

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2014

14-1870

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs (*9:28 a.m.), Medrano (*9:14 a.m.), Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston

ABSENT: [0]

The meeting was called to order at 9:07 a.m.

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

The invocation was given by Reverend Harold Chism of Bethlehem Missionary Baptist Church.

Councilmember Greyson 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 5:19 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, NOVEMBER 12, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1871

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: Richard Sheridan, 11301 Dennis Rd.
SUBJECT: JFK: local & national conspiracy

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

SPEAKER: Claudia Golinelli, 534 W. 10th St. (*Interpreter needed)
SUBJECT: Rest break ordinance

SPEAKER: Shawn Mahoney, 6739 Keswick Dr.
SUBJECT: Dallas Executive Airport

SPEAKER: Jorge Balderas, 10339 Carolina Oaks Dr. (*Interpreter needed)
SUBJECT: Rest break ordinance
Note: Mr. Balderas requested his time be allocated to the following additional - open microphone speaker. By general consensus of the city council, the individual was allowed to speak in lieu of Mr. Balderas' with his confirmation/understanding he would be unable to speak during the afternoon session.

SPEAKER: Elizabeth Dana, 4015 Normandy Ave., University Park, TX
SUBJECT: Rest break ordinance

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Sandra Crenshaw, 2018 Lanark Ave.
SUBJECT: Chicken mess maker

OPEN MICROPHONE – END OF MEETING:

SPEAKER: David Hefley, 1818 Corsicana St.
SUBJECT: Ebola/City & County funds

*Note: As requested, the City Secretary's Office provided an interpreter: Pauline LeNoir, Accento, Inc., 208 W. Spring Valley Rd., Richardson, TX

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1871

Page 2

OPEN MICROPHONE – END OF MEETING:

(Continued)

SPEAKER: Ifiok Ekong, 5803 Temont St.

SUBJECT: Abuse of psychiatric patients

SPEAKER: Linda Moore, 8652 Ashcroft Ave.

SUBJECT: Construction projects

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1872

Item 1: Approval of Minutes of the October 22, 2014 City Council Meeting

Councilmember Medrano moved to adopt the minutes of the October 22, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1873

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-64 and addendum addition consent agenda items 1-10.

Councilmember Greyson requested consent agenda items 2, 18, and 27 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Kingston requested consent agenda items 17 and 40 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Griggs requested consent agenda item 58 be considered as an individual item later in the meeting; there was no objection voiced to his request.

The city secretary announced the city manager requested addendum addition consent agenda item 10 be considered as an individual item later in the meeting as there were still pending questions on the item; there was no objection voiced to the request.

Therefore, the consent agenda, consisting of consent agenda items 3-16, 19-26, 28-39, 41-57, 59-64 and addendum addition consent agenda items 1-9, was presented for consideration.

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, 17, 18, 27, 40, 58 and addendum addition consent agenda item 10.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1874

Item 2: Authorize a one-year service contract, with two one-year renewal options, to provide contractor labor and materials for minor home repairs through the People Helping People Program administered by the Housing/Community Services Department - Miko Trucking, Inc., lowest responsible bidder of three - Not to exceed \$155,292 - Financing: 2014-15 Community Development Block Grant Funds

Councilmember Greyson requested consent agenda item 2 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 2 was brought up for consideration.

Councilmember Greyson moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1875

- Item 3: Authorize a three-year service contract for parts, repair and purchase of fire equipment tools for Fire-Rescue - Metro Fire Apparatus Specialists, Inc. in the amount of \$248,200 and Casco Industries, Inc. in the amount of \$72,600, lowest responsible bidders of three - Total not to exceed \$320,800 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1876

Item 4: Authorize a three-year service contract for maintenance, support and upgrades of an online water quality monitoring system at sixteen water monitoring locations throughout the City - S::can Measuring Systems LLC, most advantageous proposer of two - Not to exceed \$357,881 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1877

Item 5: Authorize a three-year service contract, with two one-year renewal options, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans - Holmes Murphy & Associates, most advantageous proposer of nine - Not to exceed \$675,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1878

Item 6: Authorize **(1)** an acquisition contract for the purchase and installation of pre-incident planning database, with year one maintenance and support included in the acquisition price, in the amount of \$327,400; and **(2)** a three-year service contract for maintenance and support of the pre-incident planning database for Fire-Rescue in the amount of \$47,250 - Haystax, Inc. through the U.S. General Services Administration - Total not to exceed \$374,650 - Financing: Current Funds (\$47,250) and U. S. Department of Homeland Security Grant Funds (\$327,400) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1879

Item 7: Authorize a consultant contract to develop a citywide data management plan - World Wide Technology, Inc., most qualified respondent of eight - Not to exceed \$200,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1880

Item 8: Authorize a three-year master agreement for tires and tubes - Wingfoot Commercial Tire Systems, LLC in the amount of \$2,552,904, Blagg Tire & Service in the amount of \$2,525,397, Southern Tire Mart, LLC in the amount of \$1,675,082, Tire Centers, LLC in the amount of \$696,274 and Wade International Corp. dba Wallace W. Wade Specialty Tires in the amount of \$6,380, lowest responsible bidders of five - Total not to exceed \$7,456,037 - Financing: Current Funds (\$7,190,849), Water Utilities Current Funds (\$102,916), Stormwater Drainage Management Current Funds (\$87,085) and Aviation Current Funds (\$75,187)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1881

Item 9: Authorize **(1)** a six-year master agreement, with a one-year renewal option, for the purchase, installation and upgrades of the Public, Educational, and Government Cable system in the amount of \$3,695,201; **(2)** a six-year service contract, with a one-year renewal option, for installation, extended warranty, maintenance and support for the Public, Educational, and Government Cable system in the amount of \$1,532,210; and **(3)** an increase in appropriations in the amount of \$3,695,201, from \$1,932,150 to \$5,627,351 in the Public Educational and Government Access Fund - Digital Resources, Inc., most advantageous proposer of three - Total not to exceed \$5,227,411 - Financing: Current Funds (\$1,532,210) and Public Educational and Governmental Access Funds (\$3,695,201) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1882

Item 10: Authorize an increase to the master agreement with Environmental Improvements, Inc. in the amount of \$145,675, Simba Industries in the amount of \$123,775 and Hartwell Environmental Corporation in the amount of \$45,875 for the purchase of original equipment manufacturers parts and accessories for water treatment equipment for Water Utilities to extend the term from August 7, 2014 through May 6, 2015 - Total not to exceed \$315,325, from \$1,261,300 to \$1,576,625 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1883

Item 11: Authorize an increase to the master agreement with SHI Government Solutions, Inc., through the Department of Information Resources, State of Texas Cooperative contract, for computer software, network management products, and design and presentation software - Not to exceed \$600,000, from \$2,400,000 to \$3,000,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1884

Item 12: Authorize supplemental agreement no. 1 to increase the service contract with A Star Heat & Air, Inc. for plumbing services at City facilities - Not to exceed \$134,253, from \$537,009 to \$671,262 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1885

Item 13: Authorize approval of the Office of the City Auditor's Fiscal Year 2015 Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1886

Item 14: Authorize a contract for depository and lockbox services for five years, including the extension and consolidation for nine months of merchant services as currently provided - Bank of America, N.A., lowest responsive applicant of four - Not to exceed \$5,150,000 - Financing: Current Funds (\$4,200,000) and Water Utilities Current Funds (\$950,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1887

Note: Agenda Item Nos. 15 and 16 must be considered collectively.

Item 15: An ordinance authorizing: **(1)** the issuance and sale of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2014, in an aggregate principal amount not to exceed \$635,000,000; **(2)** the establishment of parameters regarding the sale of the Bonds; **(3)** approval of an Escrow Agreement; and **(4)** approval of a Bond Purchase Agreement and all other matters related thereto - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29522

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1888

Note: Agenda Item Nos. 15 and 16 must be considered collectively.

Item 16: Authorize payment of expenses associated with the sale of General Obligation Refunding and Improvement Bonds, Series 2014, in a principal amount not to exceed \$635,000,000 - Total not to exceed \$1,030,509 - Financing: 2014 General Obligation Refunding and Improvement Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1889

Item 17: Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to North Texas Commission - Not to exceed \$91,020 - Financing: Current Funds

Councilmember Kingston requested consent agenda item 17 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 17 was brought up for consideration.

Councilmember Kingston moved to deny the item.

Motion seconded by Councilmember Griggs.

Mayor Pro Tem Atkins moved a substitute motion to adopt the item.

Motion seconded by Councilmember Kadane.

Following discussion, Mayor Rawlings called the vote on Mayor Pro Tem Atkins' substitute motion to adopt the item and declared the substitute motion adopted on a divided vote with Councilmember Griggs and Councilmember Kingston voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1890

Item 18: Authorize certain amendments to the terms of the development agreement with TEOF Hotel LLC for the Plaza Hotel Project, previously approved on September 25, 2013, by Resolution Nos. 13-1711 and 13-1712, in Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to: **(1)** extend the project deadlines by one year; **(2)** require the Developer/Owner to secure an Ascend Collection Hotel or an equivalent brand for the hotel's operator as approved by the Director of the Office of Economic Development by April 1, 2015; **(3)** authorize the City to reimburse the Developer/Owner up to \$1,000,000 for expenditures related to the Project's public infrastructure improvements pursuant to a monthly draw schedule approved by the Director of the Office of Economic Development and/or submission of invoices for work completed, subject to the availability of funding in the Cedars TIF District Fund; and **(4)** allow upon project completion, reimbursement of TIF-eligible project costs in excess of \$1,000,000 in five annual payments in the amount of \$257,014, subject to the availability of funding in the Cedars TIF District Fund - Financing: This action has no cost consideration to the City

Councilmember Greyson requested consent agenda item 18 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 18 was brought up for consideration.

Councilmember Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1891

Item 19: Authorize a public hearing to be held on December 10, 2014 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) and the Project Plan and Reinvestment Zone Financing Plan for the Oak Cliff Gateway TIF District to: **(1)** create two sub-districts within the Oak Cliff Gateway TIF District: **(a)** Oak Cliff Gateway Sub-district (original district boundary) and **(b)** Bishop/Jefferson Sub-district; **(2)** increase the geographic area of the Oak Cliff Gateway TIF District to add approximately 193 acres to create the Bishop/Jefferson Sub-district to accommodate anticipated development; **(3)** extend the termination date of the Oak Cliff Gateway TIF District from the City Council-established termination date of December 31, 2022 to December 31, 2027 for the Oak Cliff Gateway Sub-district as an exception to the City of Dallas TIF Policy and establish a termination date for the Bishop/Jefferson Sub-district of December 31, 2044; **(4)** maintain the percentage of tax increment contributed by the City of Dallas during the extended term of the Oak Cliff Gateway Sub-district, establish the percentage of tax increment contributed by the City of Dallas during the term of the Bishop/Jefferson Sub-district, and establish other taxing jurisdictions' participation percentages; **(5)** increase the Oak Cliff Gateway TIF District's total budget from \$10,066,977 NPV (approximately \$33,432,572 total dollars) to \$28,621,027 NPV (approximately \$76,665,998 total dollars), an increase of \$18,554,050 NPV (approximately \$43,233,426 total dollars); **(6)** authorize an amendment to the participation agreement with Dallas County as a component of this budget increase; **(7)** restructure the TIF budget to consolidate and broaden categories of eligible project costs into the Oak Cliff Gateway Sub-district (original boundary area); a new category for the Bishop/Jefferson Sub-district; and retain the Education and Administration categories; and **(8)** make corresponding modifications to the Oak Cliff Gateway TIF District boundary, budget and Project and Reinvestment Zone Financing Plans consistent with the requirements and limitations of the Act; and at the close of the hearing, consideration of an ordinance amending Ordinance Nos. 21466 and 23033, as amended, to reflect these amendments - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1892

Item 20: Authorize **(1)** the sale of one vacant lot located at 3811 De Maggio Avenue from the Dallas Housing Acquisition and Development Corporation to Billy Spring; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1893

Item 21: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 21 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 21 properties that may have been filed by the City – Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1894

Item 22: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by RPL Properties, LLC for the construction of affordable houses; and **(2)** the exchange of deed restrictions from 3 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 3 comparable lots owned by the developer (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1895

Item 23: Authorize a Memorandum of Agreement between the City of Dallas and Akard Walk Residential, LLC to provide permanent supportive housing for ten units of project-based housing for formerly incarcerated homeless individuals located at CityWalk@Akard located at 511 North Akard Street through the Dallas Housing Authority for the period October 1, 2014 through September 30, 2024 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1896

Item 24: Authorize a Memorandum of Understanding between the City of Dallas and Metro Dallas Homeless Alliance (MDHA) to coordinate regional efforts to end homelessness for the period October 1, 2014 through September 30, 2015 - Not to exceed \$150,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1897

Item 25: Authorize a Memorandum of Agreement between the City of Dallas and TX Laureland Housing LP to provide permanent supportive housing for twenty units of project-based housing for homeless families with children at Rosemont at Mission Trails located at 330 East Camp Wisdom Road through the Dallas Housing Authority for the period January 1, 2015 through December 31, 2020 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1898

Item 26: Authorize an amendment to the development loan agreement with 2122 Highland LLC for \$550,000 previously approved by Resolution No. 14-1230 on August 13, 2014, to extend the completion date from September 30, 2014 to March 31, 2015 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1899

Item 27: Authorize an amendment to the Program Statement for the Dallas Urban Land Bank Demonstration Program to remove the rental housing option and the requirement for community meetings - Financing: No cost consideration to the City

Councilmember Greyson requested consent agenda item 27 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 27 was brought up for consideration.

Councilmember Davis moved to adopt the item but keep the requirement for community meetings.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1900

Item 28: Authorize a public hearing to be held on December 10, 2014 to receive comments on the proposed sale of one (1) unimproved property (list attached) acquired by the taxing authorities from the Sheriff to Dallas Area Habitat for Humanity, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1901

Item 29: Authorize the acceptance of a grant from the U.S. Department of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2013 through March 31, 2015 - Not to exceed \$183,384 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1902

Item 30: Authorize **(1)** acceptance of the 2014 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative and the State Homeland Security Grant Program 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, 2014 through June 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$5,818,875 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1903

Item 31: Authorize a contract for construction of the stormwater wetland supplemental environmental project at the Dallas Zoo located at 650 South R.L. Thornton Freeway - C. Green Scaping, LP, best value proposer of three - Not to exceed \$1,523,949 - Financing: 2004 Certificates of Obligation (\$244,650), 2005 Certificates of Obligation (\$668,762) and Stormwater Drainage Management Capital Construction Funds (\$610,537)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1904

Item 32: Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2015 through December 31, 2015 - Not to exceed \$33,949 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1905

Item 33: Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2014 through September 30, 2015 - Not to exceed \$95,862 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1906

Item 34: Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2014 through September 30, 2015 - Not to exceed \$269,098 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1907

Item 35: Authorize Supplemental Agreement No. 1 to the professional services contract with Jaster-Quintanilla Dallas, LLP to provide for additional forensic investigations and design, bidding and construction administration services for repair work at the Kleberg/Rylie Recreation Center located at 1515 Edd Road - Not to exceed \$43,200, from \$23,900 to \$67,100 - Financing: Park and Recreation Program Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1908

**Internet Crimes Against Children
Continuation Grant**

Note: Item Nos. 36 and 37
must be considered collectively.

Item 36: Authorize **(1)** an application for and acceptance of the 2014 Internet Crimes Against Children Continuation Grant, new funding period from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period July 1, 2013 through June 30, 2015; and **(2)** execution of the grant agreement - Not to exceed \$480,233, from \$477,337 to \$957,570 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1909

**Internet Crimes Against Children
Continuation Grant**

Note: Item Nos. 36 and 37
must be considered collectively.

Item 37: Authorize the continuation of and an increase in the cooperative working agreements with agencies that assist the Dallas Police Department in combatting internet crimes against children, increasing the allocations for the Dallas County District Attorney's Office in the amount of \$9,000, Tarrant County District Attorney's Office in the amount of \$8,500, Potter County District Attorney's Office in the amount of \$5,028, Collin County Sheriff's Office in the amount of \$18,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$23,000, Arlington Police Department in the amount of \$13,000, Garland Police Department in the amount of \$13,000, Longview Police Department in the amount of \$22,000, and the Dallas Children's Advocacy Center in the amount of \$37,000 - Total not to exceed \$166,028 - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1910

Item 38: Authorize **(1)** an application for and acceptance of the City of Dallas - Digital Evidence Asset Management grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division to prevent and control crime and make improvements to the criminal justice system for the period October 1, 2014 through March 31, 2015; and **(2)** execution of the grant agreement - Not to exceed \$76,769 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1911

Item 39: Authorize **(1)** an application for and acceptance of the City of Dallas - NIBIN Program from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division, to provide aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program for the period October 1, 2014 through September 30, 2015; **(2)** an In-kind contribution in the amount of \$51,230; and **(3)** execution of the grant agreement - Not to exceed \$80,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$80,000) and In-Kind Contributions (\$51,230)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1912

Item 40: Authorize **(1)** an application for and acceptance of the City of Dallas - Intellectual Property Taskforce grant from the Bureau of Justice Assistance in the amount of \$400,000 to initiate and address intellectual property theft in the areas of piracy and counterfeiting of various items from October 1, 2014 through September 30, 2016; **(2)** approval to enter into a Memorandum of Understanding with the City of Grand Prairie, Department of Homeland Security's Immigrations and Customs (ICE), and the Dallas County Sheriff's Office; and **(3)** the addition of one Sergeant position to this investigative unit - Not to exceed \$400,000 - Financing: U.S. Department of Justice Grant Funds, Bureau of Justice Assistance Grant Funds

Councilmember Kingston requested consent agenda item 40 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 40 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1913

Item 41: Authorize **(1)** an application for and acceptance of the City of Dallas - Dallas Police Department Victim Services/14 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$47,040 to adequately respond to victims of violent crime with needed aid for the period September 1, 2014 through August 31, 2015; **(2)** a local match in the amount of \$15,680; and **(3)** execution of the grant agreement - Total not to exceed \$62,720 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$47,040) and Current Funds (\$15,680) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1914

Item 42: Authorize renewal of the Interlocal Agreement with Dallas County, through the Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2014 through September 30, 2015 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$1,295,000) and Current Funds (\$2,505,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1915

Item 43: Authorize the payments for parking fees for Dallas Police at Dallas County Frank Crowley Courts Building for five years - Estimated annual Cost \$84,000 - Total amount not to exceed \$364,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1916

Item 44: Authorize a professional services contract with EJES, Inc. to provide engineering design services for the installation of an above-ground fuel storage tank at the Dallas Love Field Airport Maintenance Facility, located at 3387 Hawes Avenue - Not to exceed \$65,100 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1917

Item 45: Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of streetscape improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue - Not to exceed \$402,850 - Financing: General Obligation Commercial Paper Funds (\$367,410) and Water Utilities Capital Improvement Funds (\$35,440)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1918

Item 46: Authorize a professional services contract with Huitt-Zollars, Inc. to provide engineering services for perimeter security control enhancements at Dallas Love Field Airport, located at 8008 Cedar Springs Road - Not to exceed \$999,619 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1919

Item 47: Authorize Supplemental Agreement No. 1 to the professional services contract with Salcedo Group, Inc. for additional engineering services along Jefferson Boulevard from Zang Boulevard to Adams Avenue for streetscape improvements - Not to exceed \$207,920, from \$299,881 to \$507,801 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1920

Item 48: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 61,512 square feet from Eung Pyo Choi, Heung Soon Choi and Heung Soo Lim, located near the intersection of Lasater and Lawson Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$16,289, increased from \$37,711 (\$35,511, plus closing costs and title expenses not to exceed \$2,200) to \$54,000 (\$50,000, plus closing costs and title expenses not to exceed \$4,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1921

Item 49: Authorize a four-year extension of the lease agreement with Pollock Realty, L.P., a Texas limited partnership for a total of approximately 3,099 square feet of office space located at 2600 North Stemmons Freeway, Suite 188 for the Women, Infants, and Children Clinic for the period November 1, 2020 through October 31, 2024 - Not to exceed \$193,044 (\$173,544, plus one-time payment of \$19,500 for leasehold improvements) - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1922

Item 50: Authorize a ten-year lease agreement with Pollock Realty, L.P. for approximately 5,873 square feet of office space located at 2600 North Stemmons Freeway, Suite 190, to be used as a Women, Infants and Children Lactation Support Center for the period November 1, 2014 through October 31, 2024 - Not to exceed \$938,356 (\$792,856, plus one-time payment of \$145,500 for leasehold improvements) - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1923

Item 51: Authorize a third amendment to the lease agreement with Dallas Clean Energy McCommas Bluff, LLC, to expand the current leased square footage by 31,347 additional square feet of land for a total of approximately 126,394 square feet of land, located at the McCommas Bluff Landfill, and extend the lease term for an additional 10 year period to expire on December 31, 2034 for the continued use of a gas processing site - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1924

Item 52: A resolution authorizing the conveyance of five drainage easements containing a total of approximately 31,602 square feet of land to the City of Rowlett for the construction and maintenance of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Miller and Chiesa Roads - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1925

Item 53: A resolution authorizing the conveyance of a water easement containing a total of approximately 774 square feet of land to the City of Rowlett for the construction and maintenance of water facilities across City-owned land at Lake Ray Hubbard located near the intersection of Miller and Chiesa Roads
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1926

Item 54: A resolution consenting to the sale of a tax foreclosed property, located at 350 North Acres Drive, acquired by the taxing authorities from a Sheriff's Sale - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1927

Item 55: Authorize an amendment to Resolution No. 13-0864, previously approved on May 22, 2013, to authorize acquisition of a smaller tract of land containing approximately 83,060 square feet from James A. Loven and Debra J. Loven, located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1928

Item 56: Authorize an amendment to Resolution No. 14-0928, previously approved on June 11, 2014, to amend the Special Warranty Deed to the City from Matthews CCH Partners, L.P., for 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 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1929

Item 57: Authorize a boundary adjustment agreement with the City of DeSoto on properties located on the west side of Old Hickory Trail, north of Danieldale Road and on the south side of Danieldale Road, east of Polk Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1930

Item 58: An ordinance granting a Specific Use Permit for a Convalescent and nursing homes, hospice care, and related institutions use and a resolution accepting the termination of deed restrictions on property zoned Subdistrict 4A of Planned Development District No. 714 the West Commerce Street/Fort Worth Avenue Special Purpose District, on the northeast line of Bahama Drive, south of Fort Worth Avenue - Z123-334 - Financing: No cost consideration to the City

Councilmember Griggs requested consent agenda item 58 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 58 was brought up for consideration.

Councilmember Griggs moved to accept the termination of deed restrictions and approve the Specific Use Permit as recommended by staff and the city plan commission for a 10-year period with eligibility for automatic renewals for additional 15-year periods.

Motion seconded by Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 29523

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1931

Item 59: An ordinance abandoning a portion of Gleason Avenue and a barrier easement to Jubilee Park and Community Center Corporation, the abutting owner, containing a total of approximately 17,014 square feet of land, located near the intersection of Gurley and Gleason Avenues, authorizing the quitclaim and providing for the dedication of approximately 2,916 square feet of needed land for street right-of-way - Revenue: \$11,546, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29524

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1932

Item 60: An ordinance amending Ordinance No. 17772, previously approved on April 6, 1983, which closed and vacated a portion of Cadiz Street to vehicular and pedestrian traffic, by deleting Section 1 and Exhibit A and substituting a new Section 1 and Exhibit A and adding an Exhibit A-1, which will allow approximately 939 square feet of Cadiz Street to remain open to pedestrian traffic - Not to exceed \$95 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29525

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1933

Item 61: Authorize a professional services contract with Mas-Tek Engineering & Associates, Inc. to provide construction material testing for the completion of construction of the Levee Drainage System - Hampton-Oak Lawn Sump, also referred to as the Baker No. 3 Pump Station - Not to exceed \$91,429 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1934

Item 62: Authorize **(1)** acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; **(2)** execution of a CTP Agreement with FEMA for FY 2014-15 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(3)** the receipt and deposit of funds in an amount not to exceed \$556,250 from FEMA; **(4)** establish appropriations in the amount of \$556,250 in the FEMA Cooperating Technical Partnership Fund; and **(5)** a professional service contract with Halff Associates, Inc., in the amount of \$741,667 for updating certain flood studies in accordance with the CTP Agreement with FEMA - Total not to exceed \$741,667 - Financing: Stormwater Drainage Management Current Funds (\$185,417) and FEMA Cooperating Technical Partnership Funds (\$556,250)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1935

Item 63: Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for water main relocations and appurtenance adjustments in Garland Road (SH 78) from south of Tranquilla Drive to Northwest Highway (SP 244) - Not to exceed \$1,452,000 - Financing: Water Utilities Capital Construction Funds (\$90,000) and Water Utilities Capital Improvement Funds (\$1,362,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1936

Item 64: Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling from November 1, 2014 through September 30, 2015 - Not to exceed \$567,825 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1937

Item 65: 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)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1938

Item 66: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Joseph P. Benton and Martha E. Benton, of a tract of land containing approximately 13,586 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$4,122 (\$1,622, plus closing costs and title expenses not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

The city secretary read agenda items 66-67 into the record; and stated if any council member wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 66-67, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 66 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if such becomes necessary to acquire from *Joseph P. Benton and Martha E. Benton* a tract of land containing approximately 13,586 square feet located in Kaufman County, and more fully described in Exhibit A of the proposed written resolution for this item, for the Lake Tawakoni 144-inch Pipeline Project.

Councilmember Caraway moved to adopt agenda items 66-67.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the record vote on Councilmember Caraway's motion to adopt agenda items 66-67:

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

Voting No: [1] Griggs

Absent when vote taken: [2] Atkins, Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1939

Item 67: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Yara L. Mitchell, of access easement rights to a portion of Zangs Boulevard containing approximately 7,969 square feet, located at its intersection with South Riverfront Boulevard for the Able Pump Station Project - Not to exceed \$10 - Financing: 2006 Bond Funds

The city secretary read agenda items 66-67 into the record; and stated if any council member wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 66-67, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 67 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Yara L. Mitchell*, access easement rights to a portion of Zangs Boulevard containing approximately 7,969 square feet, located at its intersection with Riverfront Boulevard in City of Dallas Blocks 64/415 and 1/416 Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Able Pump Station Project.

Councilmember Caraway moved to adopt agenda items 66-67.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called the record vote on Councilmember Caraway's motion to adopt agenda items 66-67:

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

Voting No: [1] Griggs

Absent when vote taken: [2] Atkins, Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1940

Item 68: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$700,000 with the Commemorative Air Force (“CAF”) related to the relocation and expansion of its Headquarters and National AirBase operations to Dallas Executive Airport (“DEA”) - Not to exceed \$700,000 - 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 Gates announced she had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Gates left the city council chamber.

The following individual addressed the city council regarding the item:

Stephan Brown, 2007 Ridgemont Ct., Arlington, TX, representing
Commemorative Air Force

At the request of Mayor Pro Tem Atkins, with no objection voiced by the city council, the following individual addressed the city council regarding the item:

Hardy Bouyer, 4611 Silver Spring

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1941

Item 69: Authorize a Chapter 380 economic development grant agreement with WWF Operating Company in an amount not to exceed \$300,000 to promote the expansion of its food manufacturing company and the creation and retention of jobs at 3333 Dan Morton Drive in Dallas pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$300,000 - 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 Councilmember Kadane and Councilmember Kleinman and unanimously adopted. (Atkins, Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1942

Item 70: Authorize a development agreement with Maple Multi-Family Development, LLC. to reimburse eligible project costs related to the Alexan Riveredge development currently addressed at 150 Turtle Creek Boulevard in an amount not to exceed \$7,800,000 from revenues accruing to Tax Increment Financing Reinvestment Zone Number Eight (Design District TIF District) - Not to exceed \$7,800,000 - Financing: Design District TIF District Funds (subject to appropriations)

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."

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Kleinman.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to adopt the item and declared the item adopted on a divided vote with Councilmember Greyson voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1943

The consent zoning docket consisted of agenda items 71-80 and addendum addition agenda items 15-16.

Prior to presentation of the consent zoning docket and addendum addition agenda item 15 being read into the record, Councilmember Medrano moved to continue the public hearing and defer the item until the December 10, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Councilmember Kingston and unanimously adopted

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

Therefore, the consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

Agenda item 71: Zoning Case Z123-342(MD)
Agenda item 72: Zoning Case Z134-139(RB)
Agenda item 73: Zoning Case Z134-194(WE)
Agenda item 74: Zoning Case Z134-223(WE)
Agenda item 75: Zoning Case Z134-238(MW)
Agenda item 76: Zoning Case Z134-239(OTH)
Agenda item 77: Zoning Case Z134-247(OTH)
Agenda item 78: Zoning Case Z134-258(MW)
Agenda item 79: Zoning Case Z134-266(WE)
Agenda item 80: Zoning Case Z134-310(OTH)
~~Addendum item 15: Zoning Case Z134-292(OTH)~~ [deferred]
Addendum item 16: Zoning Case Z134-328(CG)

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

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

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

Connie Harris, 3522 Wendelkin St., agenda item 71
Nethel Jackson, 2851 Toluca Ave., agenda item 71
Lorraine Parson, 123 Bertha Ln., San Francisco, CA, agenda item 71
Barbara Lilly, 6053 Singing Hills Dr., representing Hebron Family Life Center, agenda item 78

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1943

Page 2

Councilmember Davis 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 Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1944

Item 71: Zoning Case Z123-342(MD)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding a City Plan Commission Authorized Hearing to consider an Historic Overlay for Kathlyn Joy Gilliam House on property zoned an R-5(A) Single Family Subdistrict in Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the southwest side of Wendelkin Street, northwest of Driskell Street and an ordinance granting the overlay.

Recommendation of Staff and CPC: Approval, subject to preservation criteria.

Recommendation of Landmark Commission: Approval, subject to preservation criteria.

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

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

Connie Harris, 3522 Wendelkin St.

Nethel Jackson, 2851 Toluca Ave.

Lorraine Parson, 123 Bertha Ln., San Francisco, CA

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29526

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1945

Item 72: Zoning Case Z134-139(RB)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain IR Industrial Research District Uses and Live/Work Units on property zoned an IR Industrial Research District, on property at the east corner of Medical District Drive and Farrington Street.

Recommendation of Staff and CPC: Approval, subject to a development 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. 29527

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1946

Item 73: Zoning Case Z134-194(WE)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the west corner of Ferguson Road and Joaquin Drive.

Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant.

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. 29528

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1947

Item 74: Zoning Case Z134-223(WE)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District on the southwest side of C.F. Hawn Freeway, east of Murdock Road.

Recommendation of Staff and CPC: Approval for a three-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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29529

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1948

Item 75: Zoning Case Z134-238(MW)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an office showroom/warehouse use on property zoned Tract 1, Subdistrict 2 in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3 on the north side of Rylie Crest Road, east of South St. Augustine Drive.

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

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. 29530

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1949

Item 76: Zoning Case Z134-239(OTH)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, 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 south side of Irving Boulevard, west of Inwood Road.

Recommendation of Staff and CPC: Approval.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29531

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1950

Item 77: Zoning Case Z134-247(OTH)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, 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. 1768 for a mini-warehouse use on property zoned a CR Community Retail District on the north side of Mountain Creek Parkway, west of Clark Road.

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal for one additional 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. 29532

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1951

Item 78: Zoning Case Z134-258(RB)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-5(A) Single Family District on the north side of 56th Street, east of Bronx Avenue.

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

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:

Barbara Lilly, 6053 Singing Hills Dr., representing Hebron Family Life Center

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29533

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1952

Item 79: Zoning Case Z134-266(WE)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, 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. 1465 for a community service center on property zoned Planned Development District No. 67 on the northwest corner of West University Boulevard and Roper Street.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29534

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1953

Item 80: Zoning Case Z134-310(OTH)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the east corner of East Ledbetter Drive and Veterans Drive.

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

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. 29535

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1954

Item 81: Zoning Case Z123-376(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a local utility limited to a utility services use on property zoned an R-7.5(A) Single Family District and Planned Development District No. 703 at the northeast corner of Walnut Hill Lane and Hillcrest Road.

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

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

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

- “Before the issuance of a certificate of occupancy, a detailed landscape plan that complies with Section 51P-930.111, the Exhibit 930B landscape plan, and the following requirements must be submitted to and approved by the building official.
 - (A) A detailed landscape plan must include:
 - (i) An inventory of all landscaping being installed, including type, size, color and/or caliper inches.
 - (ii) A list and the location of all trees being preserved.
 - (iii) A list and the location of all seriously injured trees being removed and the type and location of the minimum two caliper inch tree that will be planted within 20 feet of where the seriously injured tree is removed.
 - (iv) An irrigation plan with specifications detailing the schedule of irrigation.
 - (B) Trees listed on the detailed landscape plan must be selected from the approved replacement trees in Section 51A-10.134.
 - (C) The inventory of landscaping on the detailed landscape plan may be adjusted at the time of installation if the building official determines that the adjustment will not compromise the perennial evergreen hedge screening.”

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1954

Page 2

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

Assigned ORDINANCE NO. 29536

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1955

Item 82: Zoning Case Z134-294(RB) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for P Parking Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, Oak Lawn Special Purpose District with deed restrictions on the northeast corner of Wycliff Avenue and Brown Street.

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

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

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

Tommy Mann, 2728 N. Harwood St., representing the applicant

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

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

Assigned ORDINANCE NO. 29537

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1956

Item 83: Zoning Case Z134-295(RB) - INDIVIDUAL

A public hearing to receive comments regarding an application for a Specific Use Permit for a Drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Lemmon Avenue and Throckmorton Street.

Recommendation of Staff and CPC: Denial.

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 or in favor of the city plan commission's recommendation.

Councilmember Kingston moved to close the public hearing and deny the item without prejudice at the request of the applicant.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1957

Item 84: Zoning Case Z134-299(AF) - 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 bar, lounge, or tavern on property zoned Planned Development District No. 808 and Special Use Permit No. 1985 for a community service center on the south corner of Gaston Avenue and Tucker Street.

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional two-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 Kingston 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. (Allen absent when vote taken)

Assigned ORDINANCE NO. 29538

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1958

Item 85: 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 public hearings on August 27, 2014 and October 8, 2014, and was taken under advisement until November 12, 2014, with the public hearing open.

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

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

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

Mayor Pro Tem Atkins moved to continue the public hearing and hold the item under advisement until the December 10, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1959

Item 86: Zoning Case Z134-261(OTH) - UNDER ADVISEMENT - INDIVIDUAL

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.

Note: This item was considered by the City Council at public hearings on October 8, 2014 and October 22, 2014, and was taken under advisement until November 12, 2014, with the public hearing open.

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

Councilmember Caraway moved to continue the public hearing and hold the item under advisement until the December 10, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1960

DESIGNATED ZONING CASES – INDIVIDUAL

Item 87: Zoning Case Z134-273(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private school on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the southeast corner of Park Lane and North Central Expressway.

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

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

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

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

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

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

Assigned ORDINANCE NO. 29539

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1961

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 88: 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 and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

Note: This item was considered by the City Council at public hearings on September 10, 2014 and October 8, 2014, and was taken under advisement until November 12, 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."

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

Roger Albright, 3301 Elm St., representing UPS
Maria Medellin, 1923 Red Cloud Dr., representing UPS
Wade Stanley, 1800 N. Lamar St., representing United Way
Craig Wiltz, 6703 Ethridge Ct., Colleyville, TX, representing UPS
Kevin Stoelting, 3709 Lavorton Pl., Flower Mound, TX, representing UPS
Ron Mayorga, 3009 Spring Hill Ln., Highland Village, TX representing UPS
Carl Goff, 3008 Spring Hill Ln., Highland Village, TX, representing UPS
Richard Sheridan, 11301 Dennis Rd.
William Hopkins, 2011 Leath St.

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

Peter Kavanaugh, 1620 Haudley, representing the applicant

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1961

Page 2

Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and hold the item under advisement until the December 10, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson.

Councilmember Callahan moved a substitute motion to close the public hearing and deny the item.

Motion seconded by Councilmember Kadane.

Councilmember Griggs called a point of order under the City Council Rules of Procedure Section 7.5 that a substitute motion to deny is not in order once a motion to delay has been made.

Following consultation with the City Attorney regarding the point of order, Mayor Rawlings announced the city attorney determined the substitute motion was in order and would therefore be considered.

Mayor Rawlings called the record vote on Councilmember Callahan's substitute motion to close the public hearing and deny the item:

Voting Yes: [3] Callahan, Kadane, Allen

Voting No: [11] Rawlings, Atkins, Alonzo, Griggs, Medrano,
Hill, Caraway, Kleinman, Greyson, Gates,
Kingston

Absent when vote taken: [1] Davis

The city secretary declared the motion failed.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's original motion to continue the public hearing and hold the item under advisement until the December 10, 2014 voting agenda meeting of the city council and declared the motion adopted on a divided vote with Councilmember Callahan voting "No." (Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1962

BENEFIT ASSESSMENT HEARINGS

Item 89: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements for Street Group 03-446; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Camino Construction, LP, lowest responsible bidder of four (list attached) - Not to exceed \$1,786,832 - Financing: 2003 Bond Funds (\$609,582); 2006 Bond Funds (\$643,330); Water Utilities Capital Construction Funds (\$8,375) and Water Utilities Capital Improvement Funds (\$525,545).

No one addressed the city council regarding the item.

Mayor Pro Tem Atkins moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 29540

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1963

MISCELLANEOUS HEARINGS

Item 90: A public hearing to receive comments on the proposed City of Dallas FY 2014-15 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, consideration of approval of the City of Dallas FY 2014-15 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1964

MISCELLANEOUS HEARINGS

Item 91: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Hunt-Reunion Holdings, Inc. located at 777 Sports Street (aka 701 Sports Street), and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Hunt-Reunion Holdings, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

"Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individuals addressed the city council:

Scott Deatherage, 6718 Arden Ave., Environmental Engineer
Lance Crabtree, 11681 Kingsville, Dr., Frisco, TX, representing the applicant

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

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted.

Assigned ORDINANCE NO. 29541

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1965

MISCELLANEOUS HEARINGS

Item 92: A public hearing to receive comments on the proposed granting of access denial lines to Texas Department of Transportation in conjunction with the Council authorized exchange of 1,767 square feet of land at the Dallas Zoo, located at 650 South R.L. Thornton Freeway, for the future Texas Department of Transportation (TxDOT) Southern Gateway Interstate Highway 35 East/US 67 Highway Improvement Project - Financing: No cost consideration to the City

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 Callahan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1966

MISCELLANEOUS HEARINGS

Item 93: A public hearing 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 West Carpenter Freeway - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1967

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

City Center TIF District

Note: Item Nos. 94, 95, 96 and 97 must be considered collectively.

Item 94: A public hearing to receive comments on boundary amendments to the City Center TIF District (the "Zone") to: (1) remove certain properties from the City Center Sub-district of the Zone, thereby reducing the tax increment base of the City Center Sub-district and increasing city general fund contributions to the Zone over the remaining term; and (2) make such other corresponding adjustments to the ordinances creating the zone and approving the project and financing plans, Ordinance Nos. 22802 and 23034, approved on June 26, 1996 and February 17, 1997, respectively, necessary to accommodate the boundary amendments - Financing: No cost consideration to the City.

Item 95: An ordinance amending Ordinance No. 22802, as amended, previously approved on June 26, 1996, and Ordinance No. 23034, as amended, previously approved February 12, 1997, to reflect these amendments - Financing: No cost consideration to the City.

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

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

No one addressed the city council regarding agenda item 94.

Councilmember Kingston moved to close the public hearing on agenda item 94 and adopt agenda items 95-97.

Motion seconded by Councilmember Medrano and Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 29542

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1968

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**City Center TIF District -
Thanksgiving Tower**

Note: Item Nos. 94, 95, 96 and 97 must be considered collectively.

Item 96: Authorize a development agreement with 1601 Elm Holdings, LP, to reimburse TIF eligible project costs for site and plaza improvements in an amount not to exceed \$3,000,000 and an Economic Development TIF Grant in an amount not to exceed \$3,000,000 for a total amount not to exceed \$6,000,000 for the Thanksgiving Tower renovation project (1601 Elm Street) from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed \$6,000,000 - Financing: City Center TIF District Funds (subject to appropriations)

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

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

No one addressed the city council regarding agenda item 94.

Councilmember Kingston moved to close the public hearing on agenda item 94 and adopt agenda items 95-97.

Motion seconded by Councilmember Medrano and Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1969

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**City Center TIF District -
Thanksgiving Tower**

Note: Item Nos. 94, 95, 96 and 97 must be considered collectively.

Item 97: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$2,780,000 with 1601 Elm Holdings, LP, related to the redevelopment of the Thanksgiving Tower building (1601 Elm Street, Dallas, Texas) pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$2,780,000 - Financing: General Obligation Commercial Paper Funds (subject to appropriations)

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

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

No one addressed the city council regarding agenda item 94.

Councilmember Kingston moved to close the public hearing on agenda item 94 and adopt agenda items 95-97.

Motion seconded by Councilmember Medrano and Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1970

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 98: A public hearing to receive comments regarding a proposal to change the name of South Lancaster Road from East Illinois Avenue to Interstate Highway 20 to “Nelson Mandela Boulevard” and an ordinance granting the name change - NC134-004 - Financing: No cost consideration to the City.

Note: This item was considered by the City Council at a public hearing on September 24, 2014, and was held under advisement until November 12, 2014, with the public hearing open.

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 or in favor of the city plan commission’s recommendation.

Councilmember Caraway moved to close the public hearing and table the item indefinitely.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

*Note: Clarence Jackson and Billie Scott had registered to address the city council regarding the item, but agreed not to speak as a result of the motion made by Councilmember Caraway.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1971

Closed Session

6ES

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

- Legal issues relating to gate accommodations requested by Delta Airlines at Dallas Love Field.

At 11:55 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 relating to gate accommodations requested by Delta Airlines at Dallas Love Field.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:16 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1972

Addendum Addition 1: An ordinance repealing Section 28-158.1 of the Dallas City Code - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29543

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1973

Addendum Addition 2: Authorize a one-year renewal of the service contract with United Way of Metropolitan Dallas, Inc., a Texas nonprofit corporation, to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide - Not to exceed \$100,000, from \$100,000 to \$200,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1974

Addendum Addition 3: An ordinance amending Chapter 15D, “Emergency Vehicles,” of the Dallas City Code to (1) expand the statement of policy and define additional terms; (2) amend the title of Division 2; and (3) authorize the mobile community healthcare program - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29544

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1975

Addendum Addition 4: Authorize a contract with Dallas Area Rapid Transit for the purchase of 312 annual passes in support of the City's clean air initiative - Not to exceed \$200,400 - Financing: Current Funds (to be partially reimbursed by participating employees)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1976

Addendum Addition 5: Authorize adoption of the 2015 City Calendar - Financing:
No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1977

Addendum Addition 6: Authorize a contract for stabilization of the historic log cabin, barn and root cellar at Sharrock-Niblo Park located at 5429 Kiwanis Road - Phoenix I Restoration and Construction, Ltd., best value proposer of two - Not to exceed \$298,600 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1978

Addendum Addition 7: Authorize a contract for structural repair and miscellaneous work at Arlington Park Recreation Center located at 1505 Record Crossing Road; Janie C. Turner Recreation Center located at 6424 Elam Road; and Marcus Recreation Center located at 3003 Northaven Road - DENCO Construction Specialists Corporation, best value proposer of three - Not to exceed \$389,600 - Financing: 2003 Bond Funds (\$145,000) and 2006 Bond Funds (\$244,600)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1979

Addendum Addition 8: Authorize a contract for grading, site utilities and paving for the Singing Hills Recreation Center located between Crouch Road and Patrol Way - J. C. Commercial, Inc., lowest responsible bidder of five - Not to exceed \$1,080,077 - Financing: 2006 Bond Funds (\$536,206) and General Obligation Commercial Paper Funds (\$543,871)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1980

Addendum Addition 9: Authorize an increase in the contract with MART, Inc. for additional scope of work to include: refinishing of gymnasium floor, underground wiring replacement, new PA system, other miscellaneous work; and a credit for alternative security equipment at Pleasant Oaks Recreation Center located at 8701 Greenmound Avenue - Not to exceed \$71,708, from \$1,867,028 to \$1,938,736 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1981

Addendum Addition 10: An ordinance abandoning portions of an alley and Denley Drive (formerly Lindley Avenue) to City Wide Community Development Corporation, the abutting owner, containing a total of approximately 5,170 square feet of land, located near the intersection of Lancaster and Corning Streets, and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

The city manager requested addendum addition consent agenda item 10 be considered as an individual item later in the meeting; there was no objection voiced to his request.

The city manager requested the item be held until later in the meeting to allow additional paperwork to be completed and ensure requirements were met; there was no objection voiced.

Later in the meeting, addendum addition consent agenda item 10 was brought up for consideration

Councilmember Caraway moved to adopt the item.

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

Assigned ORDINANCE NO. 29545

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1982

Addendum Addition 11: Authorize a five-year disclosure counsel contract with Andrews Kurth LLP and Gonzalez Saggio & Harlan LLP, most qualified respondents of seven, in accordance with the hourly rates and opinion fees as set forth in the resolution - Financing: Disclosure Counsel and Co-Disclosure Counsel fees to be paid from bond proceeds, Current Funds, and/or Water Utilities Current Funds, contingent upon completion of each bond sale

The following individual addressed the city council regarding the item:

E. Steven Bolden II, 350 N. Ervay St., representing Mahomes Bolden P.C.

Due to time constraints, the item was placed on hold by Mayor Rawlings to be considered later in the meeting; there was no objection voiced.

Mayor Rawlings called a recess of the city council meeting at 11:55 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the city attorney on the item posted for discussion in executive session.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:16 p.m.

Having reconvened to open session, addendum addition agenda item 11 was taken up for continued discussion and consideration.

Following discussion, Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1983

Addendum Addition 12: A resolution endorsing the agreement with the U. S. Department of Housing and Urban Development (HUD) executed by the City Manager on Wednesday, November 5, 2014, resolving the issues raised by HUD's regional office of Fair Housing and Equal Opportunity on November 22, 2013 - Financing: No cost consideration to the City

Councilmember Hill moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1984

Addendum Addition 13: A resolution designating absences by Mayor Pro Tem Tennell Atkins, Councilmember Scott Griggs, Councilmember Dwaine R. Caraway, Councilmember Jennifer S. Gates and Councilmember Sandy Greyson as being for "Official City Business" - Financing: No cost consideration to the City

Mayor Pro Tem Atkins, Councilmember Griggs, Councilmember Caraway, Councilmember Gates and Councilmember Greyson announced they had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Atkins, Councilmember Griggs, Councilmember Caraway, Councilmember Gates and Councilmember Greyson left the city council chamber.

Councilmember Medrano moved to adopt the item.

Motion seconded by Councilmember Kingston and unanimously adopted. (Atkins, Griggs, Caraway, Gates, Greyson abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1985

Addendum Addition 14: Authorize a three-year service contract, with three one year renewal options, for the collection of delinquent fines and fees for violations of City ordinances, traffic, and state laws, excluding parking violations - Gila LLC dba Municipal Services Bureau, most advantageous proposer of seven - Estimated Annual Revenue: \$4,257,000.

The following individuals addressed the city council regarding the item:

Sophonra Johnson, 5508 Longleaf Ln., representing Linebarger Goggan Blair & Sampson, LLP (handout provided)

Bruce Cummings, 2306 Masonwood Way, Round Rock, TX, representing Municipal Services Bureau

Pamela Hope Johnson, 1216 Post Oak Ln., DeSoto, TX, representing Linebarger Goggan Blair & Sampson, LLP

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Greyson.

Councilmember Caraway requested a record vote.

After discussion, Mayor Rawlings called the vote on Councilmember Kadane's motion to adopt the item:

Voting Yes: [8] Rawlings, Griggs, Callahan, Kadane, Kleinman, Greyson, Gates, Kingston

Voting No: [7] Atkins, Alonzo, Medrano, Hill, Caraway, Davis, Allen

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1986

Addendum Item 15: Zoning Case Z134-292(OTH)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest side of Kimsey Drive, northeast of Maple Avenue and a resolution accepting deed restrictions volunteered by the applicant.

Recommendation of Staff and CPC: Approval with deed restriction volunteered by the applicant.

Prior to the item being read into the record, Councilmember Medrano moved to continue the public hearing and defer the item until the December 10, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1987

Addendum Item 16: Zoning Case Z134-328(CG)

The consent zoning docket, consisting of agenda items 71-80 and addendum addition agenda item 16, 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 a CR Community Retail District, northwest of the intersection of Hines Place and Harry Hines Boulevard.

Recommendation of Staff and CPC: Approval.

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

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29546

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1988

DESIGNATED ZONING CASES - INDIVIDUAL

Addendum Item 17: Zoning Case Z134-324(AF)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IM Industrial Manufacturing District on the north line of Vantage Street, west of Wycliff Avenue.

Recommendation of Staff and CPC: Approval.

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

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

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

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

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

Assigned ORDINANCE NO. 29547

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2014

14-1989

DESIGNATED ZONING CASES - INDIVIDUAL

Addendum Item 18: Zoning Case Z134-331(AF)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District south of Lupo Drive, between Memphis Street and Vicksburg Street.

Recommendation of Staff and CPC: Approval.

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

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

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

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

Motion seconded by Councilmember Medrano and Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 29548

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2014

EXHIBIT C