capitol Avenue, 2310 North Fitzhugh Avenue, and 2306 North Fitzhugh Avenue - Financing: No cost consideration to the City

The city secretary announced the item required a 2/3 vote in order to approve the item.

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Medrano.

Mayor Rawlings called the vote on the motion and declared the motion unanimously adopted.

Voting Yes: [15] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1704

Item 42: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Carl Fulsom, Jr. and Alice Mae Fulsom, of a subsurface easement located under approximately 1,495 square feet located on Foreman Street at its intersection with Collins Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$1,835 (\$135 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The city secretary read agenda items 42-44 into the record; and stated if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 42-44, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 42 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 *Carl Fulsom, Jr. and Alice Mae Fulsom*, a subsurface easement located under approximately 1,495 square feet, located on Foreman Street at its intersection with Collins Avenue in City of Dallas Block A/2410, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Mayor Pro Tem Atkins moved to adopt agenda items 42-44.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins motion to adopt agenda items 42-44:

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

Voting No: [0]

Absent when vote taken: [1] Davis

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1705

Item 43: Authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary, from Ignacio Ramirez and Frances Ramirez, of an improved tract of land containing approximately 4,896 square feet located on Barber Avenue near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$45,000 (\$42,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 42-44 into the record; and stated if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 42-44, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 43 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Ignacio Ramirez and Frances Ramirez*, a tract of land containing approximately 4,896 square feet, located on Barber Avenue near its intersection with Dixon Avenue in City of Dallas Block 7/6122, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Mayor Pro Tem Atkins moved to adopt agenda items 42-44.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins motion to adopt agenda items 42-44:

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

Voting No: [0]

Absent when vote taken: [1] Davis

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1706

Item 44: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Union Pacific Railroad Company, of a subsurface easement containing approximately 31,154 square feet located on Scyene Road near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$8,865 (\$7,165 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The city secretary read agenda items 42-44 into the record; and stated if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 42-44, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 44 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 *Union Pacific Railroad Company*, a subsurface easement containing approximately 31,154 square feet, located on Scyene Road near its intersection with Dixon Avenue in City of Dallas Block 5800, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Mayor Pro Tem Atkins moved to adopt agenda items 42-44.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins motion to adopt agenda items 42-44:

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

Voting No: [0]

Absent when vote taken: [1] Davis

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1707

Item 45: Authorize membership in Transportation Excellence for the 21st Century (TEX-21) in the amount of \$21,250 for fiscal year 2014-15 - Financing: Current Funds

Councilmember Hill moved to remand the item to the Transportation and Trinity River Project Council Committee.

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Kingston moved a substitute motion to adopt the item as presented.

Motion seconded by Councilmember Greyson.

At the request of Councilmember Davis, the following individual addressed the city council on the item:

David Dean, 5423 Swiss Ave., representing TEX-21

Councilmember Caraway requested a record vote.

After discussion, Mayor Rawlings called the record vote on Councilmember Kingston's substitute motion to adopt the item as presented:

Voting Yes: [11] Rawlings, Alonzo, Griggs, Medrano, Caraway,
Davis, Kadane, Allen, Greyson, Gates, Kingston

Voting No: [4] Atkins, Hill, Callahan, Kleinman

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1708

The consent zoning docket consisted of agenda items 46-50 and addendum addition agenda item 7.

Prior to presentation of the consent zoning docket and agenda item 48 being read into the record, Councilmember Caraway moved to continue the public hearing and defer the item until the October 22, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Councilmember Kadane and unanimously adopted. (Rawlings, Davis, Allen, Kingston absent when vote taken)

The consent zoning docket, consisting of agenda items 46-47, 49-50 and addendum addition agenda item 7, was presented for consideration.

Agenda item 50 was removed from the consent zoning docket to be considered as an individual hearing.

Agenda item 46: Zoning Case Z134-243(WE)
Agenda item 47: Zoning Case Z134-249(RB)
~~Agenda item 48: Zoning Case Z134-261(OTH)~~ **[deferred]**
Agenda item 49: Zoning Case Z134-262(OTH)
~~Agenda item 50: Zoning Case Z134-270(DJ)~~ **[considered individually]**
Addendum item 7: Zoning Case Z134-274(WE)

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

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

Jasmine Douglas, 209 E. Chico Dr., Garland, TX, opposition to addendum addition agenda item 7

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

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 Callahan and unanimously adopted. (Rawlings, Davis, Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1709

Item 46: Zoning Case Z134-243(WE)

The consent zoning docket, consisting of agenda items 46-47, 49-50 and addendum addition agenda item 7, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District uses on property zoned an MU-3 Mixed Use District and Specific Use Permit No. 1773 on the east corner of North Stemmons Freeway (I-35W) and Medical District Drive.

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. 29496

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1710

Item 47: Zoning Case Z134-249(RB)

The consent zoning docket, consisting of agenda items 46-47, 49-50 and addendum addition agenda item 7, 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. 959 for a Private school on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District, on the southwest corner of Inwood Road and Harvest Hill Road.

Recommendation of Staff and CPC: Approval, subject to a revised site plan, revised landscape plan, traffic management 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. 29497

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1711

Item 48: Zoning Case Z134-261(OTH)

The consent zoning docket, consisting of agenda items 46-47, 49-50 and addendum addition agenda item 7, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting an amendment to deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the west side of Marvin D. Love Freeway, south of West Pentagon Parkway.

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

Prior to presentation of the consent zoning docket and the item being read into the record, Councilmember Caraway moved to continue the public hearing and defer the item until the October 22, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1712

Item 49: Zoning Case Z134-262(OTH)

The consent zoning docket, consisting of agenda items 46-47, 49-50 and addendum addition agenda item 7, 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. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Greenville Avenue Modified Delta Overlay District on the north side of Alta Avenue, west of Greenville Avenue.

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

Councilmember Kingston requested consent zoning agenda item 49 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent zoning agenda item 49 was brought up for consideration.

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

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

- The late-hours establishment limited to a restaurant without drive-in or drive-through service may only operate between 12:00 a.m. (midnight) and 3:00 a.m., Monday through Sunday. No new customers may enter the restaurant after 3:00 a.m., and all customers must leave the property by 4:30 a.m.

and pass the ordinance.

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

Assigned ORDINANCE NO. 29498

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1713

Item 50: Zoning Case Z134-270(DJ)

The consent zoning docket, consisting of agenda items 46-47, 49-50 and addendum addition agenda item 7, 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. 1695 for a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the northwest corner of Commerce Street and Canton Street.

Recommendation of Staff and CPC: Approval for a four-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. 29499

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1714

Item 51: Zoning Case Z134-263(CE) - 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 a CR-D1 Community Retail District with a D-1 Liquor Control Overlay, north of East Overton Road and east of Ramona Avenue.

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 five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

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

Estella Faggan, address not provided
Jasmine Douglas, 209 E. Chico Dr., Garland, TX

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

Truenett Benson, 4523 Colwick.
Rayburn Clark, 1331 Presidio Ave.
Lee V. Jackson, 1411 E. Overton Rd.
Toney Bowens, 2815 Maryland
Mowanna Kennedy, 3402 Utah Ave.
Tonda Johnson, 3512 Utah Ave.
Jae Lee, 3522 Ramona Ave., applicant

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

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

Assigned ORDINANCE NO. 29500

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1715

Item 52: Zoning Case Z134-156(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the removal of the D Liquor Control Overlay, on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, with a D Liquor Control Overlay with consideration given to granting a D-1 Liquor Control Overlay on the northwest side of Oak Lawn Avenue and the southwest side of Dickason Avenue.

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay in lieu of removal of the D Liquor Control Overlay

Recommendation of CPC: Approval of the removal of the D Liquor Control Overlay.

Note: This item was considered by the City Council at public hearings on May 28, 2014, and August 13, 2014, and was taken under advisement until October 8, 2014, with the public hearing open.

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

Councilmember Medrano moved close the public hearing and deny the item without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1716

Item 53: Zoning Case Z134-166(MW) - UNDER ADVISEMENT - INDIVIDUAL

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

Note: This item was considered by the City Council at a public hearing on August 27, 2014, and was taken under advisement until October 8, 2014, with the public hearing open.

Prior to the item being read into the record, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the November 12, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Rawlings, Caraway, Davis, Allen, Kingston absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1717

Item 54: Zoning Case Z134-218(MW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a handicapped group dwelling unit on property zoned an R-7.5(A) Single Family District on the north side of Sutter Street, east of Crest Avenue.

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

Note: This item was considered by the City Council at a public hearing on August 13, 2014, and was taken under advisement until October 8, 2014, with the public hearing open.

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

Jasmine Douglas, 209 E. Chico Dr., Garland, TX

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

Councilmember Caraway moved close the public hearing and deny the item because this use does not complement and is not compatible with the surrounding area as it will cause an increase in traffic, deliveries, and noise as well as create parking issues.

Motion seconded by Councilmember Callahan.

Mayor Pro Tem Atkins called the vote on the motion and declared the item adopted on a divided vote with Councilmember Hill voting "No." (Rawlings absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1718

Item 55: Zoning Case Z134-235(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Bail bonds office on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the east line of South Riverfront Boulevard, south of Reunion Boulevard.

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

Note: This item was considered by the City Council at a public hearing on September 10, 2014, and was taken under advisement until October 8, 2014, with the public hearing open.

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

Jasmine Douglas, 209 E. Chico Dr., Garland, TX

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

Deputy Mayor Pro Tem Alonzo moved to close the public hearing and deny the item without prejudice.

Motion seconded by Councilmember Caraway.

At the request of Deputy Mayor Pro Tem Alonzo, the following individual addressed the city council on the item:

Dallas Cothrum, 900 Jackson St., representing the applicant

Mayor Pro Tem Atkins called the vote on Deputy Mayor Pro Tem Alonzo's motion and declared the item denied without prejudice. (Rawlings absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1719

DESIGNATED ZONING CASES - INDIVIDUAL

Item 56: Zoning Case Z134-171(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an MF-2(A) Multifamily District and a GO(A) General Office District on the north and south sides of Meadow Road, west of Manderville Lane.

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."

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

Jasmine Douglas, 209 E. Chico Dr., Garland, TX

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

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

- Maximum structure height for nonresidential uses in Subarea A is 45 feet.
- Maximum structure height for nonresidential uses in Subarea B is 55 feet.

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kleinman and unanimously adopted. (Rawlings, Caraway absent when vote taken)

Assigned ORDINANCE NO. 29501

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1720

DESIGNATED ZONING CASES - INDIVIDUAL

Item 57: Zoning Case Z134-175(LHS)

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Subareas A-1 and A-2 of Planned Development District No. 741 onto property zoned an A(A) Agricultural District, to incorporate Subareas F and G into Subarea A-2 of Planned Development District No. 741 and an ordinance terminating Specific Use Permit No. 1806 for gas drilling and production, east of Belt Line Road and north of Ranch Trail.

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and revised conditions, and approval of the termination of Specific Use Permit No. 1806.

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

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

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

Jasmine Douglas, 209 E. Chico Dr., Garland, TX

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

Lucy Billingsley, 1722 Ruth St.

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

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

Assigned ORDINANCE NOS. 29502 AND 29503

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1721

DESIGNATED ZONING CASES - INDIVIDUAL

Item 58: Zoning Case Z134-241(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 O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Lemmon Avenue and Oak Grove Avenue.

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

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

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

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

Jasmine Douglas, 209 E. Chico Dr., Garland, TX

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

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

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

Assigned ORDINANCE NO. 29504

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1722

DESIGNATED ZONING CASES - INDIVIDUAL

Item 59: Zoning Case Z134-254(MW)

A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 1887 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall on property within Planned Development District No. 619 for Mixed Uses on the south side of Main Street, east of South Field Street.

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

Recommendation of CPC: Denial without prejudice.

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."

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

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

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

Desmond Payne, 1407 Main St., representing Third Rail Lofts

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1722

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Councilmember Kingston moved close the public hearing and remand the item to the City Plan and Zoning Commission.*

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

***Note:** Jasmine Douglas was removed from the council chamber due to disruptive behavior.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1723

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 60: Zoning Case Z134-184(MW)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an IR Industrial Research District on the east side of Monroe Drive, north of Walnut Hill Lane.

Recommendation of Staff: Denial

Recommendation of CPC: Approval for an 18-month period, subject to a site plan, traffic management plan and conditions.

Note: This item was considered by the City Council at a public hearing on September 10, 2014, and was taken under advisement until October 8, 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."

Neva Dean, interim assistant 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.

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

Richard Sheridan, 11301 Dennis Rd., representing The Children
Roger Albright, 3301 Elm, representing UPS
Kevin Stoelting, 2925 Merrell Dr., representing UPS
Stephen Slifer, 55 Glenlake Parkway, Atlanta, GA, representing UPS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1723

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

Randy Shaffer, address not provided, representing Trinity Basin Preparatory, Inc.

Matt Whitaker, 3644 Warick Dr., representing Trinity Basin Preparatory, Inc.

Kimberly Brawner, 3030 LBJ Frwy., representing Lee Engineering

Jesus Belmontes, 10919 Royal Haven Ln.

Jack Pratt, 5055 Park Ln.

David Vilbig, 10132 Monroe Dr.

Peter Kavanagh, 1620 Handley Dr., representing the applicant

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

Motion seconded by Councilmember Medrano and Councilmember Caraway.

After discussion, Deputy Mayor Pro Tem Alonzo amended her motion to continue the public hearing and hold the item under advisement until the November 12, 2014 voting agenda meeting of the city council.

Councilmember Medrano and Councilmember Caraway, who seconded the original motion, accepted the amendment.*

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's amended motion and declared the motion adopted.

*Note: Although two seconds were originally required to adopt the item, Deputy Mayor Pro Tem Alonzo's amended motion to hold the item under advisement only required one second.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1724

MISCELLANEOUS HEARINGS

Item 61: A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property to Dallas Neighborhood Alliance for Habitat under the HB110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000.

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1725

MISCELLANEOUS HEARINGS

Item 62: A public hearing to receive comments regarding adoption of the LBJ Skillman Planning Initiative Study, which defines issues, goals and recommendations related to urban design and planning as well as providing an implementation guide for future development in the area generally bounded by Forest Lane on the north, Royal Lane/LBJ on the south, Atchison, Topeka and Santa Fe railroad tracks on the east and Arbor Park Drive on the west and a resolution adopting the study - Financing: No cost consideration to the City.

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1726

Closed Session

6ES

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

- Legal issues regarding the water supply contract, as amended, between the City and the Sabine River Authority of Texas, regarding Lake Fork.

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

- Discuss qualifications and continued service for Housing Finance Corporation Board Holdover Monique S. Allen
- Discuss qualifications and continued service for Housing Finance Corporation Board Holdover Marcos Rincon
- Discuss qualifications and continued service for North Texas Education Finance Corporation Board Holdover Albert Bryant Jr.

At 11:15 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- Legal issues regarding the water supply contract, as amended, between the City and the Sabine River Authority of Texas, regarding Lake Fork.

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

- Discuss qualifications and continued service for Housing Finance Corporation Board Holdover Monique S. Allen
- Discuss qualifications and continued service for Housing Finance Corporation Board Holdover Marcos Rincon
- Discuss qualifications and continued service for North Texas Education Finance Corporation Board Holdover Albert Bryant Jr.

Mayor Pro Tem Atkins, acting as presiding officer, reconvened the city council meeting after the closed session at 1:05 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1727

Addendum Addition 1: Authorize a five-year service contract for employee shuttle services at Love Field - LogistiCorp Group, LLC, lowest responsible bidder of three - Not to exceed \$4,068,423 - Financing: Aviation Current Funds (subject to annual appropriations).

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1728

Addendum Addition 2: Authorize an amendment to Resolution No. 14-0462, previously approved on February 26, 2014, to define loan terms for a \$1,000,000 loan and a \$959,913 grant to City Wide Community Development Corporation from Community Development Block Grant funds for construction costs - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1729

Addendum Addition 3: Authorize an agreement with South Forks Trinity River Mitigation Group 1, LP to provide mitigation credits to satisfy the City's mitigation obligation for the Levee Drainage System - Sump A Improvements, also referred to as the Able Pump Station, as required by the United States Army Corps of Engineers - Not to exceed \$64,888 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1730

Addendum Addition 4: A resolution designating absences by Mayor Michael Rawlings and Councilmember Dwaine R. Caraway as being for "Official City Business" - Financing: No cost consideration to the City

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

Councilmember Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1731

Addendum Addition 5: An ordinance amending Ordinance No. 29490, previously approved on September 24, 2014, to change certain election day polling locations for the Tuesday, November 4, 2014, special election, for the purpose of submitting to the qualified voters of the City, proposed amendments to the Dallas City Charter - Financing: No cost consideration to the City

The city secretary announced there were polling location changes to the following precincts:

Precinct 2036 (Districts 9 and 14) – Skillman Southwestern Branch Library,
5707 Skillman St., Dallas, TX 75206

Precinct 2038 (District 9) – Stonewall Jackson Elementary School, 5828
Mockingbird Ln., Dallas, TX 75206

Mayor Pro Tem Atkins moved to adopt the item and pass the ordinance with the changes read by the city secretary.

Motion seconded by Councilmember Caraway and unanimously adopted.

Assigned ORDINANCE NO. 29505

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1732

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum Addition 6: Authorize a twelve-month contract, with two additional twelve-month renewal options, each subject to funding availability, with five Business Assistance Center (BAC) contractors to provide technical assistance, incubator space and other support services to low-to-moderate income persons owning or starting microenterprises: **(a)** Greater Dallas Hispanic Chamber of Commerce located at 4622 Maple Avenue, Suite 207 (BAC #1), in an amount not to exceed \$80,000; **(b)** Business Assistance Center, Inc. located at 1201 West Camp Wisdom Road, Suite 224 (BAC #5), in an amount not to exceed \$80,000; **(c)** Organization of Hispanic Contractors Association dba Regional Hispanic Contractors Association located at 2210 West Illinois Avenue (BAC #7), in an amount not to exceed \$80,000; **(d)** CEN-TEX Certified Development Corporation dba Business & Community Lenders (BCL) of Texas located at 1322 Record Crossing (BAC #8), in an amount not exceed \$80,000; and **(e)** CEN-TEX Certified Development Corporation dba Business & Community Lenders (BCL) of Texas located at 4907 Spring Avenue (BAC #4), in an amount not exceed \$80,000 - Total not to exceed \$400,000 - Financing: 2014-15 Community Development Block Grant 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 Deputy Mayor Pro Tem Alonzo and Councilmember Medrano and unanimously adopted. (Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 8, 2014

14-1733

Addendum Item 7: Zoning Case Z134-274(WE)

The consent zoning docket, consisting of agenda items 46-50 and addendum addition agenda item 7, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an LC Light Commercial Subdistrict within Planned Development District No. 193, an ordinance granting a D-1 Liquor Control Overlay, and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-through service on property zoned an MF-3 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and a D Liquor Control Overlay on the south corner of McKinnon Street and Ivan Street.

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

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

Jasmine Douglas, 209 E. Chico Dr., Garland, TX

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 29506 AND 29507

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 8, 2014

EXHIBIT C