

"CORRECTED"  
MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 22, 2015

15-0740

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

PRESENT: [15] Rawlings, Atkins [\*9:13 a.m.], Alonzo, Griggs [\*9:35 a.m.],  
Medrano [\*9:10 a.m.], Hill, Caraway, Callahan, Davis, Kadane,  
Allen, Kleinman, Greyson [\*9:14 a.m.], Gates, Kingston [\*9:36  
a.m.]

ABSENT: [0]

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

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

The invocation was given by Reverend Dr. Cynthia Weeks Logan, Presbytery of Grace, PC  
(USA).

Councilmember Caraway led the pledge of allegiance.

The meeting recessed at 10:50 a.m. and reconvened at 1:18 p.m. (Caraway [\*1:21 p.m.],  
Kleinman [\*1:36 p.m.]).

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 2:48 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Date Approved

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 and/or reconvened.**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 22, 2015

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 22, 2015

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0741

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: Sandra Crenshaw, 2018 Lanark Ave.  
SUBJECT: Good government

SPEAKER: Subrina Brenham, 6621 La Grange Dr.  
SUBJECT: Street name change

SPEAKER: Gary Stuard, 6133 Reiger Ave. (video presentation)  
REPRESENTING: Dallas Green Alliance  
SUBJECT: Trinity Toll Road

SPEAKER: Tony Malone, 914 N. Marsalis Ave.  
SUBJECT: Building signs

SPEAKER: David Olshansky, 6814 Windrock Rd.  
SUBJECT: Trinity Parkway

**ADDITIONAL – OPEN MICROPHONE:**

There were no speakers present under this category.

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Reggie Ruffin, 2703 Exeter Dr.  
REPRESENTING: Texas Males Foundation  
SUBJECT: Malicious prosecution

SPEAKER: Sherri Lowe, 330 E. Camp Wisdom Rd.  
SUBJECT: Financial Data

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0742

Item 1: Approval of Minutes of the April 8, 2015 City Council Meeting

Councilmember Kadane moved to adopt the minutes of the April 8, 2015 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0743

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-19 and addendum addition consent agenda items 1-11. Consent agenda items 12 and 13 were deleted on the addendum to the agenda.

Therefore, the consent agenda, consisting of consent agenda items 2-11 and 14-19 and addendum addition consent agenda items 1-11, was presented for consideration.

Councilmember Hill moved to adopt all items on the consent agenda with the exception of consent agenda items 12 and 13.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0744

Item 2: Authorize a one-year construction services contract to provide micro-surfacing and slurry seal application services for Street Services - NyMac Enterprises, Inc. in the amount of \$2,458,415 and Intermountain Slurry Seal, Inc. in the amount of \$1,654,705, lowest responsible bidders of four - Total not to exceed \$4,113,120 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0745

Item 3: Authorize a three-year service contract for pump overhaul and repair services for Trinity Watershed Management - Allen's Electric Motor Services, Inc. in the amount of \$1,375,710 and Xylem Water Solutions USA, Inc. in the amount of \$201,560, most advantageous proposers of three - Total not to exceed \$1,577,270 - Financing: Stormwater Drainage Management Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0746

Item 4: Authorize a three-year service contract for the purchase and installation of fencing at Love Field - Llano River Fence Company, LLC, lowest responsible bidder of nine - Not to exceed \$1,269,498 - Financing: Aviation Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0747

Item 5: Authorize **(1)** the purchase of one floor scrubber for Park & Recreation in the amount of \$56,098; and **(2)** a three-year service contract to provide maintenance services on the floor scrubber in the amount of \$5,768 - Tennant Sales and Service Company through the General Services Administration - Total not to exceed \$61,866 - Financing: Fair Park Improvement Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0748

Item 6: Authorize a three-year master agreement for the purchase of bedding plants, trees and seed - SRH Trees, Inc. in the amount of \$1,226,872, Justin Seed Company, Inc. in the amount of \$193,880 and Southwest Nursery and Supply, LP dba Southwest Wholesale Nursery in the amount of \$143,552, lowest responsible bidders of four - Total not to exceed \$1,564,304 - Financing: Current Funds (\$604,704), Reforestation Funds (\$845,000), Aviation Current Funds (\$92,000), Water Utilities Current Funds (\$21,000) and Stormwater Drainage Management Current Funds (\$1,600)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0749

Item 7: Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments; and **(2)** a one-year marketing license agreement, with three one-year renewals, with Utility Service Partners Private Label, Inc., dba Service Line Warranties of America through the North Central Texas Council of Governments for a non-exclusive license to use the City's name and logo on letterhead, advertising, and marketing materials to advertise a utility service line warranty program to provide optional lateral water and sewer line and in-home plumbing warranties for City homeowners - Estimated Annual Revenue: \$450,000 (first year)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0750

Item 8: Authorize supplemental agreement no. 1 to the service contract with Kent Security of Texas, Inc., Giadolor Holdings, Inc. dba Dog World Services, and U.S. Security Associates, Inc. for armed and unarmed security guards to patrol and protect City facilities, to extend the term from April 30, 2015 through July 30, 2015 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0751

Item 9: Authorize Supplemental Agreement No. 1 to extend the contract for an additional nine-months and increase the maintenance and operations contract with Transtar Energy, Company L.P., a limited partnership and wholly-owned subsidiary of Clean Energy for Compressed Natural Gas (CNG) fueling facilities at the Southeast and Northwest Service Centers - Not to exceed \$75,000, from \$300,000 to \$375,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0752

Item 10: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development in the amount of \$373,041, to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2015 through May 11, 2016; **(2)** a contract with Hillcrest House Partnership, Ltd. (as Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (as Subrecipient) in the amount of \$362,000 to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2015 through May 11, 2016; **(3)** the allocation of \$11,041 for project delivery staff costs and administrative costs for the City of Dallas; and **(4)** execution of any and all agreements and other documents required by the grant - Total not to exceed \$373,041 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0753

Item 11: Authorize **(1)** the rejection of bid from Frontier Construction Company, Inc. for an improvement plan to include: resurfacing of the greens, tees improvements, bunker restoration, putting greens, and short game area at Cedar Crest Golf Course located at 1800 Southerland Avenue; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0754

**Street Reconstruction Group 12-635**

**Note:** Item Nos. 12 and 13  
must be considered collectively.

Item 12: Authorize a contract with Jeske Construction Company, lowest responsible bidder of six, for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635 (list attached) - Not to exceed \$3,745,689 - Financing: General Obligation Commercial Paper Funds (\$2,223,442), 2006 Bond Funds (\$603,185), Water Utilities Capital Improvement Funds (\$782,672) and Water Utilities Capital Construction Funds (\$136,390)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0755

**Street Reconstruction Group 12-635**

**Note:** Item Nos. 12 and 13  
must be considered collectively.

Item 13: Authorize a professional services contract with Kleinfelder Central, Inc., to provide construction material testing for the Street Reconstruction Group 12-635 project - Not to exceed \$71,861 - Financing: General Obligation Commercial Paper Funds (\$4,035), 2006 Bond Funds (\$28,245) and 2012 Bond Funds (\$39,581)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0756

Item 14: Authorize **(1)** acceptance of a \$2,336,671 donation from the Friends of the Dallas Public Library, Inc., in matching funds for the renovation of the seventh floor of the J. Erik Jonsson Central Library; **(2)** increasing appropriations in the amount of \$2,336,671 in the Central Library Gifts and Donations Fund; and **(3)** authorize a construction services contract with Thos. S. Byrne, Ltd. dba Byrne Construction Services in the amount of \$3,817,930, best value proposer of four, for the J. Erik Jonsson Central Library 7th Floor Renovation, located at 1515 Young Street - Total not to exceed \$3,817,930 - Financing: 2006 Bond Funds (\$1,908,965) and Central Library Gift and Donation Funds (\$1,908,965)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0757

Item 15: Authorize an increase in the contract with Tiseo Paving Company to construct a 24-inch water main along Pacific Avenue, from Pearl Expressway to Cesar Chavez Boulevard - Not to exceed \$488,095, from \$14,794,576 to \$15,282,671 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0758

Item 16: Authorize **(1)** an increase in the contract with Texas Standard Construction, Ltd. for the construction of additional water mains and other miscellaneous paving and storm drainage items for Street Reconstruction Group 06-618 in the amount of \$1,058,410; **(2)** the receipt and deposit of funds from Dallas County in the amount of \$39,641; and **(3)** an increase in appropriations in the amount of \$39,641 in the Capital Projects Reimbursement Fund - Not to exceed \$1,058,410, from \$13,079,013 to \$14,137,423 - Financing: 2006 Bond Funds (\$319,228), Capital Projects Reimbursement Funds (\$39,641), Regional Toll Revenue Funds (\$291,722), Water Utilities Capital Improvement Funds (\$402,274) and Water Utilities Capital Construction Funds (\$5,545)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0759

Item 17: Authorize Supplemental Agreement No. 2 to the professional services contract with Urban Engineers Group, Inc. for engineering design services for additional drainage improvements for Sylvan Avenue, from Fort Worth Avenue to Singleton Boulevard and traffic signal modifications at Sylvan Avenue and Singleton Boulevard - Not to exceed \$49,800, from \$615,289 to \$665,089 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0760

Item 18: Authorize acquisition of one parcel of land from John Wardsworth consisting of two special purpose buildings in the Cadillac Heights neighborhood located near the intersections of Childers and McGowan Streets for the Cadillac Heights Phase II Project - Not to exceed - \$75,800 (\$71,800, plus closing costs and title expenses not to exceed \$4,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0761

Item 19: Authorize an amendment to the lease with the Texas National Guard Armory Board for approximately 107 acres of land and facilities located at Hensley Field to **(1)** change the Lessee name to Texas Military Department; and **(2)** change rental rate from a variable rate to a set 9% adjustment every three years - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0762

Item 20: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0763

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Linda Sue Reid, of approximately 59,276 square feet of land located near the intersection of Seagoville Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$211,955 (\$207,466, plus closing costs and title expenses not to exceed \$4,489) - Financing: Water Utilities Capital Improvement Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 21 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 *Linda Sue Reid* to acquire a tract of land containing approximately 59,276 square feet near the intersection of Seagoville Road and Interstate Highway 20, and more fully described in Exhibit A of the proposed written resolution for this item, for the Southwest 120/96-inch Water Transmission Pipeline Project.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0764

Item 22: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from LS Investments, of a total of approximately 125,973 square feet of land located near the intersection of Fish and Beltline Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$78,000 (\$72,688, plus closing costs and title expenses not to exceed \$5,312) - Financing: Water Utilities Capital Improvement Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 22 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 *LS Investments* to acquire two tracts of land containing a total of approximately 125,973 square feet near the intersection of Fish and Beltline Roads, and more fully described in Exhibit A of the proposed written resolution for this item, for the Southwest 120/96-inch Water Transmission Pipeline Project.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0765

Item 23: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Johnny Uribe and Belia Uribe, of a subsurface easement under approximately 4,945 square feet of land located on Apple Street near its intersection with Bryan Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$20,796 (\$18,296 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 23 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 *Johnny Uribe and Belia Uribe*, a subsurface easement under approximately 4,945 square feet of land, located on Apple Street near its intersection with Bryan Street in City of Dallas Block 5/642, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0766

Item 24: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gaston Shopping Center, LLC of a subsurface easement under approximately 37,470 square feet of land located on Gaston Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$130,398 (\$127,398 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, 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 *Gaston Shopping Center, LLC*, a subsurface easement under approximately 37,470 square feet of land, located on Gaston Avenue near its intersection with Peak Street in City of Dallas Block 7/767, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0767

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John Michael Sparling, of a subsurface easement under approximately 411 square feet of land located on Jensen Court near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$3,121 (\$1,521 plus closing costs and title expenses not to exceed \$1,600) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, 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 *John Michael Sparling*, a subsurface easement under approximately 411 square feet of land, located on Jensen Court near its intersection with San Jacinto Street in City of Dallas Block 2/642, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0768

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gregory J. Johnston, of a subsurface easement under approximately 910 square feet of land located on Soho Lane near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,167 (\$3,367 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 26 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 *Gregory J. Johnston*, a subsurface easement under approximately 910 square feet of land, located on Soho Lane near its intersection with San Jacinto Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0769

Item 27: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Frank Mazzella and Shelley L. Mazzella, of a subsurface easement under approximately 1,128 square feet of land located on Soho Lane near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,974 (\$4,174 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 27 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 *Frank Mazzella and Shelley L. Mazzella*, a subsurface easement under approximately 1,128 square feet of land, located on Soho Lane near its intersection with San Jacinto Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0770

Item 28: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from SNSC Garrett Company, LLC, of a subsurface easement under approximately 1,128 square feet of land located on Soho Lane near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,974 (\$4,174 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced agenda item 28 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 *SNSC Garrett Company, LLC*, a subsurface easement under approximately 1,128 square feet of land, located on Soho Lane near its intersection with San Jacinto Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0771

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Isabela Feltner, of a subsurface easement under approximately 734 square feet of land located on Tribeca Way near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$4,516 (\$2,716 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced agenda item 29 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 *Isabela Feltner*, a subsurface easement under approximately 734 square feet of land, located on Tribeca Way near its intersection with San Jacinto Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0772

**TOD TIF District**

**Note:** Item Nos. 30 and 31  
must be considered collectively.

Item 30: Authorize a development agreement with CCH Alamo, LP in an amount not to exceed \$1,405,000, payable from future TOD TIF District funds in consideration of the development of the Alamo Drafthouse Cinema project on property generally south of the corner of Cadiz and Lamar Streets in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) - Not to exceed \$1,405,000 - Financing: TOD TIF District Funds (subject to appropriations)

Corrected on the addendum.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the assistant city secretary 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 Medrano moved to adopt agenda items 30-31.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0773

**TOD TIF District**

**Note:** Item Nos. 30 and 31  
must be considered collectively.

Item 31: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$450,000 with CCH Alamo, LP related to the development of the Alamo Drafthouse Cinema project on property generally south of the corner of Cadiz and Lamar Streets pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$450,000 - Financing: 2012 Bond Funds (~~subject to appropriations~~)

Corrected on the addendum.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the assistant city secretary 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 Medrano moved to adopt agenda items 30-31.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0774

Item 32: Authorize **(1)** a development agreement with Westdale Properties America I, LTD, to dedicate future TIF revenues for reimbursement of eligible project costs related to paving, streetscape and lighting, open spaces and trails, and façade restoration for redevelopment of 2821-2823 Main Street, 2810, 2816-2818, and 2826 Elm Street and the corner parking lot at 2825 Main Street, located in Tax Increment Financing Reinvestment Zone Twelve (Deep Ellum TIF District); and **(2)** the Deep Ellum TIF District Board of Directors to dedicate an amount not to exceed \$1,600,000 from future Deep Ellum TIF District revenues, in accordance with the development agreement - Not to exceed \$1,600,000 - Financing: Deep Ellum TIF District 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," the assistant city secretary 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 Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0775

Item 33: Authorize a New Markets Tax Credit (NMTC) transaction, using up to \$9 million in allocation, between the Dallas Development Fund (DDF) and its subsidiaries, Northern Trust Corporation (Northern Trust) and its subsidiaries, and Kar-Taub Partners, LP and its affiliates (Developer) for the construction of improvements related to the Dormae Products facility (Project) located in the 9200 Block of Old Hickory Trail - 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," the assistant city secretary 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 Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0776

Item 34: Authorize a contract with Dental Health Programs, Inc. DBA Community Dental Care, Inc. for the continuation of dental health services to low/moderate income seniors aged 60 and above and children aged 19 and younger residing within the City of Dallas for the period October 1, 2014 through September 30, 2015 - Not to exceed \$300,000 - Financing: 2014-15 Community Development Block Grant Funds (\$100,000) and Current Funds (\$200,000)

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the assistant city secretary 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 Kadane moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0777

Item 35: Authorize a housing development loan in an amount not to exceed \$225,000 with Builders of Hope CDC, a certified Community Housing Development Organization, for construction of ten affordable single family homes for the Creekside Project to be located on Oak Garden Trail - Not to exceed \$225,000 - Financing: 2012-13 HOME Investment Partnership Program Grant Funds

The assistant city secretary announced the city manager was deleting the item; therefore, the item was not read into the record. There was no objection voiced by the city council.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0778

Item 36: Authorize a housing development loan in an amount not to exceed \$300,000 with City Wide Community Development Corporation, a certified Community Housing Development Organization, for construction of ten affordable single family homes for the Village of Runyon Springs Project to be located in the Runyon Springs Subdivision - Not to exceed \$300,000 - Financing: 2013-14 HOME Investment Partnership Program Grant Funds

Mayor Pro Tem Atkins requested the item be held until later in the meeting to allow an individual time to arrive. By consensus of the city council, the item was held until later in the meeting.

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

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the assistant city secretary 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 Griggs and Councilmember Caraway and unanimously adopted. (Callahan, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0779

Item 37: Authorize a housing development loan in an amount not to exceed \$608,331 with East Dallas Community Organization, a certified Community Housing Development Organization and a Community Based Development Organization, for construction of up to seven affordable senior rental homes for the Bexar Street Senior Project to be located on Macon Street and Starks Avenue - Not to exceed \$608,331 - Financing: 2014-15 HOME Investment Partnership Program Funds (\$200,000) and 2012-13 Community Development Block Grant Funds (\$408,331)

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the assistant city secretary 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 and unanimously adopted. (Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0780

Item 38: Authorize a housing development loan in an amount not to exceed \$200,000 with Southfair Community Development Corporation, a certified Community Housing Development Organization, for construction of four affordable single family homes for the 2825 South Townhomes Project to be located at 2825 South Boulevard - Not to exceed \$200,000 - Financing: 2014-15 HOME Investment Partnership Program Grant Funds

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the assistant city secretary 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 Kadane and unanimously adopted. (Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0781

Item 39: Authorize a housing development loan in an amount not to exceed \$415,989 with South Dallas Fair Park/Innercity Community Development Corporation, a certified Community Housing Development Organization, for construction of six affordable single family homes for the Pittman development project to be located on Meadow and Lenway Streets - Not to exceed \$415,989 - Financing: 2014-15 HOME Investment Partnership Program Grant Funds

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

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

Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0782

The consent zoning docket consisted of agenda items 40-45.

Prior to presentation of the consent zoning docket and agenda item 50 being read into the record, Councilmember Gates moved to continue the public hearing and defer agenda item 50 until the May 13, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Hill, Kleinman absent when vote taken)

Prior to presentation of the consent zoning docket and agenda item 52 being read into the record, Councilmember Kingston moved to continue the public hearing and defer agenda item 52 until the May 13, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Councilmember Greyson and unanimously adopted. (Hill, Kleinman absent when vote taken)

Agenda items 41, 43 and 45 were removed from the consent zoning docket to be considered as individual hearings.

Therefore, the consent zoning docket, consisting of agenda items 40, 42 and 44, was presented for consideration.

Agenda item 40: Zoning Case Z134-329(AF)  
~~Agenda item 41: Zoning Case Z145-108(OTH)~~ **[considered individually]**  
Agenda item 42: Zoning Case Z145-135(RB)  
~~Agenda item 43: Zoning Case Z145-159(OTH)~~ **[considered individually]**  
Agenda item 44: Zoning Case Z145-160(AF)  
~~Agenda item 45: Zoning Case Z145-167(OTH)~~ **[considered individually]**

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

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

Daniel Caldwell, 11209 Shady Trail Ln., spoke in opposition to agenda item 40  
Marvin Crenshaw, 5134 Malcolm X Blvd, spoke in opposition to agenda item 40

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0783

Item 40: Zoning Case Z134-329(AF)

The consent zoning docket, consisting of agenda items 40, 42 and 44, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and an ordinance granting a Specific Use Permit for Commercial motor vehicle parking on property zoned an A(A) Agricultural District at the southwest corner of Telephone Road and Bonnie View Road.

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

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

Daniel Caldwell, 11029 Shady Trl.  
Marvin Crenshaw, 5134 Malcolm X Blvd.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 29707 AND 29708

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0784

Item 41: Zoning Case Z145-108(OTH)

The consent zoning docket, consisting of agenda items 40, 42 and 44, 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 on property zoned an MF-2(A) Multifamily District and a CR Community Retail District, southeast of Capitol Avenue, between Bennett Avenue and North Fitzhugh Avenue.

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

Councilmember Medrano requested consent zoning agenda item 41 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 41 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:

- a maximum height for parking lot lighting poles is 18 feet

and pass the ordinance.

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

Assigned ORDINANCE NO. 29709

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0785

Item 42: Zoning Case Z145-135(RB)

The consent zoning docket, consisting of agenda items 40, 42 and 44, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for D(A) Duplex District uses and a modified duplex use on property zoned a D(A) Duplex District, on property generally bounded by Winton Street and Ellsworth Avenue, inclusive of both sides of Anita Street, west of McMillan Avenue.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29710



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0786

Item 43: Zoning Case Z145-159(OTH)

The consent zoning docket, consisting of agenda items 40, 42 and 44, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an NO(A) Neighborhood Office District with deed restrictions, on the west side of South Hampton Road, between Chrysalis Drive and Cliff Creek Crossing Drive.

Recommendation of Staff and CPC: Approval.

Mayor Pro Tem Atkins requested consent zoning agenda item 43 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 43 was brought up for consideration.

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

Daniel Caldwell, 11029 Shady Trl.

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

Kirk Williams, 17318 Club Hill Dr.

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

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

Assigned ORDINANCE NO. 29711

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0787

Item 44: Zoning Case Z145-160(AF)

The consent zoning docket, consisting of agenda items 40, 42 and 44, 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 Tract A, Planned Development District No. 269, the Deep Ellum/Near East Side District on the north side of Main 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. 29712

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0788

Item 45: Zoning Case Z145-167(OTH)

The consent zoning docket, consisting of agenda items 40, 42 and 44, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District with deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District on the west side of Old Hickory Trail, north of West Daniieldale Road.

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

Mayor Pro Tem Atkins requested consent zoning agenda item 45 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 45 was brought up for consideration.

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

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

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

Assigned ORDINANCE NO. 29713

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0789

Item 46: Zoning Case Z134-354(CG) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the east side of South Lancaster Road, north of Alamain Drive.

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

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

Arbertha Herrod, 5151 Lauderdale St.

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

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

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

Shortly after approval, Mayor Pro Tem Atkins announced he wanted to reconsider the item to allow for approval of staff's recommendation.

Councilmember Kingston moved to reconsider the item.

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

Mayor Pro Tem Atkins moved to close the public hearing, accept the recommendation of staff and pass the ordinance.

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

Assigned ORDINANCE NOS. 29714

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0790

Item 47: Zoning Case Z145-150(WE) – INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an MF-2 Multiple-family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Amelia Street and Maple Avenue.

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

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

Daniel Caldwell, 11029 Shady Trl.

No one appeared 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 changes:

- the general merchandise or food store greater than 3,500 square feet use is substituted for the drug store use;
- maximum floor area for a general merchandise or food store greater than 3,500 square feet is 13,000 square feet;
- light standards may not exceed 18 feet in height, measured to the top of the light fixture;

and pass the ordinance.

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

Assigned ORDINANCE NO. 29715

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0791

Item 48: Zoning Case Z145-165(SM) – INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 311 on the west corner of West Lawther Drive and East Mockingbird Lane.

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

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

Daniel Caldwell, 11029 Shady Trl.

No one appeared 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 Mayor Pro Tem and unanimously adopted. (Hill, Caraway, Callahan, absent when vote taken)

Assigned ORDINANCE NO. 29716

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0792

Item 49: Zoning Case Z134-140(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1822 for an attached non-premise sign, an ordinance granting an amendment to Tract I, Planned Development Subdistrict No. 11 of Planned Development District No. 193, the Oak Lawn Special Purpose District and an ordinance granting an amendment to Historic Overlay H/64, the Magnolia Station Historic District on the north corner of Lyte Street and North Houston Street.

Recommendation of Staff and CPC: Approval of the renewal of Specific Use Permit No. 1822 for a three-year period, subject to a revised site plan and conditions; approval of the amendment to Planned Development Subdistrict No. 11, subject to a development plan and conditions; and approval of the amendment to Historic Overlay H/64, the Magnolia Station Historic District.

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 and pass the ordinances.

Motion seconded by Councilmember Greyson and unanimously adopted. (Atkins, Hill, Caraway, Callahan, Davis, Kleinman absent when vote taken)

Assigned ORDINANCE NOS. 29717, 29718 AND 29719

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0793

DESIGNATED ZONING CASES – INDIVIDUAL

Item 50: Zoning Case Z145-145(AF)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway.

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

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Gates moved to continue the public hearing and defer the item until the May 13, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0794

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 51: A public hearing to receive comments regarding an ordinance granting an amendment to, and expansion of, Planned Development District No. 468 and a resolution accepting the termination of deed restrictions Z812-227 (located at the northwest corner of East 8th Street and North Marsalis Avenue), Z834-399 (located at the southwest corner of East 5th Street and North Crawford Street), and Z867-185 (property bounded by East 6th Street, North Beckley Avenue, West Neely Street and North Zang Boulevard) for a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 468, the Oak Cliff Special Purpose District, with deed restrictions on a portion, Specific Use Permit No. 10 for a nursing home, Specific Use Permit No. 1032 for a utility or government installation, Specific Use Permit No. 1623 for a financial institution with a drive-in window, and Specific Use Permit No. 1679 for a financial institution with a drive-in window, H/84 Lake Cliff Historic District, H/71 Betterton House Historic District; Planned Development District No 160 with Specific Use Permit 2079 for a child-care facility; Planned Development District No 340; Planned Development District No 364; Planned Development District No 830; an R-5(A) Single Family District; an R-7.5(A) Single Family District; a TH-2(A) Townhouse District; a CH Clustered Housing District; an MF-2(A) Multifamily District; a CR Community Retail District with deed restrictions; an IR Industrial/Research District; a CS Commercial Service District with deed restrictions; an LO-1 Office District with deed restrictions; an RR Regional Retail District; an MU-1 Mixed-Use District with deed restrictions; an MU-2 Mixed-Use District; and a P(A) Parking District the property is generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road

[Continued on next page]

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL  
(Continued)

51. (Continued)

Recommendation of Staff: Approval of amendments to and expansion of Planned Development District No. 468, subject to a street hierarchy plan and approval of the termination of deed restrictions Z812-227, Z834-399, and Z867-185 with retention of Historic Overlay District No. 84 Lake Cliff, Historic Overlay District No. 71 Betterton House, Specific Use Permit Nos. 10, 1032, 1623, and 1679, and existing deed restrictions Z034-301, Z801-168, Z890-182, Z923-112, Z923-183, Z945-113 and no change of zoning on: 1) a portion of Tract 1C within Planned Development District No. 160 on the east side of Elsbeth Avenue between Neely Street and 5<sup>th</sup> Street; 2) an R-5(A) Single Family District on the east side of Elsbeth Avenue between 5<sup>th</sup> Street and Neches Street; 3) a portion of Subdistrict 6 within Planned Development District No. 830 on the northeast corner of Davis Street and Elsbeth Avenue; 4) a CR Community Retail District and an MF-2(A) Multifamily District south of Davis Street between Beckley Avenue and Patton Avenue; and 5) Planned Development District No. 340.

Recommendation of CPC: Approval of amendments to and expansion of Planned Development District No. 468, subject to a yard, lot, space chart; a parking chart; and a street hierarchy plan and approval of the termination of deed restrictions Z812-227, Z834-399, and Z867-185 with retention of H/84 Lake Cliff Historic District and H/71 Betterton House Historic District, Specific Use Permit Nos. 10, 1032, 1623, 1679, and deed restrictions Z034-301, Z801-168, Z890-182, Z923-112, Z923-183, Z945-113 and no change of zoning on: 1) a portion of Tract 1C within Planned Development District No. 160 on the east side of Elsbeth Avenue between Neely Street and 5<sup>th</sup> Street; 2) a portion of Subdistrict 6 within Planned Development District No. 830 on the northeast corner of Davis Street and Elsbeth Avenue; and 3) Planned Development District No. 340  
Z067-203(VM)

Note: This item was considered by the City Council at public hearings on February 25, 2015, and March 25, 2015, and was taken under advisement until April 22, 2015, with the public hearing reopened

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

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15-0794

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

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

Jessica Gonzalez, 501 E. 8<sup>th</sup> St.  
Kevin Murray, 1727 N. Beckley Ave.  
Linda Burk, 1703/1717 N. Beckley Ave.  
Sandra Crenshaw, 2018 Lanark Ave.

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

Jonathan Vinson, 6342 Vickery Blvd.  
Peter Kavanagh, 1620 Handley Dr.  
Richard Sheridan, 11301 Dennis Rd.  
Tony Malone, 914 N. Marsalis Ave.

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

1. That nonconforming uses may not be amortized.
2. That the Interstate 35E Service Road is added to the definition of Legacy Building and Ballard Avenue is removed.
3. That in Subdistricts A-G,
  - Parking reductions will not result in a loss of delta credits;
  - On-street parking counts toward required parking;
  - Streetscape requirements are triggered only by new construction;
  - Subdistricts A-G must comply with the regulations chart in Article XIII
4. That in Subdistricts A-G and J, remote parking may be based on a lease.
5. Office and medical uses are permitted uses in Subdistrict A (RTN) on the west side of Beckley Avenue between Greenbriar and Interstate 30.
6. Office and medical uses are permitted uses in Subdistrict B, Tract 4.

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7. That in Subdistrict H, the area regulating plan requirement is removed.
8. That in Subdistrict J,
  - Nonresidential uses must be part of a Legacy Mixed Use Development;
  - Maximum number of dwelling units is 50 per acre;
  - Subdistrict J may be treated as one lot for development purposes; and
  - The required setbacks are as follows:
    - 20 feet for the northernmost 100 feet along Zang Boulevard, a minimum of 5 feet and maximum of 15 feet for the remainder of Zang;
    - 15 feet along Fifth Street;
    - A minimum of 5 feet and maximum of 15 feet along Sixth Street; and
    - 20 feet along Elsbeth Street.
9. The following changes are made to the Subdistrict Map:
  - The southernmost lot in Subdistrict H is now Subdistrict F (WMU-12);
  - The boundary for Subdistrict D (WMU-5), Tract 4 and Shopfront Overlay is moved north one lot on Marsalis Avenue;
  - The northeast corner of Canty Street and Elsbeth Avenue is now part of Subdistrict B (WR-3);
  - The properties that front Fifth Street are changed from Subdistrict B (WR-3) to Subdistrict a (RTN);
  - The single family residential properties on the east side of Ballard Avenue between Eldorado Avenue and Madison Avenue are changed from Subdistrict D (WMU-5) to Subdistrict A (RTN);
  - The mid-block parking lot on the east side of Ballard Avenue between Eldorado Avenue and Madison Avenue is changed from Subdistrict D (WMU-5) to Subdistrict B (WR-3)
10. This motion includes denial of the termination of deed restrictions in this district.

and the ordinance to return on May 13, 2015.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0795

SPECIAL PROVISION SIGN DISTRICT - INDIVIDUAL

Item 52: A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict in the Downtown Special Provision Sign District Overlay on property zoned Planned Development District No. 619 with a Pedestrian Overlay in an area generally bounded by Pacific Avenue, North Akard Street, Elm Street, and North Field Street.

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

Special Sign District Advisory Committee: Denial.

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Kingston moved to continue the public hearing and defer the item until the May 13, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0796

FLOODPLAIN APPLICATIONS

Item 53: A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.15 acres of the current 1.43 acres of land, located at 4715 Mountain Creek Parkway within the floodplain of Mountain Creek, Fill Permit 15-01 - Financing: No cost consideration to the City

No individuals addressed the city council regarding the item.

Mayor Pro Tem Atkins moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0797

MISCELLANEOUS HEARINGS

Item 54: 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 the Dallas Housing Corporation located near the intersection of West Commerce Street and North Hampton Road and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to the Dallas Housing Authority 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

Recommendation of Staff: Approval.

The assistant city secretary read the following statement into the record:

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

The following individuals addressed the city council on the item:

Frank Clark, 906 E. 18<sup>th</sup> St., Plano, TX, Professional Geoscientist  
Daniel Caldwell, 11029 Shady Trl.

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

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

Assigned ORDINANCE NO. 29720

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0798

MISCELLANEOUS HEARINGS

Item 55: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a private school, Holy Trinity Catholic School, 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 with 10,000 square feet or more floor area [TC PROPCO I, LP and TC PROPCO II, LP, dba The Fresh Market] on the east line of Oak Lawn Avenue, south of Irving Avenue - AV145-003 - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding the item:

Calli Turner, 1601 Elm St.  
Daniel Caldwell, 11029 Shady Trl.

Councilmember Kingston moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0799

MISCELLANEOUS HEARINGS- DESIGNATED PUBLIC SUBSIDY MATTERS

Item 56: A public hearing to receive comments concerning the application with the Texas Department of Housing and Community Development Affairs (TDHCA), pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3 (b,c,d) of the 2015 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors, concerning the application with TDHCA for 4% housing tax credits in the approximate amount of \$4,286,460 with tax-exempt bonds in the approximate amount of \$10 Million to be issued by The City of Dallas Housing Finance Corporation (DHFC) for the Martha's Vineyard Place Apartment Development, a proposed new 100-unit 4-story multi-family structure to be located at approximately 3115 Crestview Road, including the demolition of existing structures and at the close of the public hearing: **(1)** the issuance of tax exempt bonds by DHFC in an amount not to exceed \$10 Million to Deaf Action Center, its successors and assigns, in tax-exempt Multi-family Housing Mortgage Revenue Bonds Series, to finance the new construction of 100 units for families; **(2)** a resolution to support the TDHCA's award of the 4% housing tax credits for the new construction of the Martha's Vineyard Apartments located at approximately 3115 Crestview Road, Dallas, Texas; **(3)** DHFC to form a subsidiary single-purpose entity, to be the General Partner of the limited partnership, that will develop and own the improvements to be constructed at approximately 3115 Crestview Road; **(4)** DHFC to accept title to the ground/dirt at approximately 3115 Crestview Road and ground lease the land to the limited partnership which will develop and own the improvements to ensure that the project is exempt from ad valorem taxes; and **(5)** authorize an amendment to the term in Section 8 of City Council Resolution No. 15-0454, to allow for the grant approved in the amount of \$2,640,720, to be used for construction and related soft costs for the Martha's Vineyard Place Apartment Development located at approximately 3115 Crestview Road awarded only to the Deaf Action Center or Applicant, which award will be loaned by DAC to a limited partnership that will own 100% of the buildings known as the Martha's Vineyard Place Apartments and which has as its general partner either (i) a wholly-owned subsidiary of DAC or (ii) a wholly-owned subsidiary of DHFC. If the general partner is a wholly-owned subsidiary of DHFC, then DHFC will also own 100% of the land upon which Martha's Vineyard Place Apartments will be located and will lease such real property to the limited partnership - Financing: No cost consideration to the City

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0799

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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," the assistant city secretary read the following certification into the record:

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

The following individuals addressed the city council regarding the item:

Daniel Caldwell, 11029 Shady Trl.

Dominic Lacy, 6211 Anita St.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0800

Closed Session

6ES

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

- Discussion regarding evaluation of the performance of City Auditor Craig Daniel Kinton.

At 10:50 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:

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

- Discussion regarding evaluation of the performance of City Auditor Craig Daniel Kinton.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:18 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0801

Addendum Addition 1: An ordinance amending Sections 5-58, 5-61, 5-62, and 5-63 of Chapter 5, "Aircraft and Airports," of the Dallas City Code to **(1)** authorize transportation-for-hire vehicles permitted by the city to operate at Dallas Love Field without registering separately with the airport; **(2)** eliminate the registration fee for ground transportation at Dallas Love Field; and **(3)** eliminate the decal fee for vehicles operating at Dallas Love Field that are permitted by the City - Estimated Annual Foregone Revenue: \$15,000

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29721

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0802

Addendum Addition 2: Authorize **(1)** an acquisition contract for the purchase and implementation of noise monitoring terminals at Dallas Executive Airport in the amount of \$104,934; and **(2)** a three-year service contract for maintenance and support of the noise monitoring terminals in the amount of \$9,968 - Exelis, Inc., most advantageous proposer of three - Total not to exceed \$114,902 - Financing: Aviation Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0803

Addendum Addition 3: Authorize a three-year master agreement for water meter access hatches, probing rods and socket tees - USF Fabrication, Inc. in the amount of \$755,434 and i2r Solutions USA, LLC in the amount of \$22,998, lowest responsible bidders of three - Total not to exceed \$778,432 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0804

Addendum Addition 4: Authorize **(1)** preliminary adoption of the FY 2015-16 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$24,261,552 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,457,745; **(b)** HOME Investment Partnerships Program in the amount of \$3,956,627; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$5,637,374; **(d)** Emergency Solutions Grant in the amount of \$1,209,806; and **(e)** estimated Program Income in the amount of \$1,050,000; **(2)** preliminary adoption of the FY 2014-15 Reprogramming Budget in the amount of \$1,410,006; and **(3)** a public hearing to be held on May 27, 2015 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0805

Addendum Addition 5: Authorize an application for the Commercial Auto Theft Interdiction Squad/23 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of \$796,983 to provide a specialized proactive automobile burglary and theft program, for the period September 1, 2015 through August 31, 2016; a local match and an in-kind contribution will be provided as required by the Dallas Police Department if grant is awarded - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0806

Addendum Addition 6: Authorize an engineering services contract with HNTB Corporation for design services necessary for the Runway 18-36 Conversion Project at Dallas Love Field - Not to exceed \$236,929 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0807

Addendum Addition 7: Authorize an Interlocal Agreement with and payment to the Town of Highland Park for the City's share of project costs for the reconstruction of approximately 65-feet of deteriorated pavement on Mockingbird Lane east of the city limits - Not to exceed \$40,327 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0808

Addendum Addition 8: An ordinance abandoning a portion of Harwood Street to DF Market 2, LLC, the abutting owner, containing a total of 800 square feet of land, located near the intersection of Harwood and Taylor Streets, and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29722

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0809

Addendum Addition 9: An ordinance abandoning portions of Taylor Street to DF Market 2, LLC, the abutting owner, containing a total of approximately 2,039 square feet of land, located near the intersection of Harwood and Taylor Streets, and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29723

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0810

Addendum Addition 10: An ordinance abandoning a portion of Pearl Expressway to FM Harvest, Ltd., the abutting owner, containing a total of approximately 419 square feet of land, located near the intersection of Pearl Expressway and Taylor Street, and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29724

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0811

Addendum Addition 11: An ordinance abandoning portions of an alley to Pedro Montoya, Taqueria Pedritos, Inc., and NEM Properties, LLC, the abutting owners, containing a total of approximately 3,038 square feet of land, located near the intersection of Capitol and Fitzhugh Avenues, authorizing the quitclaim and providing for the dedication of approximately 3,888 square feet for an alley easement - Revenue: \$98,432, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29725

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0812

Addendum Addition 12: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ami P. Shah, of a subsurface easement under approximately 491 square feet of land located on Soho Lane near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$3,517 (\$1,817 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 12 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 *Ami P. Shah*, a subsurface easement under approximately 491 square feet of land, located on Soho Lane near its intersection with San Jacinto Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0813

Addendum Addition 13: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from AT&T Communications of the Southwest, Inc., of a subsurface easement under approximately 10,167 square feet of land located on Haskell Avenue at its intersection with Bryan Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$37,568 (\$34,568 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 13 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 *AT&T Communications of the Southwest, Inc.*, a subsurface easement under approximately 10,167 square feet of land, located on Haskell Avenue at its intersection with Bryan Street in City of Dallas Block 722, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0814

Addendum Addition 14: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dallas Theological Seminary, of a subsurface easement under approximately 9,973 square feet of land located on Live Oak Street at its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$36,408 (\$33,908 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 14 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 *Dallas Theological Seminary*, a subsurface easement under approximately 9,973 square feet of land, located on Live Oak Street at its intersection with Haskell Avenue in City of Dallas Block 722, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0815

Addendum Addition 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John Briggs, of a subsurface easement under approximately 1,148 square feet of land located on Tribeca Way near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$6,048 (\$4,248 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 15 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 *John Briggs*, a subsurface easement under approximately 1,148 square feet of land, located on Tribeca Way near its intersection with San Jacinto Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0816

Addendum Addition 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lashey Dawkins, of a subsurface easement under approximately 503 square feet of land located on Tribeca Way near its intersection with San Jacinto Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$3,561 (\$1,861 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The assistant city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 16 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 *Lashey Dawkins*, a subsurface easement under approximately 503 square feet of land, located on Tribeca Way near its intersection with San Jacinto Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0817

Addendum Addition 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Riverfront Properties LP, of a subsurface easement under approximately 3,756 square feet of land located on Swiss Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$14,770 (\$12,770 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 17 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 *Riverfront Properties LP*, a subsurface easement under approximately 3,756 square feet of land, located on Swiss Avenue near its intersection with Peak Street in City of Dallas Block 7/767, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0818

Addendum Addition 18: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ronald G. Anglin, of a subsurface easement under approximately 247 square feet of land located on San Jacinto Street near its intersection with Caddo Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,514 (\$914 plus closing costs and title expenses not to exceed \$1,600) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 18 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 *Ronald G. Anglin*, a subsurface easement under approximately 247 square feet of land, located on San Jacinto Street near its intersection with Caddo Street in City of Dallas Block 641, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0819

Addendum Addition 19: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Southwestern Bell Telephone Company, of a subsurface easement under approximately 5,814 square feet of land located on Apple Street near its intersection with Bryan Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$22,349 (\$20,349 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 21-27 and the assistant city secretary read agenda items 28-29 and addendum addition agenda items 12-19 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 21-29 and addendum addition agenda items 12-19, no council member indicated any item(s) be pulled for individual vote.

The assistant city secretary announced addendum item 19 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 *Southwestern Bell Telephone Company*, a subsurface easement under approximately 5,814 square feet of land, located on Apple Street near its intersection with Bryan Street in City of Dallas Block 2/645, 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.

Councilmember Kingston moved to adopt agenda items 21-29 and addendum addition agenda items 12-19.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Councilmember Hill's motion to adopt agenda items 21-29 and addendum addition agenda items 12-19:

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

Voting No: [0]

The assistant city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0820

Addendum Addition 20: Authorize additional amendments to the second Chapter 380 grant agreement (“Grant II”) with Bishop Arts LLC, previously approved on December 10, 2014, by Resolution Nos. 14-2180 and 14-2181 and amended on February 25, 2015, by Resolution No. 15-0411, to: **(1)** reduce the City’s second lien position on its deed of trust securing the Mixed Income Housing Guidelines to a more junior lien position behind all construction loans for the project; **(2)** clarify that the City’s lien will be recorded concurrently with the Grant II disbursement and after \$30 million in construction costs have been spent; **(3)** require the developer to record deed restrictions securing the Mixed Income Housing Guidelines if, after the Grant II funds have been disbursed, the City finds that the City’s lien position is further subordinated to mechanics and materialmen liens or any liens other than liens for construction loans and developer, after a 30-day notice and opportunity to cure period, has not cured such liens; and **(4)** provide for meaningful and effective enforcement action in the Grant II Agreement - 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,” the assistant city secretary 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 adopt the item with the following change:

- Section 4. That in addition to the City’s remedies of terminating the Grant II Agreement and foreclosure in accordance with the performance deed trust, the Grant II Agreement shall also provide that the City has the right to prosecute or take appropriate action, at law or in equity, including specific performance against Grantee to enforce the Mixed Income Housing Requirements outlined in the Grant II Agreement after disbursement of the Grant II funds and that the City’s foreclosure remedies and the City’s indemnity and release provisions will be capped at \$2 million, and if the City prevails in a legal proceeding to foreclose its lien or to enforce the Mixed Income Housing Requirements against Grantee, the City is further entitled to recover reasonable attorney’s fees and court costs from the Grantee.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

15-0821

Addendum Addition 21: Authorize **(1)** preliminary adoption of Substantial Amendment No. 2 to the FY 2014-15 Action Plan to **(a)** establish a Reconstruction activity and reallocate \$1,020,000 from the Housing Development Loan Program activity to the Reconstruction Program; and **(b)** reallocate \$1,642,626 from the Residential Development Loan Program to the Major Systems Repair Program; and **(2)** a public hearing to be held on May 27, 2015, to receive comments on the proposed use of funds - 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," the assistant city secretary read the following certification into the record:

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 22, 2015

**“CORRECTED”**

15-0822

Addendum Addition 22: Authorize **(1)** a conditional grant agreement with NP Community Development Corporation dba Heroes House to pay for a portion of the rehabilitation costs; and **(2)** transfer of the property to NP Community Development Corporation dba Heroes House located at 2120 52<sup>nd</sup> Street - Not to exceed \$450,000 - Financing: 2012 Bond Funds

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

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

Councilmember Hill moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Davis.

After discussion, Councilmember Griggs moved a substitute motion to approve the item with the department being required to get a letter from the architect certifying that this structure could be rehabbed at the cost that has been proposed.

Mayor Rawlings presented Council Member Griggs’ proposed motion as a friendly amendment to Councilmember Hill.

Following confirmation from staff that obtaining the certification from the architect would not add any time to the project’s proposed completion date, Councilmember Hill accepted the friendly amendment.

Mayor Pro Tem Atkins and Councilmember Davis, who seconded Councilmember Hill’s original motion, did not accept the friendly amendment.

Mayor Rawlings requested two seconds on Councilmember Hill’s motion to approve the item incorporating the friendly amendment with the department being required to get a letter from the architect certifying that this structure could be rehabbed at the cost that has been proposed.

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

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After further discussion, staff identified there was a potential of adding more time to the project should the letter be requested. Therefore, Councilmember Hill indicated she did not accept Councilmember Griggs' friendly amendment.

Mayor Rawlings inquired of the city council if they were in favor of reverting back to the original motion from Councilmember Hill (with no friendly amendment), seconded by Mayor Pro Tem Atkins and Councilmember Davis, to adopt the item as presented.

By general consensus, the city council agreed to revert back to Councilmember Hill's motion, duly seconded, to adopt the item.

At Mayor Rawlings' request for a second to Councilmember Griggs' substitute motion to adopt the item with the department being required to get a letter from the architect certifying that this structure could be rehabbed at the cost that has been proposed, Councilmember Greyson and Councilmember Kingston voiced their second.

Following additional discussion, Mayor Rawlings called the vote on Councilmember Griggs' substitute motion to adopt the item with the department being required to get a letter from the architect certifying that this structure could be rehabbed at the cost that has been proposed.

Voting Yes: [3] Griggs, Greyson, Kingston

Voting No: [11] Rawlings, Atkins, Alonzo, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Gates

The assistant city secretary declared the substitute motion failed.

Mayor Rawlings called the vote on Councilmember Hill's original motion to adopt the item.

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

Voting No: [1] Griggs

The assistant city secretary declared the item adopted.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 22, 2015

EXHIBIT C