

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, DECEMBER 10, 2014

14-2080

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs (\*9:13 a.m.), Medrano, Hill, Caraway, Callahan, Davis (\*9:52 a.m.), Kadane, Allen, Kleinman, Greyson (\*9:13 a.m.), Gates, Kingston (\*9:14 a.m.)

ABSENT: [0]

The meeting was called to order at 9:10 a.m.

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

The invocation was given by Reverend Marion Brooks of Riverside Missionary Baptist Church.

Councilmember Medrano 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 5:47 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, DECEMBER 10, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, DECEMBER 10, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2081

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: David Swain, 3318 Shady Hollow Ln.  
SUBJECT: Dallas Executive Airport

SPEAKER: Albert Navifar, 15899 Preston Rd.  
SUBJECT: Uber/City Council

SPEAKER: Stephanie Johnson, 4207 Live Oak St.  
SUBJECT: Dallas Police Officer reinstatement

SPEAKER: William Hopkins, 2011 Leath St. (handout provided)  
SUBJECT: FBI/Yellow Cab

SPEAKER: Regina Imburgia, 5423 Goodwin Ave.  
REPRESENTING: Activists for Truth  
SUBJECT: Stopping fluoridation

**ADDITIONAL – OPEN MICROPHONE:**

SPEAKER: Dominique Alexander, 2512 E. Overton Rd.  
REPRESENTING: Next Generation Action Network  
SUBJECT: City affairs in the DPD

SPEAKER: Subrina Brenham, 6621 La Grange Dr.  
SUBJECT: Economic Development

SPEAKER: Cornelius Amen, 2018 Lanark Ave.  
SUBJECT: Justice

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Sean Fitzgerald, 2814 Canton St. (handout provided)  
REPRESENTING: Deep Ellum Community Association  
SUBJECT: Dallas Police Officer reinstatement

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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**OPEN MICROPHONE – END OF MEETING:**

(Continued)

SPEAKER: Marjorie Steakley, 1500 N. Garrett Ave.

SUBJECT: Fluoride

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2082

Item 1: Approval of Minutes of the November 12, 2014 City Council Meeting

Councilmember Caraway moved to adopt the minutes of the November 12, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2083

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-48 and addendum addition consent agenda items 1-18.

Prior to presentation of the consent agenda, Councilmember Kadane requested consent agenda item 9 be deferred until the January 28, 2015 voting meeting of the city council. Motion seconded by Mayor Pro Tem Atkins. (Davis absent when vote taken)

The city secretary announced Mayor Rawlings had deferred consideration of consent agenda item 25 in accordance with Subsection 7.11 of the City Council Rules of Procedure prior to the meeting.

Councilmember Gates requested addendum addition consent agenda items 1 and 2 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Medrano requested addendum addition consent agenda items 6 and 10 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested addendum addition consent agenda items 6 and 10 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Kingston requested addendum addition consent agenda item 7 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Therefore, the consent agenda, consisting of consent agenda items 2-8, 10-24, 26-48 and addendum addition consent agenda items 3-5, 8-9 and 11-18, was presented for consideration.

Councilmember Caraway moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 9, 25 and addendum addition consent agenda items 1, 2, 6, 7 and 10.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2084

Item 2: Authorize a one-year service contract for hazardous and non-hazardous waste disposal services - Green Planet, Inc., through a Cooperative Purchasing Agreement with Dallas/Fort Worth International Airport - Not to exceed \$731,025 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2085

Item 3: Authorize a three-year service contract for vehicle and equipment collision appraisal services - All-Pro Collision Center, LLC, lowest responsible bidder of two - Not to exceed \$312,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2086

Item 4: Authorize a five-year service contract for concealable body armored vests, alterations and accessories for Police personnel - Galls, LLC, lowest responsible bidder of seven - Not to exceed \$2,554,520 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2087

Item 5: Authorize an acquisition contract for the purchase, three-year extended warranty and installation of a radio frequency identification system for McCommas Bluff Landfill - Nicol Scales L.P. dba Nicol Scales & Measurement, lowest responsible bidder of three - Not to exceed \$306,010 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2088

Item 6: Authorize the purchase of one foam fire suppression truck for Fire-Rescue - Chastang Enterprises, Inc. dba Chastang Ford through The Texas Association of School Boards (BuyBoard) - Not to exceed \$243,500 - Financing: 2013 Urban Area Security Initiative Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2089

Item 7: Authorize a two-year master agreement for gaskets, packing and o-rings for equipment repair - Han-Boone International, Inc. dba Fort Worth Gasket & Supply in the amount of \$82,750 and HD Supply Waterworks LTD in the amount of \$10,000, lowest responsible bidders of two - Total not to exceed \$92,750 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2090

Item 8: Authorize a three-year master agreement for reflective and non-reflective sheeting for signs - Avery Dennison Corporation-Reflective Solutions, lowest responsible bidder of three - Not to exceed \$1,101,210 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2091

Item 9: Authorize a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water - Mosaic Crop Nutrition, LLC, lowest responsible bidder of three - Not to exceed \$1,060,800 - Financing: Water Utilities Current Funds

Prior to presentation of the consent agenda, Councilmember Kadane moved to defer the item for 90 days.

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Kingston requested a record vote.

After discussion, Councilmember Kadane amended his motion to defer the item until the February 11, 2015 voting agenda meeting of the city council.

Mayor Pro Tem Atkins, who seconded the original motion, accepted the amendment.

After further discussion, Councilmember Kadane amended his motion to defer the item until the January 28, 2015 voting agenda meeting of the city council.

Mayor Pro Tem Atkins, who seconded the amended motion, accepted the amendment.

Mayor Rawlings called the vote on Councilmember Kadane's amended motion to defer the item until the January 28, 2015 voting agenda meeting of the city council:

Voting Yes: [8] Rawlings, Atkins, Alonzo, Griggs,  
Medrano, Kadane, Kleinman,  
Greyson

Voting No: [6] Hill, Caraway, Callahan, Allen,  
Gates, Kingston

Absent when vote taken: [1] Davis

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2092

Item 10: Authorize an increase to the master agreement with The Sherwin Williams Company in the amount of \$42,206, Glidden Professional Paint Center in the amount of \$38,994, Kwal Howells, Inc. in the amount of \$37,933, PPG Architectural Finishes in the amount of \$35,020, Pioneer Manufacturing Company, Inc. in the amount of \$28,533, Kelly Moore Paint Company, Inc. in the amount of \$16,339 and Motion Industries, Inc. in the amount of \$3,849 for the purchase of paint and sundries for maintaining various City facilities and equipment - Total not to exceed \$202,874, from \$811,497 to \$1,014,371 - Financing: Current Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2093

Item 11: Authorize supplemental agreement no. 1 to increase the service contract with Communication Concepts in the amount of \$336,197 and Alarm Security Group, LLC in the amount of \$77,762 for installation, monitoring and maintenance of alarm systems and annual fire alarm inspections - Total not to exceed \$413,959, from \$1,655,841 to \$2,069,800 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2094

Item 12: Authorize settlement of one of the plaintiffs' claims in the lawsuit styled Koby Maxwell, John C. Campbell and Carl Wayne Walton v. City of Dallas, Cause No. DC-13-04584-B - Not to exceed \$30,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2095

Item 13: An ordinance **(1)** amending and restating Ordinance No. 27486, approving and authorizing the issuance by the City of Dallas of its Waterworks and Sewer System Commercial Paper Notes, Series D, in an aggregate principal amount at any one time outstanding not to exceed \$300,000,000, to permit the issuance of such Commercial Paper Notes in sub-series; resolving other matters incident and related to the issuance, sale, security and delivery of such Commercial Paper Notes, including **(a)** the approval of and authorizing the execution of separate revolving credit agreements with State Street Bank and Trust Company and Bank of America, N.A.; **(b)** a restated Dealer Agreement with Merrill Lynch, Pierce, Fenner & Smith Incorporated and **(c)** a related Issuing and Paying Agent Agreement with U.S. Bank National Association; and providing an effective date; and **(2)** approving the payment of issuance costs in connection with the issuance of the short term obligations and approving the use of an Offering Memorandum in connection with the sale of the short term obligations - Financing: Water Utilities Current Funds (\$436,500 upfront closing costs plus annual fees of \$1,193,271 for a total 3-year cost of \$3,579,813) (subject to annual appropriations)

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29549

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2096

Item 14: Authorize **(1)** acceptance of The Moody Foundation X-Ray Machine Grant to be used for the purchase of an X-ray machine at Dallas Animal Services; and **(2)** execution of the grant agreement - Not to exceed \$56,000 - Financing: The Moody Foundation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2097

Item 15: An ordinance amending Chapter 16, "Dallas Fire Code;" amending when permits are required for flammable and combustible liquids; and correcting a typographical error - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29550

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2098

Item 16: Authorize **(1)** the sale of two vacant lots located at 1818 and 1822 Trunk Avenue from the Dallas Housing Acquisition and Development Corporation to Simple Faith International; 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

DECEMBER 10, 2014

14-2099

Item 17: A resolution declaring one unimproved property located at 1906 Bayonne Street unwanted and unneeded and authorizing its conveyance to Dallas Area Habitat for Humanity, a qualified non-profit organization, through the Land Transfer Program (list attached) - Revenue: \$6,653

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2100

Item 18: Authorize a contract with Open Arms, Inc. dba Bryan's House for child care services for special needs children for the period October 1, 2014 through September 30, 2015 - Not to exceed \$69,000 - Financing: 2014-15 Community Development Block Grant Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2101

Item 19: Authorize a contract with Senior Citizens of Greater Dallas, Inc. to provide senior service programs for seniors aged 60 and above in the following three categories: (1) Senior Outreach Program in West Oak Cliff Area; (2) Nursing Home Ombudsman Program; and (3) Outreach and Case Management Program with special emphasis on Spanish-speaking seniors for the period October 1, 2014 through September 30, 2015 - Not to exceed \$138,000 - Financing: 2014-15 Community Development Block Grant Funds (\$50,000) and Current Funds (\$88,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2102

Item 20: Authorize a contract with Vogel Alcove, Inc. for child care services for homeless families for the period October 1, 2014 through September 30, 2015 - Not to exceed \$151,129 - Financing: 2014-15 Community Development Block Grant Funds (\$120,129) and Current Funds (\$31,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2103

Item 21: Authorize a twelve-month contract with The Family Place, Inc. with one twelve-month renewal option, to provide eligible Emergency Solutions Grant essential services and shelter operation, to the homeless for the period October 1, 2014 through September 30, 2015 - Not to exceed \$72,518 - Financing: 2014-15 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2104

Item 22: Authorize an increase in the professional services contract with Diversified Utility Consultants, Inc., for expert consulting services and testimony in matters related to Atmos Energy Mid-Tex Division's "Dallas Annual Rate Review" filing increasing the contract by \$80,000 - Not to exceed \$80,000, from \$270,000 to \$350,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2105

Item 23: Authorize a contract for a trail amenities package for the Kiestwood Trail located between Rio Grande Avenue to Franklin Street - Northstar Construction, LLC, lowest responsible bidder of three - Not to exceed \$172,184 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2106

Item 24: Authorize **(1)** the receipt and deposit of funds from the White Rock Lake Conservancy, for the design and renovation of the picnic pavilion, stone tables and other related improvements for White Rock Lake Park located at 711 East Lawther Drive, in an amount not to exceed \$113,957; **(2)** the establishment of appropriations in the amount of \$113,957 in the Capital Gifts, Donation and Development Fund; and **(3)** Amendment No. 1 to the White Rock Lake Conservancy Master Agreement to allow the Park and Recreation Department to perform renovation of the pavilion and other related site features with its own staff - Not to exceed \$113,957 - Financing: Capital Gifts, Donation and Development Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2107

Item 25: Authorize a Second Amendment to the lease and use agreement (“Agreement”) between Live Nation Worldwide, Inc. hereinafter referred to as "Live Nation" (formerly known as MCA/PACE Amphitheatres Group, L.P. and Pace Amphitheatres Inc.) and the City of Dallas, in accordance with the following terms: **(1)** to the extent Live Nation elects to undertake the improvements as described in the Second Amendment, and in consideration of Live Nation’s design, construction, and performance of the Improvements and securing financing, the City hereby agrees to reduce the total annual rent due and payable to City under the Agreement for the amount equal to or the lesser of (i) the actual costs of the Improvements (“Project Costs”) or (ii) \$7,000,000 (such reduction to the rents due is the “Rent Credit”), upon recovery of all of the Rent Credit, Live Nation shall resume all of the rental obligations under the Agreement; the Rent Credit will be taken in annual installments of \$500,000 annually (subject to only adjustment for any carry forward deficiencies resulting from the lack of total rent payable or available) credited by City against the rents payable by Live Nation until the full amount of the Rent Credit is realized; **(2)** increase the current “Additional Rental”, as defined in the agreement, from \$.15 per sold admission ticket to \$.20; and **(3)** exercise their second ten-year option, extending the agreement through December 31, 2028 - Estimated Revenue: \$9,658,970

The city secretary announced Mayor Rawlings had deferred consideration of the item in accordance with Subsection 7.11 of the City Council Rules of Procedure prior to the meeting.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2108

Item 26: Authorize Supplemental Agreement No. 1 to the professional services contract with TEAM Consultants, Inc. for material testing for additional scope of work to include: additional borings and material testing for the construction phase at Singing Hills Recreation Center located between Crouch Road and Patrol Way - Not to exceed \$83,024, from \$4,343 to \$87,367 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2109

Item 27: Authorize **(1)** the acceptance of supplemental funding for the 2014/2015 Tobacco Enforcement Grant through the Texas School Safety Center at Texas State University - San Marcos in the amount of \$21,900 for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2014 through August 31, 2015; and **(2)** execution of the grant agreement - Not to exceed \$21,900, from \$48,750 to \$70,650 - Financing: Texas School Safety Center Tobacco Compliance Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2110

Item 28: Authorize **(1)** the First Amendment to the Project Supplemental Agreement with Dallas County for the City's share of final design and construction costs for the East Dallas Veloway (SoPAC Trail) Phase III from Lawther Drive to Mockingbird Lane and the YMCA Extension near the intersection of Gaston Avenue and Garland Road projects; and **(2)** payment to Dallas County for the City's share of final design and construction costs - Not to exceed \$2,081,700 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2111

Item 29: Authorize Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. for additional engineering services to include the design of ten gateway monuments for Martin Luther King, Jr. Boulevard - Not to exceed \$337,377, from \$484,950 to \$822,327 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2112

Item 30: Authorize acquisition from Terry W. Chambers and Gerald D. Chambers, of approximately 183,385 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$24,937 (\$22,437, plus closing costs and title expenses not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2113

Item 31: Authorize the quitclaim of 106 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$415,760

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2114

Item 32: Authorize a ten-year lease agreement with Mulix Investments, LLC for approximately 4,996 square feet of office space located at 2726 Coombs Creek Drive to be used as a Southwest Building Inspection District office for the period December 1, 2014 through November 30, 2024 - Not to exceed \$1,036,670 - Financing: Building Inspection Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2115

Item 33: A resolution authorizing the conveyance of property rights and joint cross-use rights agreement between the City of Dallas and Dallas Area Rapid Transit, for the Singing Hills/Camp Wisdom Project, located near the intersection of Camp Wisdom Road and Patrol Way - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2116

Item 34: An ordinance adopting 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.

Assigned ORDINANCE NO. 29551



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2117

Item 35: An ordinance granting a revocable license to 7-Eleven, Inc., for the use of approximately 25 square feet of aerial space to install, use and maintain three signs over portions of Elm and Akard Streets right-of-way, located near the intersection of Elm and Akard Streets - Revenue: \$3,000 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29552

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2118

Item 36: An ordinance abandoning portions of a drainage and utility easement and a water easement to Hope Cottage, Inc., the abutting owner, containing a total of approximately 3,668 square feet of land, located near the intersection of Fitzhugh and Cole Avenues and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29553

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2119

Item 37: An ordinance abandoning portions of a firelane, access and utility easement and a drainage easement to McKamy Holdings, Ltd., the abutting owner, containing a total of approximately 19,062 square feet of land, located near the intersection of Frankford Road and President George Bush Turnpike - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29554

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2120

Item 38: An ordinance abandoning portions of two air navigation and safety facilities easements to TNMR, LLC, the abutting owner, containing a total of approximately 4,953 square feet of land, located near the intersection of Manor Way and Denton Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29555

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2121

Item 39: An ordinance terminating Ordinance No. 19239, granted to Lakewood Country Club and granting a new private license for the use of approximately 387 square feet of land to maintain and use subsurface irrigation pipes to increase irrigation located under a portion of La Vista Drive and Abrams Road right-of-way - Revenue: \$1,000 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29556

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2122

Item 40: An ordinance correcting Chapter 51A, Dallas Development Code: Ordinance No. 19455, of the Dallas City Code, as amended, by correcting Sections 51A-4.203, "Industrial Uses," 51A-7.308 "Digital Display on Certain Detached Non-Premise Signs, 51A-7.1601.1, "Designation of Sign Subdistricts," 51A-7.1608, "Special Provisions for the Market Center Sign Subdistrict," and 51A-12.204, "Operations" - Financing: No cost consideration to the City

Corrected on the addendum.

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29557

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2123

Item 41: An ordinance correcting Chapter 51P, Dallas Development Code: Planned Development District Regulations, of the Dallas City Code, as amended by correcting **(1)** Planned Development Subdistrict No. 71 within Planned Development District No. 193, the Oak Lawn Special Purpose District; **(2)** Planned Development District No. 269, the Deep Ellum/Near East Side District; **(3)** Planned Development 298, the Bryan Area Special Purpose District; **(4)** Planned Development District No. 878; **(5)** Planned Development District No. 914; ~~and **(6)** Planned Development District No. 922;~~ and **(7)** Planned Development District No. 888 - Financing: No cost consideration to the City

Corrected on the addendum.

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29558

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2124

Item 42: An ordinance correcting **(1)** Ordinance No. 29204, previously approved on November 12, 2013, which amended Planned Development District No. 561 on the north line of Keller Springs Road, west of Preston Road; **(2)** Ordinance No. 29254, previously approved on January 22, 2014, which created Specific Use Permit No. 2068 for a bar, lounge, or tavern on the south line of Main Street and the northeast line of Exposition Avenue; and **(3)** Ordinance No. 29303, previously approved on March 26, 2014, which created Planned Development District No. 904, on property west of North Central Expressway and north of Riverfall Drive - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29559



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2125

Item 43: An ordinance repealing Ordinance No. 6774, previously approved on December 12, 1955, which established a 10 foot building line on both sides of Fort Worth Avenue between Sylvan Avenue and Beatrice Street -  
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29560

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2126

Item 44: Authorize an increase in the contract with Sedalco/Metalman Design/Build Corporation, A Joint Venture, for additional scope of work to include: parking and new entry gate for Big Spring, modification to the fire lane and other miscellaneous items at the Texas Horse Park located at 811 Pemberton Hill Road - Not to exceed \$90,251, from \$11,551,787 to \$11,642,038 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2127

Item 45: Authorize engineering services contracts with eight consulting firms to (1) provide engineering design services for the replacement and rehabilitation of water and wastewater mains at 160 locations; and (2) provide alignment studies at three locations (list attached) - EJES, Inc., in the amount of \$929,774, Lockwood, Andrews & Newman, Inc., in the amount of \$991,116, Pacheco Koch Consulting Engineers, Inc., in the amount of \$1,243,560, Kimley-Horn and Associates, Inc., in the amount of \$1,170,500, Hazen and Sawyer, P.C., in the amount of \$2,357,150, Stream Water Group, Inc., in the amount of \$964,592, Garver, LLC, in the amount of \$816,600 and Carollo Engineers, Inc, in the amount of \$2,929,518 - Total not to exceed \$11,402,810 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2128

Item 46: Authorize a contract for the construction of solids handling improvements at the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of five - Not to exceed \$6,359,750 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2129

Item 47: Authorize **(1)** an increase in the thirty-six month service contract with NPL Construction Co. for additional lane miles of partial street reconstruction; **(2)** concrete repairs to maintain creeks, channels and associated flood control infrastructure; and **(3)** a 12 month extension to the contract from May 2016 to May 2017 - Not to exceed \$7,876,261, from \$31,505,043 to \$39,381,304 - Financing: Current Funds (\$5,053,526) (subject to annual appropriations) and Stormwater Drainage Management Current Funds (\$2,822,735) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2130

Item 48: Authorize Supplemental Agreement No. 2 to the engineering services contract with HDR Engineering, Inc. for additional construction administration services associated with the process improvements project at the Central Wastewater Treatment Plant - Not to exceed \$191,826, from \$4,178,649 to \$4,370,475 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2131

Item 49: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city board and commission appointments for the 2013-2015 board term, with term ending September 30, 2015, updated through December 10, 2014.

The city secretary noted the report indicated nominees for officer appointments cleared for city council action met all qualifications for service.

Councilmember Medrano moved to appoint the following:

- Larry M. James, Chair, to the Reinvestment Zone Five Board (City Center); Evan L. Beattie, Chair, to the Reinvestment Zone Eleven Board (Downtown Connection); and Neal D. Sleeper, Chair, Reinvestment Zone Seventeen Board (Transit-Oriented Development).

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

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

**14-7705**

**BOARD OFFICERS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2132

Item 50: An ordinance adding a new Chapter 47A, "Transportation for Hire," to the Dallas City Code and repealing Chapter 10, "Buses and Shuttles," Chapter 10A, "Limousines," Chapter 10B, "Non-Motorized Passenger Transport Vehicles," and Chapter 45, "Taxicabs," of the Dallas City Code to: (1) provide uniform regulations for all transportation-for-hire services operating in the city; and (2) amend Chapter 5, "Aircraft and Airports," of the Dallas City Code to make conforming changes - Financing: No cost consideration to the City

Deleted on the addendum.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2133

Item 51: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Robert E. B. Ashby, Jr., of a tract of land containing approximately 17,015 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$4,531 (\$2,031, plus closing costs and title expenses not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

The city secretary read agenda items 51-53 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 51-53, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 51 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 from *Robert E. B. Ashby, Jr.*, to acquire a tract of land containing approximately 17,015 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 Davis moved to adopt agenda items 51-53.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Davis' motion to adopt agenda items 51-53:

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

Voting No: [0]

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2134

Item 52: Authorize an amendment to Resolution No. 14-1399, previously approved on August 27, 2014, to modify the elevations of the subsurface easement and to authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dallas Hidden Creek Apartments, Ltd., of a subsurface easement located under approximately 16,115 square feet of land, located on Hatcher Street near its intersection with Junction Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Financing: No cost consideration to the City

The city secretary read agenda items 51-53 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 51-53, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 52 requires a motion that the Council of the City of Dallas adopt the item which amends Resolution No. 14-1399 previously approved on August 27, 2014, to modify the elevations of the subsurface easement and to authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from *Dallas Hidden Creek Apartments, Ltd.*, a subsurface easement located under approximately 16,115 square feet of land, located on Hatcher Street near its intersection with Junction Street, in City of Dallas Block 4471, Dallas County, Texas, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Davis moved to adopt agenda items 51-53.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Davis' motion to adopt agenda items 51-53:

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

Voting No: [0]

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2135

Item 53: Authorize an amendment to Resolution No. 14-1401, previously approved on August 27, 2014, to modify the elevations of the subsurface easement and to authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Stonewood Terrace Apartments, Ltd., of a subsurface easement located under approximately 57,609 square feet of land, located on Dixon Circle near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Financing: No cost consideration to the City

The city secretary read agenda items 51-53 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 51-53, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 53 requires a motion that the Council of the City of Dallas adopt the item which amends Resolution No. 14-1401 previously approved on August 27, 2014, to modify the elevations of the subsurface easement and to authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from *Stonewood Terrace Apartments, Ltd.*, a subsurface easement located under approximately 57,609 square feet of land, located on Dixon Circle near its intersection with Dixon Avenue, in City of Dallas Blocks 6/6122 and 6123, Dallas County, Texas, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Davis moved to adopt agenda items 51-53.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Davis' motion to adopt agenda items 51-53:

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

Voting No: [0]

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2136

Item 54: Authorize a Chapter 380 Conditional Economic Development Grant Agreement in the amount of \$225,000 with Almass Investment Group, LP for construction costs related to development of Buckner Plaza, a commercial center located at 2423 South Buckner Boulevard, Dallas, Texas in the Pleasant Grove area - Not to exceed \$225,000 - 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."

Councilmember Callahan moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2137

Item 55: Authorize a Chapter 380 Economic Development Grant in the amount of \$250,000 to Silver Creek Investment, LLC a Texas Limited Liability Company to make repairs and upgrade the Glendale Shopping Center, located at 4404 South Marsalis Avenue, Dallas, Texas, in order to relocate and expand a Family Dollar Store which is the center's major tenant - Not to exceed \$250,000 - 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."

Councilmember Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2138

**Seefried Industrial Properties**

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

Item 56: Authorize a real property tax abatement agreement with US Real Estate Limited Partnership, granting a ten-year abatement of 90 percent of the taxes on added value to the real property for the purpose of assisting in the development of a new office, production and warehouse distribution facility located south of IH-20, in the 9200 Block of Old Hickory Trail within the Southfield Park 35 Industrial Park in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$7,970; ten-year revenue estimated at \$79,700 (Estimated revenue forgone for the ten-year real property abatement estimated at \$717,300)

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

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

Mayor Pro Tem Atkins moved to adopt agenda items 56-57.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2139

**Seefried Industrial Properties**

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

Item 57: Authorize a Chapter 380 economic development grant agreement with Seefried Industrial Properties for necessary assistance with land development and permitting costs for the purpose of assisting in the development of a new office, production and warehouse distribution facility located south of IH-20, in the 9200 Block of Old Hickory Trail within the Southfield Park 35 Industrial Park in accordance with the City's Public/Private Partnership Program - Not to exceed \$63,726 - Financing: Public/Private Partnership 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."

Mayor Pro Tem Atkins moved to adopt agenda items 56-57.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2140

Item 58: Authorize an increase in funding of \$1,300,000 for the Chapter 380 Economic Development Grant Agreement with KRR Construction, LTD thereby increasing the contract from \$1,500,000 to a total amount not to exceed \$2,800,000 for the purchase and installation of business personal property and equipment required pursuant to the terms of the lease agreement with Moran Foods, LLC (Save A Lot) for the Simpson Stuart/Bonnie View Grocery Store Project - Not to exceed \$1,300,000, from \$1,500,000 to \$2,800,000 - Financing: General Obligation Commercial Paper Funds

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

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

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill and Councilmember Callahan.

Mayor Pro Tem Atkins requested a record vote.

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

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

Voting No: [2] Griggs, Kingston

The city secretary declared the item adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2141

The consent zoning docket consisted of agenda items 59-77 and addendum addition agenda item 25.

Prior to presentation of the consent zoning docket and agenda item 74 being read into the record, Councilmember Callahan moved to continue the public hearing and defer the item until the January 28, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Prior to presentation of the consent zoning docket and agenda item 76 being read into the record, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the January 14, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Councilmember Caraway and unanimously adopted.

Agenda items 59, 63 and 65 were removed from the consent zoning docket to be considered as individual hearings.

Therefore, the consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

~~Agenda item 59: Zoning Case Z123-332(RB)~~ [considered individually]  
Agenda item 60: Zoning Case Z134-118(OTH)  
Agenda item 61: Zoning Case Z134-224(OTH)  
Agenda item 62: Zoning Case Z134-248(WE)  
~~Agenda item 63: Zoning Case Z134-255(RB)~~ [considered individually]  
Agenda item 64: Zoning Case Z134-284(OTH)  
~~Agenda item 65: Zoning Case Z134-285(OTH)~~ [considered individually]  
Agenda item 66: Zoning Case Z134-287(CG)  
Agenda item 67: Zoning Case Z134-296(OTH)  
Agenda item 68: Zoning Case Z134-302(CG)  
Agenda item 69: Zoning Case Z134-303(CG)  
Agenda item 70: Zoning Case Z134-307(CG)  
Agenda item 71: Zoning Case Z134-309(WE)  
Agenda item 72: Zoning Case Z134-311(OTH)  
Agenda item 73: Zoning Case Z134-312(AF)  
~~Agenda item 74: Zoning Case Z134-316(OTH)~~ [deferred]  
Agenda item 75: Zoning Case Z134-327(DJ)  
~~Agenda item 76: Zoning Case Z134-338(CE)~~ [deferred]  
Agenda item 77: Zoning Case Z134-340(CG)  
Addendum item 25: Zoning Case Z134-335(OTH)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-2141

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

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

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

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2142

Item 59: Zoning Case Z123-332(RB)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 820 on property generally bounded by Fitzhugh Avenue, Bennett Avenue, and Manett Street.

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

Councilmember Medrano requested consent zoning agenda item 59 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent zoning agenda item 59 was brought up for consideration.

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

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

- Tract 1B – Elevator penthouse or bulkhead and stair overruns may project into the residential proximity slope and may project a maximum of 12 feet above the maximum structure height, not to exceed 75 feet in height

and pass the ordinance.

Motion seconded by Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 29561

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2143

Item 60: Zoning Case Z134-118(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1749 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the north side of East Wheatland Road, east of R.L. Thornton Freeway.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29562

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2144

Item 61: Zoning Case Z134-224(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge, or tavern on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District on the south side of Elm Street, west of North Crowds Street.

Recommendation of Staff and 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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29563

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2145

Item 62: Zoning Case Z134-248(WE)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, 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-10(A) Single Family District on the east line of Webb Chapel Road, north of Timberview Road.

Recommendation of Staff and CPC: Approval for a five-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. 29564

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2146

Item 63: Zoning Case Z134-255(RB)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Single family uses and an ordinance terminating Specific Use Permit No. 86 for a Community club on property zoned an R-10(A) Single Family District on property on the east line of Chapel Downs Drive, north of Timberview Road.

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions, and approval of the termination of Specific Use Permit No. 86.

Councilmember Gates requested consent zoning agenda item 63 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent zoning agenda item 63 was brought up for consideration.

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

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

Dallas Cothrum, 900 Jackson St., representing the applicant

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

- Maximum number of dwelling units is 12

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NOS. 29565 AND 29566

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2147

Item 64: Zoning Case Z134-284(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Utility or Government Installation other than listed on property zoned Tract 2, Subdistrict 1 within Planned Development District No. 317, Cedars Area Special Purpose District on the north corner of Gould Street and Savannah Street.

Recommendation of Staff and CPC: Approval for a permanent 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. 29567



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2148

Item 65: Zoning Case Z134-285(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CR Community Retail District uses and vehicle display and sales on property zoned a CR Community Retail District bounded by West Mockingbird Lane, Lemmon Avenue, and Roper Street.

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

Councilmember Medrano requested consent zoning agenda item 65 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent zoning agenda item 65 was brought up for consideration.

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

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

Joyce Lockley, 4718 Wateka Dr., representing North Park Love Field Neighborhood

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

- Off-street loading is not required for the vehicle display and sales use

and pass the ordinance.

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

Assigned ORDINANCE NO. 29568

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2149

Item 66: Zoning Case Z134-287(CG)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

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 NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the west line of University Hills Boulevard, south of East Red Bird 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, traffic management plan and conditions.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29569

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2150

Item 67: Zoning Case Z134-296(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1655 for an open-enrollment charter school on property zoned an MU-3 Mixed Use District and an IR Industrial Research District, on the south corner of Regal Row and Harry Hines Boulevard.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29570

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2151

Item 68: Zoning Case Z134-302(CG)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, 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. 1973 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Planned Development District No. 366, Subarea 2, Tract 3, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the east line of South Buckner Boulevard, south of Bruton Road.

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. 29571

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2152

Item 69: Zoning Case Z134-303(CG)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting renewal of Specific Use Permit No. 1980 for the sale of alcoholic beverages in conjunction with a retail food store on property zoned Planned Development District No. 193, LC Subdistrict, the Oak Lawn Special Purpose District with a D-1 Liquor Control Overlay on the southwest line of Lemmon Avenue and northwest line of Noble Avenue.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29572

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2153

Item 70: Zoning Case Z134-307(CG)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, 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. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District, on the south line of Elm Street, west of North Crowds Street.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29573

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2154

Item 71: Zoning Case Z134-309(WE)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) and a dance hall on property zoned Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the west line of Harry Hines Boulevard, north of Bixel Street.

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. 29574

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2155

Item 72: Zoning Case Z134-311(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 433 on the east corner of North Stemmons Freeway and Inwood Road.

Recommendation of Staff and CPC: Approval, subject to a revised development plan, elevations and revised 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. 29575



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2156

Item 73: Zoning Case Z134-312(AF)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and a resolution granting an amendment to the deed restrictions on property zoned an IM Industrial Manufacturing District, north of Crown Road, west of Newberry Street.

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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2157

Item 74: Zoning Case Z134-316(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, 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. 2017 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 CS Commercial Service District with a D-1 Liquor Control Overlay on the north line of Bruton Road, east of North Jim Miller Road.

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

Prior to presentation of the consent zoning docket, Councilmember Callahan moved to continue the public hearing and defer the item until the January 28, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2158

Item 75: Zoning Case Z134-327(DJ)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1752 for an industrial (outside) use limited to a Concrete batch plant on property zoned an IR Industrial Research District, north of West Commerce Street and west of Sylvan Avenue.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29576

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2159

Item 76: Zoning Case Z134-338(CE)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, 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. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned an IM Industrial Manufacturing District with deed restrictions, on the north side of Manaña Drive, east of Spangler Road.

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

Prior to presentation of the consent zoning docket, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the January 14, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2160

Item 77: Zoning Case Z134-340(CG)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, 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. 2010 for a recycling buy-back center for the collection of household and industrial metals on property zoned an LI Light Industrial District on the north side of Congressman Lane, east of Denton Drive.

Recommendation of Staff and CPC: Approval for a two-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. 29577

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2161

Item 78: Zoning Case Z134-164(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and an ordinance granting a Specific Use Permit for a college, university, or seminary on property zoned an MF-2(A) Multifamily District the south side of Bryan Street, northeast of North Munger Boulevard, and northwest of Live Oak Street.

Recommendation of Staff and CPC: Approval of a Planned Development District, subject to conditions and approval of a Specific Use Permit for a six-year period, subject to a site/landscape 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 ordinances.

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

Assigned ORDINANCE NOS. 29578 AND 29579

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2162

Item 79: Zoning Case Z134-254(CE) - INDIVIDUAL

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

Recommendation of Staff and CPC: Approval for a two-year period, subject to 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 Councilmember Hill and unanimously adopted. (Rawlings absent when vote taken)

Assigned ORDINANCE NO. 29580

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2163

Item 80: 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, October 8, 2014 and November 12, 2014, and was taken under advisement until December 10, 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

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

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

Assigned ORDINANCE NO. 29581



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2164

Item 81: Zoning Case Z134-210(MW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1995 for an open-enrollment charter school on property zoned a CR Community Retail District and an NO(A) Neighborhood Office District on the north side of West Camp Wisdom Road and the east side of South Westmoreland Road.

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

Recommendation of CPC: Approval for an eighteen-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan and conditions.

Note: This item was considered by the City Council at a public hearing on October 22, 2014, and was taken under advisement until December 10, 2014, with the public hearing open.

No one appeared in opposition to or 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 Hill moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

1. A tree conservation area must be provided in the location shown on the site plan. The tree conservation area is protected from clearing and development. Vegetation and tree removal is only permitted in accordance with Section 51A-10.140 of the Dallas Development Code;
2. Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code;
3. The playfield area, basketball courts, playground, and play area may only be used between 8:30 a.m. and 6:00 p.m., Monday through Friday;

and pass the ordinance.

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

Assigned ORDINANCE NO. 29582

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2165

Item 82: Zoning Case Z134-245(DJ) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1763 for a community service center on property zoned an R-5(A) Single Family District on the southeast corner of Gallagher Street and Winnetka Avenue.

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

Note: This item was considered by the City Council at a public hearing on August 27, 2014, and was taken under advisement until December 10, 2014, with the public hearing open.

Prior to the item being read into the record, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the March 25, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2166

Item 83: 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, October 22, 2014 and November 12, 2014, and was taken under advisement until December 10, 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 close the public hearing, accept the recommendation of the city plan commission without the volunteered deed restrictions and pass the ordinance.

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

Assigned ORDINANCE NO. 29583

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2167

Item 84: Zoning Case Z134-271(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for RR Regional Retail District uses and a truck stop on property zoned an RR Regional Retail District on the northwest corner of R.L. Thornton Freeway and West Wheatland Road.

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

Note: This item was considered by the City Council at a public hearing on October 22, 2014, and was taken under advisement until December 10, 2014, with the public hearing open.

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

Angela Martin, 111 High Harvest Rd., representing Wheatland Meadow

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

Santos Martinez, 900 Jackson St., representing the applicant (handout provided)

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

Motion seconded by Councilmember Caraway.

Mayor Pro Tem Atkins called the vote on Councilmember Hill's motion to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance and declared the item adopted on a divided vote with Councilmember Greyson voting "No." (Rawlings absent when vote taken)

Assigned ORDINANCE NO. 29584

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2168

Item 85: Zoning Case Z134-292(OTH) - UNDER ADVISEMENT - INDIVIDUAL

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.

Note: This item was considered by the City Council at a public hearing on November 12, 2014, and was taken under advisement until December 10, 2014, with the public hearing open.

Prior to the item being read into the record, Councilmember Medrano moved to continue the public hearing and defer the item until the January 28, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2169

DESIGNATED ZONING CASES – INDIVIDUAL

Item 86: Zoning Case Z134-265(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Subdistrict 4, Tract 1 of Planned Development District No. 317, the Cedars Special Purpose District onto a portion of Subdistrict 2 of Planned Development District No. 317 on the north corner of Browder Street and Parker Street.

Recommendation of Staff: Denial

Recommendation of 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.

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

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

Assigned ORDINANCE NO. 29585

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2170

DESIGNATED ZONING CASES – INDIVIDUAL

Item 87: Zoning Case Z134-282(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District, generally bounded by Singleton Boulevard, Obenchain Street, Duluth Street, and Borger Street.

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

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

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

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:

Stephanie Hanson, 1914 Nomas  
Jearldine McDaniel, 2500 Sylvania  
Santos Martinez, 900 Jackson St., representing the applicant

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

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

Assigned ORDINANCE NO. 29586

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2171

DESIGNATED ZONING CASES – INDIVIDUAL

Item 88: Zoning Case Z134-290(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistricts A and C within Planned Development District No. 521 on property generally within the northeast quadrant of IH 20 and Mountain Creek Parkway.

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

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

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

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

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

Jonathan Vinson, 6342 Vickery Blvd., representing Courtland Development, Inc.  
Jon Napper, 9430 Hathang, representing Courtland Development

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

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

Assigned ORDINANCE NO. 29587



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2172

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 89: Zoning Case Z134-184 (MW)

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

Recommendation of Staff: Denial

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

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

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

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

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

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

Roger Albright, 3301 Elm St., representing UPS  
Ron Mayorga, 10155 Monroe Dr., representing UPS  
Craig Wiltz, 2925 Merrell Dr., representing UPS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-2172

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The following individuals addressed the city council in opposition to the city plan commission's recommendation: (Continued)

Paul Franklin, 10155 Monroe Dr., representing UPS  
Eric Taylor, 10155 Monroe Dr., representing UPS  
Maria Medellin, 1923 Red Cloud Dr., representing UPS  
Tony Perez, 3029 Wildflower, representing UPS  
Paul Carrillo, 3846 Gaspar Dr., representing UPS  
Carl Goff, 10155 Monroe Dr., representing UPS  
Steve Slifer, 2925 Merrell Dr., representing UPS

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

Timotea Garcia, 9707 Brockman Dr., representing Trinity Basin (\*Interpreter provided)  
Veneranda Itzel Santos, 10110 Good Year Dr., representing Trinity Basin Preparatory  
Randy Shaffer, 400 S. Zang Blvd., representing Trinity Basin Preparatory  
Jack Pratt, 5055 Park Ln., representing Trinity Basin Preparatory  
David Vilbig, 10132 Monroe Dr.  
Peter Kavanagh, 1620 Handley, representing the applicant

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

Motion seconded by Councilmember Medrano and Councilmember Gates.

Deputy Mayor Pro Tem Alonzo requested a record vote.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance:

Voting Yes: [8] Rawlings, Alonzo, Medrano, Caraway, Kleinman, Greyson, Gates, Kingston

Voting No: [7] Atkins, Griggs, Hill, Callahan, Davis, Kadane, Allen

The city secretary declared the motion failed as a ¾ vote was required to approve the item.

Mayor Rawlings stated the floor was open for further discussion and motion(s), if any.

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

Motion seconded by Councilmember Caraway.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-2172

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Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to deny the item without prejudice:

Voting Yes: [8] Rawlings, Alonzo, Griggs, Medrano, Kleinman,  
Greyson, Gates, Kingston

Voting No: [7] Atkins, Hill, Caraway, Callahan, Davis, Kadane, Allen

The city secretary declared the motion adopted.

\*Note: As requested, Development Services provided Senior Planner Aldo Fritz as an interpreter.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2173

Item 90: A public hearing to receive comments regarding a proposal to change the name of Bertrand Avenue, between Scyene Road to the terminus of Bertrand Avenue northeast of Junction Street, to “Robert L. Parish, Sr. Avenue” and an ordinance granting the name change - NC134-005 - Financing: No cost consideration to the City.

The following individual addressed the city council regarding the item:

Donald R. Parish Sr., 3114 Dorrington Cir., representing True Lee  
Missionary Baptist Church

Councilmember Davis moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Caraway and unanimously adopted.

Assigned ORDINANCE NO. 29588

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2174

DEVELOPMENT CODE AMENDMENTS – CONSENT

Item 91: A public hearing to receive comments regarding consideration of amending Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.210, 51A-4.207, 51A-13.201, and 51A-13.306 to amend Alternative Financial Establishment regulations and clarifying definitions for Bank or Savings and Loan Office, with or without Drive-In Window and Financial Institution without Drive-In Window and Financial Institution with Drive-In Window and Check Cashing and an ordinance granting the amendments.

Recommendation of Staff and CPC: Approval

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

Councilmember Allen moved to close the public hearing, accept the recommendation of the city plan commission with the following change to the definition as noted:

- Money services business involves a business that provides or assists a consumer in obtaining a payday cash advance, payroll advance, short-term cash loan, short term cash advance, instant payday cash advance, short-term money loan services, or similar services to individuals for a specified fee

and pass the ordinance.

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

Assigned ORDINANCE NO. 29589

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2175

MISCELLANEOUS HEARINGS

Item 92: 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 BREOF AIP Dallas, LP located at 10503 Forest Lane, and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to BREOF AIP Dallas, LP 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 individual addressed the city council:

Scott Koloozies, 11855 Lochwood Blvd., Professional Geoscientist

Councilmember Allen moved to close the public hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 29590

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2176

MISCELLANEOUS HEARINGS

Item 93: 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 Dallas Area Rapid Transit (DART) located at 9717 Abernathy Avenue and 2844 Lombardy Lane, and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to DART 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 individual addressed the city council:

Kent Belaine, 1201 N. Bowses, Richardson, TX, Professional Geoscientist

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

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

Assigned ORDINANCE NO. 29591

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2177

MISCELLANEOUS HEARINGS

Item 94: 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 Rentokil Initial Environmental Services, LLC located at 3151 Halifax Street and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Rentokil Initial Environmental Services, LLC 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 individual addressed the city council:

Greg Seiferd, 10777 Westheimer Rd., Houston, TX, Professional Geoscientist

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

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

Assigned ORDINANCE NO. 29592



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2178

MISCELLANEOUS HEARINGS

Item 95: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath Love Field Airport and surrounding parcels owned by the City of Dallas; Southwest Airlines Company; Regal Acquisition, LLC; Wylie Drive, LLC; Viceroy Regal, LP; Viceroy Partners II, LP; NEWSMN, LLC; Dallas Area Rapid Transit; MLT Development Company; BM Oates Investments; and Philip M. Dybvig generally located between Lemmon Avenue, Shorecrest Drive, Mockingbird Lane, and Denton Drive, and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas 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 individual addressed the city council:

Kenneth S. Tramm, 533 Ivy Ct., Keller, TX, Professional Geoscientist

Councilmember Kingston moved to close the public hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 29593

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2179

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 96: A public hearing to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District, or District) and the Project Plan and Reinvestment Zone Financing Plan (Project 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 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's 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 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 to reflect the 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 Plan consistent with the requirements and limitations of the Act; and at the close of the hearing, **(9)** consideration of an ordinance amending the ordinances creating the District and approving the Project Plan, respectively Ordinance Nos. 21466 and 23033, approved on November 11, 1992 and February 12, 1997, as amended, to reflect these amendments - Financing: This action has no cost consideration to the City.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-2179

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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 the item.

Councilmember Griggs moved to close the public hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 29594

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2180

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Oak Cliff Gateway TIF District**

**Note:** Item Nos. 97 and 98  
must be considered collectively.

Item 97: Authorize a development agreement with Bishop Arts Village LLC and/or its affiliates in an amount not to exceed \$5,000,000, payable from future Oak Cliff Gateway TIF District funds in consideration of the development of Bishop Arts Project Phase I on property generally bounded by Bishop Avenue, 9<sup>th</sup> Street, Melba Street, and Madison Avenue in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) - Not to exceed \$5,000,000 - Financing: Oak Cliff Gateway 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."

Councilmember Griggs moved to close the public hearing and adopt agenda items 97-98.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2181

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Oak Cliff Gateway TIF District**

**Note:** Item Nos. 97 and 98  
must be considered collectively.

Item 98: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$2,000,000 with Bishop Arts Village LLC related to the development of Bishop Arts Project Phase I on property generally bounded by Bishop Avenue, 9<sup>th</sup> Street, Melba Street, and Madison Avenue in Southern Dallas pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$2,000,000 - Financing: General Obligation Commercial Paper (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."

Councilmember Griggs moved to close the public hearing and adopt agenda items 97-98.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2182

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 99: A public hearing to receive comments on Substantial Amendment No. 1 to amend the FY 2014-15 Action Plan for the Community Development Block Grant, HOME Investment Partnerships Program, and the Housing Opportunities for Persons with AIDS grant to **(a)** increase appropriations in the HOME Investment Partnerships Program made possible by unanticipated program income and refunds in the amount of \$1,688,052; **(b)** reprogram prior year unspent HOME Investment Partnerships Program funds in the amount of \$350,000 to the Housing Development Loan Program; **(c)** use of HOME Investment Partnerships Program funds for the Housing Development Loan Program; **(d)** decrease appropriations in the FY 2014-15 Housing Opportunities for Persons with AIDS grant due to revision in the total award amount by \$405 from \$5,375,659 to \$5,375,254; and **(e)** transfer Community Development Block Grant Neighborhood Enhancement Program and Neighborhood Investment Program Infrastructure activities, and associated appropriations, from the Housing/Community Services Department to the newly created Planning and Neighborhood Vitality; and at the close of the public hearing, authorize final adoption of Substantial Amendment No.1 to amend the FY 2014-15 Action Plan for the Community Development Block Grant, HOME Investment Partnerships Program, and the Housing Opportunities for Persons with AIDS grant - Not to exceed \$2,038,052 - Financing: FY 2014-15 HOME Program Income #1 (\$1,688,052), 2012-13 HOME Investment Partnerships Program Grant Funds (\$350,000).

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2183

Closed Session

6ES

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

- Discussion regarding the performance evaluation of City Attorney Warren M. S. Ernst.

At 1:10 p.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- Discussion regarding the performance evaluation of City Attorney Warren M. S. Ernst.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:48 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2184

**Commemorative Air Force, Inc.**

**Note:** Addendum Item Nos. 1 and 2 must be considered collectively.

Addendum Addition 1: Authorize a thirty-nine year (39) year lease agreement with Commemorative Air Force, Inc. ("CAF") a Texas 501c(3) nonprofit corporation, at Dallas Executive Airport ("DEA"), the lease is for approximately 45 acres of improved and unimproved land, aircraft hangar, ramp and automobile parking ('the Lease') - Financing: Estimated Annual Revenue: \$1,000 annual rent

Councilmember Gates requested addendum addition consent agenda items 1-2 be considered as individual items later in the meeting; there was no objection voiced to her request.

Later in the meeting, addendum addition consent agenda items 1-2 were brought up for consideration.

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

The following individuals addressed the city council regarding the item:

Darryl Baker, 2606 Woodmere Dr.  
Clarence Muse, 2617 Blackstone Dr.

Councilmember Hill moved to adopt addendum addition consent agenda items 1-2.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Pro Tem Atkins requested a record vote.

During discussion, Councilmember Griggs asked Councilmember Hill if she would accept a friendly amendment to require installation of the noise abatement equipment within 30 days.

Councilmember Hill did not accept the friendly amendment as part of her motion.

Councilmember Griggs moved a substitute motion to adopt addendum addition consent agenda items 1-2 with the amendment to require installation of the noise abatement equipment within 30 days.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Motion seconded by Councilmember Caraway.

After discussion, Councilmember Caraway asked Councilmember Griggs if he would accept a friendly amendment to require installation of the noise abatement equipment within 6 months.

Councilmember Griggs accepted the friendly amendment as part of his substitute motion.

After further discussion, Councilmember Hill accepted Councilmember Caraway's friendly amendment to require installation of the noise abatement equipment within 6 months as part of her original motion.

Councilmember Griggs withdrew his substitute motion to adopt addendum addition consent agenda items 1-2 with the amendment to require installation of the noise abatement equipment within 30 days.

Mayor Rawlings restated Councilmember Hill's motion was to adopt addendum addition consent agenda items 1-2 with a friendly amendment to require installation of the noise abatement equipment within 6 months. Mayor Rawlings further stated that if there were any issues during that timeframe, the city manager would communicate to city council and others involved that the issue is delayed.

Mayor Rawlings called the vote on Councilmember Hill's substitute motion to adopt addendum addition consent agenda items 1-2 with a friendly amendment to require installation of the noise abatement equipment within 6 months:

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

Voting No: [0]

Abstain: [1] Gates

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2185

**Commemorative Air Force, Inc.**

**Note:** Addendum Item Nos. 1 and 2 must be considered collectively.

Addendum Addition 2: Authorize a development agreement with Commemorative Air Force, Inc. ("CAF") to reimburse CAF a portion of the cost associated with the construction of lease-hold improvements (museum and hangar building) at Dallas Executive Airport (the "Development Agreement") (reimbursement from the City will only occur upon substantial completion of the work and approval of the certificate of occupancy on or before December 31, 2020) - Not to exceed \$2,000,000 - Financing: Aviation Capital Construction Funds

Councilmember Gates requested addendum addition consent agenda items 1-2 be considered as individual items later in the meeting; there was no objection voiced to her request.

Later in the meeting, addendum addition consent agenda items 1-2 were brought up for consideration.

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

The following individuals addressed the city council regarding the item:

Darryl Baker, 2606 Woodmere Dr.  
Clarence Muse, 2617 Blackstone Dr.

Councilmember Hill moved to adopt addendum addition consent agenda items 1-2.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Pro Tem Atkins requested a record vote.

During discussion, Councilmember Griggs asked Councilmember Hill if she would accept a friendly amendment to require installation of the noise abatement equipment within 30 days.

Councilmember Hill did not accept the friendly amendment as part of her motion.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Councilmember Griggs moved a substitute motion to adopt addendum addition consent agenda items 1-2 with the amendment to require installation of the noise abatement equipment within 30 days.

Motion seconded by Councilmember Caraway.

After discussion, Councilmember Caraway asked Councilmember Griggs if he would accept a friendly amendment to require installation of the noise abatement equipment within 6 months.

Councilmember Griggs accepted the friendly amendment as part of his substitute motion.

After further discussion, Councilmember Hill accepted Councilmember Caraway's friendly amendment to require installation of the noise abatement equipment within 6 months as part of her original motion.

Councilmember Griggs withdrew his substitute motion to adopt addendum addition consent agenda items 1-2 with the amendment to require installation of the noise abatement equipment within 30 days.

Mayor Rawlings restated Councilmember Hill's motion was to adopt addendum addition consent agenda items 1-2 with a friendly amendment to require installation of the noise abatement equipment within 6 months. Mayor Rawlings further stated that if there were any issues during that timeframe, the city manager would communicate to city council and others involved that the issue is delayed.

Mayor Rawlings called the vote on Councilmember Hill's substitute motion to adopt addendum addition consent agenda items 1-2 with a friendly amendment to require installation of the noise abatement equipment within 6 months:

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

Voting No: [0]

Abstain: [1] Gates

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2186

Addendum Addition 3: Authorize a five-year service contract for commercial storage, retrieval and reference services for City records - Recall Total Information Management, Inc., only responsive bidder of three - Not to exceed \$1,351,293 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2187

Addendum Addition 4: Authorize a seven-year concession contract, with two one-year renewal options, for advertising display services for the Dallas Aviation System - Corey S/W Joint Venture dba Corey Airport Services, highest responsible proposer of three  
- Estimated Revenue: Minimum Annual Average Guarantee of \$1,541,425 over the seven year primary term

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2188

Addendum Addition 5: Authorize the purchase of one bomb response vehicle for Fire-Rescue - LDV, Inc. through the U.S. General Services Administration - Not to exceed \$163,284 - Financing: 2013 Urban Area Security Initiative Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2189

Addendum Addition 6: Authorize settlement of the lawsuit styled Big Hart Ministries Association Inc. et al v. City of Dallas, et al., Cause No. 3:07-CV-00216 - Not to exceed \$250,000 - Financing: Current Funds

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

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

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Medrano.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Greyson voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2190

Addendum Addition 7: Authorize payment of a settlement of an order for attorneys' fees in the lawsuit styled Paul Heller et al. v. City of Dallas, Civil Action No. 3:13-CV-4000-L - Not to exceed \$43,000 - Financing: Current Funds

Councilmember Kingston requested addendum addition consent agenda item 7 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, addendum addition consent agenda item 7 was brought up for consideration

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2191

Addendum Addition 8: Authorize Supplemental Agreement No. 1 to the professional services contract with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional services on matters relating to the pending disputes between the City of Dallas and the Sabine River Authority - Not to exceed \$250,000, from \$50,000 to \$300,000 - Financing: Water Utilities Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2192

Addendum Addition 9: Authorize Supplemental Agreement No. 6 to the professional services contract with the law firm of Webb & Webb for additional legal services in connection with related matters involving representation of the City of Dallas on water rights pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - Not to exceed \$300,000, from \$1,700,000 to \$2,000,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2193

Addendum Addition 10: An ordinance amending Section 17-1.6(5) of the Dallas City Code to revise the requirements for the defense to prosecution for persons providing food to the homeless - Financing: No cost consideration to the City

Councilmember Medrano and Councilmember Greyson requested addendum addition consent agenda item 10 be considered as an individual item later in the meeting; there was no objection voiced to their request.

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

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Medrano.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Greyson voting "No."

Assigned ORDINANCE NO. 29595

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2194

Addendum Addition 11: Authorize **(1)** payment to Bridge Steps for unreimbursed operational costs from a prior year's contract with Dallas County Health and Human Services; and **(2)** an increase in appropriations in an amount not to exceed \$129,145, from \$11,498,827 to \$11,627,972 in the Housing/Community Services Department's budget - Not to exceed \$129,145 - Financing: Contingency Reserve Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2195

Addendum Addition 12: Authorize **(1)** a Master Plan Document that includes all of the separate health benefit plans for City employees and their families including the cafeteria plan, health plans, prescription drug plans, dental and vision plans; and **(2)** a Master Plan Document that includes all of the separate health benefit plans for retirees and their families including the self-insured health plans, insured Medicare Supplement Plans, Medicare Advantage Plans, prescription drug plans, dental and vision plans - Total cost is based on the number of employees/retiree participants in the plan - Financing: Employee Benefits Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2196

Addendum Addition 13: Authorize **(1)** an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$79,943 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 1, 2014 through September 30, 2015; **(2)** a required City match in the amount of \$21,984 for pension costs; and **(3)** execution of the grant agreement - Total not to exceed \$101,927 - Financing: Current Funds (\$21,984) and Texas Department of Transportation Grant Funds (\$79,943)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2197

Addendum Addition 14: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Curl Floor Equipment and Supply, Inc., et al., Cause No. CC-13-05800-B, pending in Dallas County Court At Law No. 2, for acquisition from Curl Floor Equipment and Supply, Inc., of approximately 9,120 square feet of land located near the intersection of Royal and Goodnight Lanes for the Goodnight Lane Street Improvement Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$105,000, increased from the previously authorized \$285,000 (\$280,000, plus closing costs and title expenses not to exceed \$5,000) to \$390,000 (\$385,000, plus closing costs and title expenses not to exceed \$5,000) - Financing: General Obligation Commercial Paper Funds (\$105,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2198

Addendum Addition 15: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. DP Resources, LLC, et al., Cause No. CC-13-07113-E, pending in Dallas County Court at Law No. 5, to acquire approximately 122,319 square feet of land located adjacent to the south side of IH-20 and the original Trinity River Channel, Hutchins, Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$12,228, increased from the previously authorized \$14,232 (\$12,232, plus closing costs and title expenses not to exceed \$2,000) to \$26,460 (\$24,465, plus closing costs and title expenses not to exceed \$1,995) - Financing: Water Utilities Capital Construction Funds (\$12,228)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2199

Addendum Addition 16: Authorize a 14 year lease agreement with CW MF1 Land, Ltd. for approximately 2,500 square feet of office space located at 3015 Chapel Oaks Drive for a Fire and Rescue and Police station for the period December 15, 2014 through December 14, 2028 - Not to exceed \$4,254 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2200

Addendum Addition 17: A resolution declaring approximately 24 acres of City-owned land contained in Joey Georgusis Park, unwanted and unneeded, located near the intersection of Pinnacle Park Boulevard and Pinnacle Point Drive, and authorizing its advertisement for sale and/or exchange by sealed bid with a minimum bid requirement of \$517,967 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2201

Addendum Addition 18: An ordinance abandoning a portion of Eastus Drive to 604 Fort Worth Ave Apartment Investors LLC, the abutting owner, containing approximately 26,763 square feet of land, located near the intersection of Eastus Drive and Fort Worth Avenue and providing for the dedication of approximately 5,876 square feet of land needed for public access, and providing for the dedication of approximately 1,541 square feet for a sidewalk easement, and authorizing the quitclaim - Revenue: \$308,083, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29601

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2202

Addendum Addition 19: A resolution designating absences by Councilmember Dwaine R. Caraway and Councilmember Carolyn R. Davis as being for "Official City Business" - Financing: No cost consideration to the City

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

Councilmember Hill moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Davis abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2203

Addendum Addition 20: An ordinance adding a new Chapter 47A, "Transportation for Hire," to the Dallas City Code and repealing Chapter 10, "Buses and Shuttles," Chapter 10A, "Limousines," Chapter 10B, "Non-Motorized Passenger Transport Vehicles," and Chapter 45, "Taxicabs," of the Dallas City Code to: (1) provide uniform regulations for all transportation-for-hire services operating in the city; and (2) amending Chapter 5, "Aircraft and Airports," of the Dallas City Code to make conforming changes - Financing: No cost consideration to the City.

The following individuals addressed the city council regarding the item:

April Mims, 548 Market St., San Francisco, TX  
Laela Naghela-El, 212 Suntide Dr., Sunnyvale, TX  
Fred Patchen, 6133 Reiger Ave., representing Lyft  
Berhane Alemayoh, 2119 Baltimore Dr., Richardson, TX, representing  
Association of Limousine Owners and Operators of Dallas Fort Worth  
Albert Navifar, 15899 Preston Rd.  
Mohamed Omar, 916 Binion Dr., Arlington, TX, representing Association of  
Taxi Cab Operators  
Mengestab Abrha, 11928 Bushmills Rd., representing ATO  
Girma Wolde-Rufael, 2714 Fielder Ct., representing Star Cab  
Mekil Abdela, 744 Brick Row, Richardson, TX, representing Association of  
Limousine Owners and Operators of Dallas Fort Worth  
Saied Rafie, 5204 Scottish Way, Plano, TX, representing Cowboy Cab  
Scott Winters, address not provided  
Leandre Johns, 2525 Carlisle St., representing Uber  
Jack Bewley, 2515 Irving Blvd., representing Yellow Cab

Councilmember Greyson moved to adopt the item with the following addition to Whereas clauses:

WHEREAS, the city council believes it is in the interest of the public health, safety, and welfare to prohibit persons convicted of certain crimes from driving transportation-for-hire vehicles in the city of Dallas until the respective time periods designated in Section 47A-2.2.2 have expired; and

WHEREAS, the city council, in accordance with Chapter 53 of the Texas Occupations Code, has considered the following criteria:

- (1) the nature and seriousness of the crimes;
- (2) the relationship of the crimes to the purposes for requiring a permit to drive a transportation-for-hire vehicle;
- (3) the extent to which a driver permit might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously has been involved; and
- (4) the relationship of the crimes to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of driving a transportation-for-hire vehicle;

and has determined that the crimes listed in Section 47A-2.2.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code, as set forth in this ordinance, are serious crimes that are directly related to the duties and responsibilities of the drivers of transportation-for-hire vehicles; and

WHEREAS, the city council has determined that the very nature of driving a transportation-for-hire vehicle brings such a person into constant contact with the public, which gives the person repeated opportunities to participate in crimes of violence or dishonesty, or crimes against the public health, safety, or morals, should the person be so inclined, and, thus, it is the finding of the city council that the crimes listed Section 47A-2.2.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code, as set forth in this ordinance, render a person unable, incompetent, and unfit to perform the duties and responsibilities of a driver of a transportation-for-hire vehicle in a manner that would promote the public safety and trust; and

WHEREAS, the city council has determined that no person who has been convicted of a crime listed in Section 47A-2.2.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code, as set forth in this ordinance, is presently fit to drive a transportation-for-hire vehicle in the city until the respective time periods designated in that section have expired, and, thus, should be disqualified from being issued a permit to drive a transportation-for-hire vehicle until the expiration of those time periods; Now, Therefore,

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-2203

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Motion seconded by Councilmember Hill.

Councilmember Caraway requested a record vote.

As a result of discussion on the lack of liability insurance on file for this type of service and input provided by the city council, the city manager stated an update regarding the issue would be provided to city council through the appropriate city council committee 30 days before the effective date of the ordinance.

Councilmember Hill stated for the record that the city attorney does not review all documents submitted to his office as he has a competent staff that oversees different operations within the City Attorney's Office.

Councilmember Griggs called the question.

Motion seconded by Councilmember Kadane and unanimously adopted.

Mayor Rawlings called the vote on Councilmember Greyson's motion to adopt the item with the amendment to the Whereas clauses:

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

Voting No: [2] Caraway, Davis

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29596

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2204

DESIGNATED PUBLIC SUBSIDY MATTERS

**Prologis, L.P.**

**Note:** Addendum Item Nos. 21 and 22 must be considered collectively.

Addendum Addition 21: Authorize (1) a real property tax abatement agreement with Prologis, L.P. for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property for the development of a new distribution and warehouse facility located on the east side of the 4800 block of Mountain Creek Parkway, north of Merrifield Road in Dallas, Texas in accordance with the City's Public/Private Partnership Program; and (2) the rescission of Resolution No. 13-1130, previously approved on June 26, 2013, which authorized two prior real property tax abatement agreements in the amount of 90 percent for ten years with Mt. Creek Investments, Ltd. for a proposed speculative industrial development located on the same property - Revenue: First year revenue estimated at \$14,346; ten-year revenue estimated at \$143,460 (Estimated revenue forgone for the ten-year real property abatement estimated at \$1,291,140).

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

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

Mayor Rawlings requested addendum items 21-24 be considered collectively; there was no objection voiced to his request.

The city secretary read addendum items 21-24 into the record.

Councilmember Hill moved to adopt addendum items 21-24.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2205

DESIGNATED PUBLIC SUBSIDY MATTERS

**Prologis, L.P.**

**Note:** Addendum Item Nos. 21 and 22 must be considered collectively.

Addendum Addition 22: Authorize an amendment to the City of Dallas Public/Private Partnership Program Guidelines and Criteria governing City incentives promoting local economic development and stimulating business and commercial activity approved on June 25, 2014, pursuant to Resolution No. 14-0993, to expand the Business Development Chapter 380 Grant/Loan Program to include economic development grants equal to a portion of sales taxes paid by a company's e-commerce customers to the City to encourage such companies to relocate, develop and operate e-commerce facilities within the City - Financing: No cost consideration to the City.

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

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

Mayor Rawlings requested addendum items 21-24 be considered collectively; there was no objection voiced to his request.

The city secretary read addendum items 21-24 into the record.

Councilmember Hill moved to adopt addendum items 21-24.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2206

DESIGNATED PUBLIC SUBSIDY MATTERS

**Prologis, L.P.**

**Note:** Addendum Item Nos. 23 and 24 must be considered collectively.

Addendum Addition 23: Authorize a Chapter 380 economic development grant agreement with Ulta Inc., a Delaware Corporation, for development of a new distribution and warehouse facility located on the east side of the 4800 block of Mountain Creek Parkway, north of Merrifield Road in Dallas, Texas in accordance with the City's Public/Private Partnership Program - Not to exceed \$1,000,000 - Financing: Public/Private Partnership Funds.

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

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

Mayor Rawlings requested addendum items 21-24 be considered collectively; there was no objection voiced to his request.

The city secretary read addendum items 21-24 into the record.

Councilmember Hill moved to adopt addendum items 21-24.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2207

DESIGNATED PUBLIC SUBSIDY MATTERS

**Prologis, L.P.**

**Note:** Addendum Item Nos. 23 and 24 must be considered collectively.

Addendum Addition 24: Authorize a Chapter 380 e-commerce sales tax grant agreement with Ulta Inc, a Delaware Corporation, to provide a 15-year e-commerce grant equal to 50 percent of the e-commerce sales taxes paid annually by Ulta Inc's customers to the City of Dallas for the ten year period beginning July 1, 2016 through June 30, 2026 and equal to 25 percent of e-commerce sales taxes paid annually by Ulta Inc's customers to the City of Dallas Texas for the five year period beginning July 1, 2026 through and June 30, 2031 from its proposed facility to be developed on the east side of the 4800 block of Mountain Creek Parkway, north of Merrifield Road in Dallas, in accordance with the City's Revised Public/Private Partnership Program - Revenue: First year revenue estimated at \$69,500; fifteen-year grant agreement revenue is not capped but is estimated to be approximately \$7,100,000 (the e-commerce grant payments are not capped but the fifteen-year grant agreement payments are estimated to be \$4,100,000) - Financing: Current Funds (subject to future 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."

Mayor Rawlings requested addendum items 21-24 be considered collectively; there was no objection voiced to his request.

The city secretary read addendum items 21-24 into the record.

Councilmember Hill moved to adopt addendum items 21-24.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2208

Addendum Item 25: Zoning Case Z134-335(OTH)

The consent zoning docket, consisting of agenda items 60-62, 64, 66-73, 75, 77 and addendum addition agenda item 25, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a restaurant without drive-in or drive-through service on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87, the Republic National Bank (Davis) Building, on the north side of Main Street, east of North Field Street .

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. 29597

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2209

Addendum Item 26: Zoning Case Z134-326(AF) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an LO-1 Limited Office District on the west side of Dilido Road, south of John West Road.

Recommendation of Staff and CPC: Approval.

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:

Rodney Owens, 403 Alexandria Cir., Southlake, TX, representing the applicant

Councilmember Davis moved to continue the public hearing and defer the item until the January 14, 2015 voting agenda meeting of the city council.

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

Later in the meeting, Councilmember Kingston moved to reconsider addendum addition agenda item 26 to allow approval of the item by motion from Councilmember Davis.

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

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

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

Assigned ORDINANCE NO. 29598

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 10, 2014

14-2210

Addendum Item 27: Zoning Case Z145-102(CG) - INDIVIDUAL

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

Recommendation of Staff and CPC: Approval of a CS Commercial Service District, and approval of a Specific Use Permit for a five-year period, subject to a site plan and conditions.

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

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

John Reed, 2325 King Richard, Grand Prairie, TX, representing the applicant

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

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

Assigned ORDINANCE NOS. 29599 AND 29600

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, DECEMBER 10, 2014

EXHIBIT C