

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 14, 2015

15-0100

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs (*9:34 a.m.), Medrano (*9:19 a.m.), Hill (*10:31 a.m.), Caraway, Callahan, Davis (*9:12 a.m.), Kadane, Allen, Kleinman, Greyson (*9:15 a.m.), Gates, Kingston

ABSENT: [0]

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

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

The invocation was given by Felecia Hill, Prayer Ministry Director of The Life Church in Dallas.

Councilmember Kadane 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 2:54 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, JANUARY 14, 2015

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 14, 2015

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0101

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

SPEAKER: Richard Sheridan, 11301 Dennis Rd. (handout provided)
SUBJECT: Trinity Tollway/homeless toll

SPEAKER: Albert Navifar, 15889 Preston Rd.
SUBJECT: Uber/City Council

SPEAKER: Hank Black, 8722 Diceman Dr.
SUBJECT: Fluoride

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Oak Cliff streets/plastic bags

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: William Wimm, 5045 Forest Ln. (video presentation)
SUBJECT: Fluoride

SPEAKER: Raelene Stewart, 1600 Bent Tree Forest Cir.
SUBJECT: Fluoride

SPEAKER: Lakolya London, 1411 N. Cockrell Hill Rd.
SUBJECT: Earthquakes/children

SPEAKER: Jerry Hodges, 4210 Green Meadow St., Colleyville, TX (video presentation)
SUBJECT: Fluoride

SPEAKER: Steward Nelson, 4512 Abbott Ave., Highland Park, TX (video presentation)
SUBJECT: Fluoride

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0101

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OPEN MICROPHONE – END OF MEETING:

SPEAKER: Marjorie Steakley, 1500 N. Garrett Ave. (video presentation)
SUBJECT: Fluoride

SPEAKER: Joe Stokes, 8930 San Benito Way (handout provided)
SUBJECT: Fluoride

SPEAKER: Regina Imburgia, 5423 Goodwin Ave. (handout provided)
SUBJECT: Stopping fluoridation

SPEAKER: John Greer, 2705 Dog Leg Trl., McKinney, TX (handout provided)
SUBJECT: Fluoride

SPEAKER: Phyllis Greer, 2705 Dog Leg Trl., McKinney, TX (video
presentation)
SUBJECT: Fluoride

SPEAKER: John Parks, P.O. Box 852632, Richardson, TX (video presentation)
SUBJECT: Fluoride

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0102

Item 1: Approval of Minutes of the December 10, 2014 City Council Meeting

Councilmember Medrano moved to adopt the minutes of the December 10, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0103

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-22 and addendum addition consent agenda items 1-6.

Councilmember Kingston requested consent agenda item 11 be considered as an individual item later in the meeting; there was no objection voiced to his request.

The city secretary announced consent agenda item 19 needed to be considered as an individual item later in the meeting; there was no objection voiced.

Therefore, the consent agenda, consisting of consent agenda items 2-10, 12-18, 20-22 and addendum addition consent agenda items 1-6, was presented for consideration.

Councilmember Kadane moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 11 and 19.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0104

Item 2: Authorize the fifth amendment to the lease with MLT Development Co. to add approximately 1.229 acres of unimproved land and increase the annual rent in the amount of approximately \$21,412, from \$318,777 to \$340,189 at Dallas Love Field - Estimated Annual Revenue: \$21,412

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0105

Item 3: Authorize Supplemental Agreement No. 2 to the professional services contract with Ricondo & Associates, Inc. for on-call airport planning and advisory services for the Dallas Airport Systems - Not to exceed \$2,250,000, from \$5,181,791 to \$7,431,791 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0106

- Item 4: Authorize an Intergovernmental Agreement with The University of Texas at Arlington, a State University to provide the service of Texas Manufacturing Assistance Center, a Texas state agency for a one-year service contract for occupational safety and health training with The University of Texas at Arlington/Texas Manufacturing Assistance Center - Not to exceed \$268,400 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0107

Item 5: Authorize a three-year master agreement for sodium hexametaphosphate to be used by Water Utilities - Shannon Chemical Corporation, lowest responsible bidder of four - Not to exceed \$390,800 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0108

Item 6: Authorize **(1)** a three-year master agreement for the purchase of park amenities, supplies and playground equipment parts for Park and Recreation - The Play Well Group, Inc. in the amount of \$356,586, Mistral Security, Inc. in the amount of \$220,000, Most Dependable Fountains, Inc. in the amount of \$177,616, Victor Stanley, Inc. in the amount of \$158,872, Recreation Consultants of Texas in the amount of \$111,000, Lea Park & Play, Inc. in the amount of \$107,000, Pioneer Manufacturing Company in the amount of \$72,000, BSN Sports in the amount of \$70,000, Gail's Flags & Golf Course Accessories, Inc. in the amount of \$70,000, Landscape Forms, Inc. in the amount of \$64,140, Webuildfun, Inc. in the amount \$35,000 and ZW USA, INC. dba Zero Waste USA in the amount of \$16,380, lowest responsible bidders of fourteen; and **(2)** a three-year master agreement for the purchase of park amenities, supplies and playground equipment parts for Park and Recreation - The Play Well Group, Inc. in the amount of \$219,000, Victor Stanley, Inc. in the amount of \$56,000 and Gametime c/o Total Recreation Products, Inc. in the amount of \$51,000, through the Texas Association of School Boards (BuyBoard) - Total not to exceed \$1,784,594 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0109

Item 7: Authorize an acquisition contract for the purchase, installation and a three-year warranty of one x-ray inspection system for the Love Field Sally Port - Rapiscan Systems, Inc. through the Texas Multiple Award Schedule - Not to exceed \$96,925 - Financing: Aviation Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0110

Item 8: Authorize an increase to the service contract with CDM Smith, Inc. for maintenance and support for the supervisory control and data acquisition systems at five water and wastewater treatment plants - Not to exceed \$388,750, from \$1,555,000 to \$1,943,750 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0111

Item 9: Authorize an annual payment in the amount of \$125,000 for the next five years to Dallas/Fort Worth (D/FW) International Airport to provide basic, live fire drills and advanced specialized aircraft/fire training to aircraft-rescue firefighters at Dallas Love Field and Dallas Executive Airport - Not to exceed \$625,000 - Financing: Current Funds (to be reimbursed by Aviation, subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0112

- Item 10: Authorize a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC) for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services through the YourTexasBenefits.com for Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Medicaid, Long-term Care Services program (LTC), and Children's Health Insurance Programs (CHIP) for the period January 1, 2015 through September 30, 2016 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0113

Item 11: Authorize an amendment to Resolution No. 14-0661, Section 2 (a), previously approved on April 23, 2014, to extend the term of the maturity date from December 21, 2014 to December 21, 2015 for the loan agreement with Dallas Housing Authority for the Turner Courts Project located at 6601 Bexar Street - Financing: No cost consideration to the City

Councilmember Kingston requested consent agenda item 11 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 11 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Caraway.

After discussion, Councilmember Caraway withdrew his second to the motion to allow Councilmember Davis to second the motion.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0114

Item 12: Authorize an amendment to Resolution No. 14-1792, previously approved on October 22, 2014 to **(1)** accept additional funds in the amount of \$20,142, from \$756,818 to \$776,960 from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP) for the period October 1, 2014 through September 30, 2015 and execute the grant agreement; **(2)** allow Bridge Steps to count TDHCA funds towards Bridge Steps' required contribution to the Bridge operating budget for the period October 1, 2014 through September 30, 2015; **(3)** require Bridge Steps to comply with all conditions of the TDHCA grant agreement; and **(4)** increase the budget agreement with Bridge Steps from \$6,085,097 to \$6,105,239 - Total not to exceed \$20,142 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0115

- Item 13: Authorize an amendment to the Mortgage Assistance Program (MAP) to modify the assistance categories as follows: **Category 1** will provide assistance up to \$14,000 with 5 year deed restrictions for Existing Homes and New Construction including non-profit and for-profit organizations; and **Category 2** will provide assistance up to \$20,000 with deed restrictions following HUD guidelines (currently 10 years if \$15,000 and above) for New Construction by Certified Housing Development Organizations (CHDO), New Construction on lots purchased from the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) and New Development in the Neighborhood Investment Program (NIP) Areas and any other Target Areas selected by the Housing/Community Services Department - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0116

Item 14: Authorize a professional services contract with Halff Associates, Inc. for the preparation of plans and specifications to improve dam safety, shoreline erosion control and beautification at Kidd Springs Park located at 700 West Canty Street - Not to exceed \$145,337 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0117

Item 15: Authorize Supplemental Agreement No. 3 to the professional services contract with Dan Shipley Architects, Inc. for additional design services of a maintenance building at Luna Vista Golf Course located at 11223 Luna Road - Not to exceed \$27,804, from \$100,126 to \$127,930 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0118

Item 16: Authorize a construction services contract with Phoenix 1 Restoration and Construction, Ltd., best value proposer of five, for the exterior renovation of the Old Municipal Building, located at 106 South Harwood Street - Not to exceed \$11,166,286 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0119

Item 17: An ordinance abandoning a fire lane easement and a water line easement to TKG Valencia-Midtown, LLC, the abutting owner, containing a total of 18,596 square feet of land, located near the intersection of Meadow Lane and Rambler Road - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29602

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0120

Item 18: Authorize a professional services contract with Parsons Environment & Infrastructure Group, Inc. for construction management services during design and advertisement phases of the Mill Creek / Peaks Branch / State-Thomas drainage relief tunnel - Not to exceed \$1,215,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0121

Item 19: Authorize an amendment to Resolution No. 14-1628, previously approved on September 24, 2014, to authorize acquisition of a larger tract for a subsurface easement located under approximately 996 square feet of land, including the exercise of the right of eminent domain, if such becomes necessary from Victor Hugo Gomez and Irma Leticia Rodriguez Campos, located on Foreman Street near its intersection with Spring Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$15, increased from \$3,075 (\$75, plus closing costs and title expenses not to exceed \$3,000) to \$3,090 (\$90, plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary announced consent agenda item 19 needed to be considered as an individual item later in the meeting as it was an eminent domain item requiring a record vote and would be read at the time agenda items 24-25 are presented for consideration; there was no objection voiced.

Later in the meeting, consent agenda item 19 was brought up for consideration.

The city secretary read consent agenda item 19 and agenda items 24-25 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 consent agenda item 19 and agenda items 24-25, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced consent agenda item 19 requires a motion that the Council of the City of Dallas adopt the item which amends Resolution No. 14-1628 previously approved on September 24, 2014 to authorize the acquisition of a larger tract for a subsurface easement located under approximately 996 square feet of land and authorize the use of the power of eminent domain, if necessary, to acquire, from Victor Hugo Gomez and Irma Leticia Rodriguez Campos, a subsurface easement containing approximately 996 square feet of land, located on Foreman Street near its intersection with Spring Avenue, in City of Dallas Block A/2410, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Mayor Pro Tem Atkins moved to adopt consent agenda item 19 and agenda items 24-25.

Motion seconded by Councilmember Kingston.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0121

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Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt consent agenda item 19 and agenda items 24-25:

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

Voting No: [0]

Absent When Vote Taken: [3] Hill, Davis, Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0122

Item 20: Authorize Supplemental Agreement No. 1 to the professional services contract with Solaray Engineering, Inc. for additional engineering and special services for the Trinity Trails Phase II-B project - Not to exceed \$37,350, from \$48,990 to \$86,340 - Financing: 2012 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0123

Item 21: Authorize Supplemental Agreement No. 4 to the contract with Half Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel - Not to exceed \$1,549,600, from \$14,443,888 to \$15,993,488 - Financing: 2006 Bond Funds (\$1,505,600) and Water Utilities Capital Improvement Funds (\$44,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0124

Item 22: Authorize a contract for Heating, Ventilation and Air Conditioning component replacements and major repairs at 13 Dallas Water Utilities owned facilities - John Cook & Associates, Inc., lowest responsible bidder of two (list attached) - Not to exceed \$2,137,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0125

Item 23: 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 January 14, 2015.

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

Councilmember Caraway moved to appoint the following:

- Arthur W. Hollingsworth, Chair, to the Reinvestment Zone Twenty Board (Mall Area Redevelopment); Kristine Schwope, Chair, to the Community Development Commission; and Antonia Hubert, Vice Chair, to the Community Development Commission;
- a nominee to an "individual appointment" position.

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

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

15-5280 PAR PARK AND RECREATION BOARD
15-5281 BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0126

Item 24: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jeanne Daniels, of a subsurface easement under approximately 3,699 square feet of land located on Jamaica Street at its intersection with Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,059 (\$359 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The city secretary read consent agenda item 19 and agenda items 24-25 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 consent agenda item 19 and agenda items 24-25, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 24 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from Jeanne Daniels, a subsurface easement containing approximately 3,699 square feet, located on Jamaica Street at its intersection with Foreman Street in City of Dallas Block B/2432, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Mayor Pro Tem Atkins moved to adopt consent agenda item 19 and agenda items 24-25.

Motion seconded by Councilmember Kingston.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt consent agenda item 19 and agenda items 24-25:

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

Voting No: [0]

Absent When Vote Taken: [3] Hill, Davis, Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0127

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Troy A. Jackson and Roderick Tyrone Jackson, of a subsurface easement located under approximately 3,737 square feet of land on Frank Street at its intersection with Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$1,711 (\$411 plus closing costs and title expenses not to exceed \$1,300) - Financing: 2006 Bond Funds

The city secretary read consent agenda item 19 and agenda items 24-25 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 consent agenda item 19 and agenda items 24-25, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 25 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from Troy A. Jackson and Roderick Tyrone Jackson, a subsurface easement containing approximately 3,737 square feet, located on Frank Street at its intersection with Foreman Street in City of Dallas Block D/2434, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Mayor Pro Tem Atkins moved to adopt consent agenda item 19 and agenda items 24-25.

Motion seconded by Councilmember Kingston.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt consent agenda item 19 and agenda items 24-25:

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

Voting No: [0]

Absent When Vote Taken: [3] Hill, Davis, Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0128

The consent zoning docket consisted of agenda items 26-28 and addendum addition agenda item 9.

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

Therefore, the consent zoning docket, consisting of agenda items 26-28 and addendum addition agenda item 9, was presented for consideration.

Agenda item 26: Zoning Case Z134-336(OTH)

Agenda item 27: Zoning Case Z134-349(OTH)

Agenda item 28: Zoning Case Z134-355(AF)

Addendum item 9: Zoning Case Z112-322(RB)

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 Kadane and unanimously adopted. (Griggs, Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0129

Item 26: Zoning Case Z134-336(OTH)

The consent zoning docket, consisting of agenda items 26-28 and addendum addition agenda item 9, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an expansion to Subdistrict 2 onto property zoned Subdistrict 6 within Planned Development District No. 317, the Cedars Area Special Purpose District at the north corner of South Harwood Street and Beaumont Street.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29603

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0130

Item 27: Zoning Case Z134-349(OTH)

The consent zoning docket, consisting of agenda items 26-28 and addendum addition agenda item 9, 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. 1953 for a restaurant with drive-in or drive-through service on property zoned Cedars West Subdistrict 1, Urban Village Form District within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the south corner of East R.L. Thornton Freeway (Interstate 35E) and South Riverfront Boulevard.

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. 29604

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0131

Item 28: Zoning Case Z134-355(AF)

The consent zoning docket, consisting of agenda items 26-28 and addendum addition agenda item 9, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned a CR Community Retail District with a D Liquor Control Overlay on the west side of Marsh Lane, north of Walnut Hill Lane.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 29605 AND 29606

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0132

Item 29: Zoning Case Z134-332(AF) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the east side of Preston Road, south of Frankford Road.

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

Prior to the item being read into the record, Councilmember Greyson 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. (Griggs, Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0133

Item 30: Zoning Case Z134-346(AF) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D Liquor Control Overlay on the north side of Lake June Road, east of Oak Hill Circle.

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit 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 of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

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

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

Santos Martinez, 900 Jackson St., representing the applicant

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

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

Assigned ORDINANCE NOS. 29607 AND 29608

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0134

Item 31: Zoning Case Z134-351(WE) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple-family Subdistrict and mini-warehouse uses on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Fairmount Street and Knight Street.

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

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

Rob Baldwin, 3904 Elm St., representing Advantage Storage
Camille Potts, 5331 E. Mockingbird Ln.

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0135

Item 32: Zoning Case Z134-338(CE) - UNDER ADVISEMENT - INDIVIDUAL

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.

Note: This item was considered by the City Council at a public hearing on December 10, 2014, and was taken under advisement until January 14, 2015, with the public hearing open.

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

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

- This Specific Use Permit is approved for 2 years with no automatic renewals.

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

Assigned ORDINANCE NO. 29609

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0136

Item 33: A public hearing to receive comments regarding a proposal to change the name of Hatcher Street, between South Lamar Street and 100 feet north of Pacific Avenue, to “Elsie Faye Heggins Street” and an ordinance granting the name change - NC134-006 - Financing: No cost consideration to the City.

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 regarding the item:

Norma Minnis, 9729 Van Dyke Rd.
Lee Simpson, 7199 Greentree Ln.
Diane Ragsdale, 3611 Dunbard St.
Richard Dunn, 2712 Swanson St.
John Fullinwider, 1851 Fuller St.
Robert Stubblefield, 553 Woodmont Dr.
Joan Smotzer, 3310 Fairmount St.
Michael Miles, 9704 Dartridge Dr., representing DART

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

Motion seconded by Councilmember Medrano.

Councilmember Kingston moved a substitute motion to postpone the vote on the item until the February 4, 2015 voting agenda meeting of the city council to allow the City Plan Commission to send a letter to city council concerning potential changes in the way the city does street renaming which could affect the way the sign will be put up for Mrs. Heggins Street.

Motion seconded by Councilmember Greyson.

Councilmember Davis requested a record vote.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0136

Page 2

After discussion, Mayor Rawlings called the record vote on Councilmember Kingston's substitute motion to postpone the vote on the item until February 4, 2015 voting agenda meeting of the city council to allow the City Plan Commission to send a letter to city council concerning potential changes in the way the city does street renaming which could affect the way the sign will be put up for Mrs. Heggins Street:

Voting Yes: [6] Callahan, Kadane, Kleinman, Greyson,
Gates, Kingston

Voting No: [9] Rawlings, Atkins, Alonzo, Griggs,
Medrano, Hill, Caraway, Davis, Allen

The city secretary declared the motion failed.

Mayor Rawlings called the record vote on Councilmember Davis' motion to adopt the item:

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

Voting No: [1] Greyson

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29610

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0137

DEVELOPMENT CODE AMENDMENTS – CONSENT

Item 34: A public hearing to receive comments regarding consideration of amending Section 51A-7.404, "Attached Signs," of the Dallas Development Code to allow signs on properties zoned O-2 Office District to have attached signs larger than 40 square feet in effective area when conditions are met 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 Kadane moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted.

Assigned ORDINANCE NO. 29611

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0138

MISCELLANEOUS HEARINGS

Item 35: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a private school, St. Elizabeth Catholic School, and an open-enrollment charter school, Focus Learning Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Walgreen Co., dba Walgreens #6197] on the northwest corner of South Hampton Road and West Ledbetter Drive - AV145-001 - Financing: No cost consideration to the City.

Corrected on the addendum.

The city secretary announced the item required two seconds as it is an alcohol variance.

The following individuals addressed the city council:

Elliott Strader, 1601 Elm St., representing the applicant
Richard Sheridan, 11301 Dennis Rd.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0139

Closed Session

6ES

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

- Petition of the City of Dallas for review of a decision by Sabine River Authority to set water rates, Public Utility Commission Docket No. 43674.

At 9:42 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- Petition of the City of Dallas for review of a decision by Sabine River Authority to set water rates, Public Utility Commission Docket No. 43674.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:04 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0140

Addendum Addition 1: Authorize settlement of the lawsuit styled Randolph Glenn v. Officer Bunthavuth Te, et al., Civil Action No. 3:13-cv-04446-L - Not to exceed \$200,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0141

Addendum Addition 2: Authorize settlement of the remaining plaintiff's claim 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 \$150,000 - Financing: Current Funds

Adopted as part of consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0142

Addendum Addition 3: Authorize **(1)** the application for and the acceptance of the 2014-15 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2014 through September 29, 2015; and **(2)** execution of the grant agreement - Not to exceed \$323,964 - Financing: U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0143

Addendum Addition 4: Authorize Supplemental Agreement No. 2 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services necessary on matters relating to the gate accommodations at Dallas Love Field - Not to exceed \$80,000, from \$200,000 to \$280,000 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0144

Addendum Addition 5: Authorize Supplemental Agreement No. 3 to the professional services contract with White & Wiggins, L.L.P. for additional legal services in the lawsuit styled Vickie Cook, et al. v. City of Dallas, et al., Civil Action No. 3:12-CV-03788-P and Vickie Cook, et al. v. T-Mobile USA, Inc., et al., Civil Action No. 3:14-CV-2907-M - Not to exceed \$130,000, from \$150,000 to \$280,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0145

Addendum Addition 6: Authorize a first amendment to the City Attorney Agreement of Appointment with City Attorney Warren M. S. Ernst to increase his annual base salary from \$217,000 to \$225,000 for a total annual additional cost of \$8,000, effective October 16, 2014 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0146

Addendum Addition 7: A resolution designating absences by Councilmember Dwaine R. Caraway as being for "Official City Business" -
Financing: No cost consideration to the City

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

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Kadane.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Greyson voting "No." (Caraway abstain; Hill, Davis, Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0147

Addendum Addition 8: Authorize **(1)** the acceptance of \$11,000,000 of Community Development Block Grant Section 108 Guaranteed Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development (HUD) for the Plaza Hotel commercial development project (Hotel Project); **(2)** a loan agreement with Teof Hotel, LP (the Section 108 Borrower) in the amount of \$11,000,000 of Section 108 Loan Funds (the Section 108 Borrower Loan) for development of the Hotel Project to assist with rehabilitation of a vacant commercial building located at 1011 South Akard Street including economic development, loan interest reserve and financial costs for the Section 108 public offering that will create an estimated 220 permanent full-time equivalent jobs with 51% to be held by or made available to low- and moderate-income persons with incomes at 80% or less of Area Median Family Income as established by HUD; **(3)** the City Manager to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement, for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; **(4)** the City Manager to establish appropriations for Section 108 Loan Funds; and **(5)** the City Controller to deposit and disburse funds from an identified account with total disbursements not to exceed \$11,000,000 in Section 108 Loan Funds - Not to exceed \$11,000,000 - Financing: Community Development Block Grant Section 108 Guaranteed Loan Funds

Councilmember Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 14, 2015

15-0148

Addendum Item 9: Zoning Case Z112-322(RB)

The consent zoning docket, consisting of agenda items 26-28 and addendum addition agenda item 9, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property zoned an R-7.5(A) Single Family District, on the north corner of Opal Avenue and Volga Avenue.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29612

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 14, 2015

EXHIBIT C