

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 13, 2015

15-0830

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

PRESENT: [14] Rawlings, Atkins, Alonzo, Griggs [*9:49 a.m.], Medrano, Hill, Caraway, Callahan, Davis [*9:21 a.m.], Kadane, Kleinman [**2:10 p.m.], Greyson [*9:21 a.m.], Gates, Kingston

ABSENT: [1] Allen

The meeting was called to order at 9:15 a.m.

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

The invocation was given by Andrew Wermelskirchen, Middle School Pastor at Highland Park United Methodist Church.

Councilmember Caraway led the pledge of allegiance.

The meeting recessed at 10:49 a.m. and reconvened at 2:10 p.m. (Hill [*2:11 p.m.], Greyson [*2:15 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 3:21 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.

** Missed morning session for other city business (Resolution 15-0887).

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 13, 2015

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 13, 2015

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0831

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: William Hopkins, 2011 Leath St. (handout provided)
SUBJECT: Texas murdering in West Dallas

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

SPEAKER: William Winn, 5045 Forest Lane Cir.
SUBJECT: Fluoride

SPEAKER: Richard Sheridan, 11301 Dennis Rd. (handout provided)
SUBJECT: The election

SPEAKER: Crystal Malone, 12001 N. Central Expwy.
REPRESENTING: Full Gospel Holy Temple
SUBJECT: Street name change

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Edward Brown, 4763 Clover Haven
SUBJECT: Robbed at MLK Center

SPEAKER: Deloris Phillips, 2385 Sweetwater Dr., Grand Prairie, TX
SUBJECT: The blue rail of Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Dawn Mann, 1409 S. Lamar St.
REPRESENTING: Texas Discovery Gardens
SUBJECT: Texas Discovery Gardens

SPEAKER: Daniel Caldwell, 11029 Shady Trl.
SUBJECT: Provide information to public

SPEAKER: Petri Heinonen, 1860 Branch Trl., Carrollton, TX
SUBJECT: Licensing and permit issue

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0832

Item 1: Approval of Minutes of the April 22, 2015 City Council Meeting

The city secretary announced for addendum item 22, the final vote needed to show the majority of the city council present voted in favor, and only Councilmember Griggs voted in opposition to approve the item:

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

Voting No: [1] Griggs

Councilmember Kadane moved to adopt the minutes of the April 22, 2015 City Council Meeting with the corrections noted by the city secretary.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0833

CONSENT AGENDA

Earlier in the meeting, prior to consideration of the consent agenda, the city secretary requested the following speaker be allowed to speak on all agenda items; there was no objection voiced to her request. As a result, the following individual addressed the city council:

Marvin Crenshaw, 5134 Malcolm X Blvd., spoke on all agenda items

The consent agenda consisted of consent agenda items 2-21 and addendum addition consent agenda items 1-6.

The city secretary announced the city manager was deleting the item; therefore, the item would not be considered as part of the consent zoning docket. There was no objection voiced by the city council.

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

Therefore, the consent agenda, consisting of consent agenda items 2-18 and 20-21 and addendum addition consent agenda items 1 and 3-6, was presented for consideration.

Councilmember Hill moved to adopt all items on the consent agenda with the exception of consent agenda item 19 and addendum addition consent agenda item 2.

Motion seconded by Councilmember Kingston and unanimously adopted. (Griggs, Hill, Caraway; Kleinman absent on city business; Allen absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0834

Item 2: Authorize **(1)** the Aviation Department to provide initial funding for maintenance costs for the Routine Annual Maintenance Program (RAMP) in an amount not to exceed \$100,000; **(2)** the Aviation Department to apply for and accept grant funds from the Texas Department of Transportation Aviation Division in an amount not to exceed \$50,000 for eligible costs related to RAMP as part of a 50% conditional grant match agreement; and **(3)** execution of the grant agreement - Total not to exceed \$100,000 - Financing: Aviation Current Funds (\$100,000) (subject to appropriations; to be partially reimbursed with TxDOT Grant Funds) and Texas Department of Transportation Grant Funds (\$50,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0835

Item 3: Authorize a five-year service contract for janitorial services and floor maintenance at various Aviation locations - Members Building Maintenance, LLC, most advantageous proposer of eleven - Not to exceed \$8,482,584 - Financing: Aviation Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0836

Urban Search and Rescue Equipment

Note: Item Nos. 4 and 5
must be considered collectively.

Item 4: Authorize the purchase of equipment and personal protective gear for the Texas Task Force 2 Urban Search and Rescue team - W. W. Grainger, Inc. in the amount of \$88,587 through the Texas Multiple Award Schedule and Safeware, Inc. in the amount of \$602,766 through the U.S. Communities Government Purchasing Alliance Administrative Agreement - Total not exceed \$691,353 - Financing: 2013-15 Texas Department of Public Safety Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0837

Urban Search and Rescue Equipment

Note: Item Nos. 4 and 5
must be considered collectively.

Item 5: Authorize **(1)** an acquisition contract for the purchase and implementation of a GeoSuite Field Server Kit in the amount of \$123,595; and **(2)** a one-year service contract for maintenance and support of the GeoSuite Field Server Kit for Texas Task Force 2 Urban Search and Rescue Team in the amount of \$21,375 - CTS Consolidated Telecom Services, through the Department of Information Resources, State of Texas Cooperative contract - Total not to exceed \$144,970 - Financing: 2013-15 Texas Department of Public Safety Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0838

Item 6: Authorize a three-year master agreement for aggregate materials to be utilized citywide - Q. Roberts Trucking, Inc. in the amount of \$4,636,702, Hanson Aggregates LLC in the amount of \$978,591 and Earth Haulers, Inc. in the amount of \$303,528, lowest responsible bidders of four - Total not to exceed \$5,918,821 - Financing: Current Funds (\$2,267,034), Water Utilities Current Funds (\$3,305,551), Stormwater Drainage Management Current Funds (\$341,536) and Aviation Current Funds (\$4,700)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0839

Item 7: Authorize a three-year master agreement for ferric sulfate to be used in the water purification process - Chemtrade Chemicals US, LLC in the amount of \$19,518,300 and Pencco, Inc. in the amount of \$4,244,400, lowest responsible bidders of three - Total not to exceed \$23,762,700 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0840

Item 8: An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos), and authorizing increased rates to be charged by Atmos as negotiated pursuant to its January 15, 2015 Dallas Annual Rate Review (DARR) filing - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29726

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0841

Item 9: Authorize a public hearing to be held on May 27, 2015 to receive comments on the FY 2015-16 Operating, Capital, and Grant/Trust budgets - Financing:
No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0842

Item 10: Authorize Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. for credit for deleted scope of work at the L.B. Houston Sports Complex located at 11223 Luna Road - Not to exceed (-\$177,294), from \$5,167,941 to \$4,990,647 - Financing: 2003 Bond Funds (-\$21,074) and 2006 Bond Funds (-\$156,220)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0843

Item 11: Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 28, 2015 through June 6, 2015 in the amount of \$59,964; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,360; and **(3)** execution of the grant agreement - Total not to exceed \$77,324 - Financing: Current Funds (\$17,360) and Texas Department of Transportation Grant Funds (\$59,964)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0844

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 \$3,745,189 - Financing: General Obligation Commercial Paper Funds (\$2,223,482), 2006 Bond Funds (\$603,185), Water Utilities Capital Improvement Funds (\$782,132) and Water Utilities Capital Construction Funds (\$136,390)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0845

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)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0846

Item 14: Authorize the termination and release of lease back and lease option rights in favor of the City of Dallas as to certain property located near the intersection of Central Expressway and Watkins Street owned by The Housing Authority of the City of Dallas for police office space - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0847

Item 15: An ordinance granting a revocable license to Crow Family Foundation, Inc. for the use of approximately 120 square feet of land to use and maintain three existing sculptures on a portion of Flora Street, located near its intersection with Olive Street - Revenue: \$5,400 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29727

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0848

Item 16: An ordinance abandoning a portion of a sanitary sewer easement to 604 Fort Worth Ave Apartments Investors LLC, the abutting owner, containing approximately 5,236 square feet of land, located near the intersection of Fort Worth Avenue and Yorktown Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29728

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0849

Item 17: An ordinance abandoning a portion of a water easement to TC Central Associates, LLC, the abutting owner, containing approximately 10,068 square feet of land, located near the intersection of Central Expressway and Carroll Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29729

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0850

Item 18: An ordinance abandoning a portion of a utility easement to Pleasant Grove Shopping Center, Inc., the abutting owner, containing approximately 4,700 square feet of land, located near the intersection of Buckner Boulevard and Grovecrest Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29730

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0851

Item 19: An ordinance amending Chapter 54, "Dallas Plumbing Code," of the Dallas City Code, as amended, by amending the maximum allowable lead content in pipes, pipe fittings, plumbing fittings and fixtures; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

The 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

MAY 13, 2015

15-0852

Item 20: Authorize an engineering contract with Gresham, Smith and Partners to provide engineering services for an evaluation/study and preliminary design related to major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Not to exceed \$1,498,958 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0853

Item 21: Authorize **(1)** a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway); and **(2)** the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of design, inspection and project management costs for the project - Revenue: \$88,751

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0854

Item 22: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city board and commission appointments for the 2013-2015 board term, with term ending September 30, 2015, updated through May 13, 2015.

The city secretary noted the report indicated nominees for full council appointment met all qualifications for service.

Councilmember Kadane moved to appoint the following:

- Michael Barrett and Zayad Andrew Roumaya to the Reinvestment Zone Seventeen Board (Transit-Orient Development), Dallas County Residents

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Davis, Caraway absent when vote taken; Kleinman absent on city business; Allen absent)

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

15-5051 RZ17 REINVESTMENT ZONE SEVENTEEN BOARD (TRANSIT-ORIENT DEVELOPMENT)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0855

Item 23: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Andrew Birmingham, of a subsurface easement under approximately 2,134 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$13,760 (\$11,760 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 23-25 and addendum addition agenda items 9-12 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 23-25 and addendum addition agenda items 9-12, 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 *Andrew Birmingham*, a subsurface easement under approximately 2,134 square feet of land, located on Zenia Drive near its intersection with North Central Expressway in City of Dallas Block 2/594, 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 23-25 and addendum addition agenda items 9-12.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Kingston's motion to adopt agenda items 23-25 and addendum addition agenda items 9-12:

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

Voting No: [0]

Absent When Vote Taken: [1] Davis

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0856

Item 24: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eretz Dallas Properties, LLC, of a subsurface easement under approximately 9,019 square feet of land located on Haskell Avenue near its intersection with Live Oak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$34,165 (\$30,665 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 23-25 and addendum addition agenda items 9-12 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 23-25 and addendum addition agenda items 9-12, 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 *Eretz Dallas Properties, LLC*, a subsurface easement under approximately 9,019 square feet of land, located on Haskell Avenue near its intersection with Live Oak Street in City of Dallas Block 10/740, 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 23-25 and addendum addition agenda items 9-12.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Kingston’s motion to adopt agenda items 23-25 and addendum addition agenda items 9-12:

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

Voting No: [0]

Absent When Vote Taken: [1] Davis

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0857

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from M.I. Gaston Partners, Ltd. and MSC-I, Ltd., of a subsurface easement under approximately 10,702 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 \$34,606 (\$32,106 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 23-25 and addendum addition agenda items 9-12 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 23-25 and addendum addition agenda items 9-12, 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 *M. I. Gaston Partners, Ltd. and MSC-I, Ltd.*, a subsurface easement under approximately 10,702 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 23-25 and addendum addition agenda items 9-12.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Kingston's motion to adopt agenda items 23-25 and addendum addition agenda items 9-12:

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

Voting No: [0]

Absent When Vote Taken: [1] Davis

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0858

DalParc I-20 Logistics, LLC

Note: Item Nos. 26, 27 and 28
must be considered collectively.

Item 26: Authorize a resolution designating approximately 127 acres of property located south of Altamoores Road, north of Telephone Road, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas, as City of Dallas Neighborhood Empowerment Zone No. 2 ("City of Dallas NEZ No. 2"), pursuant to Chapter 378 of the Local Government Code to promote an increase in economic development in the zone, establishing the boundaries of the Neighborhood Empowerment Zone and providing for an effective date - 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 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 agenda items 26-28.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Caraway absent when vote taken, Kleinman absent on city business; Allen absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0859

DalParc I-20 Logistics, LLC

Note: Item Nos. 26, 27 and 28
must be considered collectively.

Item 27: Authorize a real property tax abatement agreement with DalParc I-20 Logistics, LLC located on approximately 44 acres south of Altamoore Road, north of Balmorehea Drive, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas for a speculative industrial/warehouse facility of at least 900,000 square feet in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$17,932; ten-year revenue estimated at \$179,325; (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$1,613,925)

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 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 agenda items 26-28.

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Caraway absent when vote taken, Kleinman absent on city business; Allen absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0860

DalParc I-20 Logistics, LLC

Note: Item Nos. 26, 27 and 28
must be considered collectively.

Item 28: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$312,000 with DalParc I-20 Logistics, LLC related to the construction of a speculative industrial/warehouse facility of at least 900,000 square feet, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$312,000 - 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," the 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."

Motion seconded by Councilmember Hill and Councilmember Caraway and unanimously adopted. (Caraway absent when vote taken, Kleinman absent on city business; Allen absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0861

Item 29: Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 50-53 homes in East Dallas located on Chariot Drive - Not to exceed \$450,000 - Financing: 2012 Bond Funds

Councilmember Davis moved to adopt the agenda item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0862

Item 30: Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 116 homes in West Dallas located on Singleton Boulevard - Not to exceed \$1,275,000 - Financing: 2012 Bond Funds

Deputy Mayor Pro Tem Alonzo moved to adopt the agenda item.

Motion seconded by Councilmember Davis and unanimously adopted. (Kleinman absent on city business; Allen absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0863

The consent zoning docket consisted of agenda items 31-36.

Prior to presentation of the consent zoning docket being read into the record, Councilmember Kleinman moved to continue the public hearing and defer agenda item 32 until the May 27, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Councilmember Kadane and unanimously adopted. (Greyson, Kingston absent when vote taken; Allen absent)

Prior to presentation of the consent zoning docket being read into the record, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer agenda item 35 until the May 27, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Councilmember Medrano and unanimously adopted. (Caraway, Greyson absent when vote taken; Allen absent)

Therefore, the consent zoning docket, consisting of agenda items 31, 33-34 and 36, was presented for consideration.

Agenda item 31: Zoning Case Z134-352(CG)
~~Agenda item 32: Zoning Case Z145-152(OTH) [deferred]~~
Agenda item 33: Zoning Case Z145-175(AF)
Agenda item 34: Zoning Case Z145-176(CG)
~~Agenda item 35: Zoning Case Z145-192(AF) [deferred]~~
Agenda item 36: Zoning Case Z145-193(SM)

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

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

Daniel Caldwell, 11209 Shady Trail Ln., spoke in opposition to agenda items 31 and 34

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

Councilmember Medrano 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 Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Greyson absent when vote taken; Allen absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0864

Item 31: Zoning Case Z134-352(CG)

The consent zoning docket, consisting of agenda items 31, 33-34 and 36, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of Samuell Boulevard and North Jim Miller Road.

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

Recommendation of CPC: Approval for an 18-month period, subject to 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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29731

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0865

Item 32: Zoning Case Z145-152(OTH)

The consent zoning docket, consisting of agenda items 31, 33-34 and 36, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the northwest corner of Southern Boulevard and Noel Road.

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

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Kleinman moved to continue the public hearing and defer the item until the May 27, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0866

Item 33: Zoning Case Z145-175(AF)

The consent zoning docket, consisting of agenda items 31, 33-34 and 36, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 556 along the east line of North Central Expressway, between Lee Street and Normah Street.

Recommendation of Staff and CPC: Approval, subject to a revised 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. 29732

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0867

Item 34: Zoning Case Z145-176(CG)

The consent zoning docket, consisting of agenda items 31, 33-34 and 36, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south side of Elm Street, east of North Crowdus Street.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29733

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0868

Item 35: Zoning Case Z145-192(AF)

The consent zoning docket, consisting of agenda items 31, 33-34 and 36, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District on the north line of Joe Field Road, south of Royal Lane, and west of Emerald Street.

Recommendation of Staff and CPC: Approval.

Prior to approval of the consent zoning docket and the item being read into the record, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the May 27, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0869

Item 36: Zoning Case Z145-193(SM)

The consent zoning docket, consisting of agenda items 31, 33-34 and 36, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 954 for a private school and to add a child-care facility on property zoned an R-7.5(A) Single Family District on the north line of Military Parkway, east of South Buckner Boulevard.

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

Recommendation of CPC: Approval for an 18-month period, subject to conditions.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29734

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0870

Item 37: Zoning Case Z123-266(SM) – INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District on the southeast corner of Southerland Avenue and Bonnie View Road.

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

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

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

At the request of Councilmember Caraway, the following individual addressed the city council:

Trina Terrell, 2543 Concordant Trl.

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

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

Assigned ORDINANCE NO. 29735

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0871

Item 38: Zoning Case Z145-105(CG) – INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay along the east line of Kleberg Road, the north line of Carleta Street and the south line of Parkcliff Drive.

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

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

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.

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 Hill and unanimously adopted. (Davis absent when vote taken; Allen absent)

Assigned ORDINANCE NO. 29736

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0872

DESIGNATED ZONING CASES – INDIVIDUAL

Item 39: Zoning Case Z145-147(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict Uses and MF-2 Multiple-family Subdistrict uses on property zoned an O-2 Office Subdistrict and an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of North Central Expressway and Oliver Street, and the southeast line of McKinney Avenue, south of Oliver Street.

Recommendation of Staff and CPC: Approval, subject to a Tract 1 development plan, Tract 1 landscape plan, Tract 2 development/landscape plan and conditions.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the 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."

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

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

Charles West, 4312 McKinney Ave.
David Pennachetti, 4330 McKinney Ave.
Dallas Cothrum, 900 Jackson St.

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

Motion seconded by Councilmember Caraway and Councilmember Davis and unanimously adopted. (Atkins absent when vote taken; Allen absent)

Assigned ORDINANCE NO. 29737

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0873

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 40: 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~~ and a resolution accepting 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.

Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open.

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

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

Assigned ORDINANCE NO. 29738

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0874

SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT - INDIVIDUAL

Item 41: Zoning Case SPSD134-005

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.

Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open.

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

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

Tommy Mann, 2728, Harwood St.
Bill McKnight, 1505 Elm St.
Steve Shepherd, 1505 Elm St.
Jack Gosnell, 8080 Park Ln.
Aimee Sanborn, 502 Bondstone Dr.
Jim Depetris, 1222 Commerce St.
John Crawford, 4401 Livingston Ave.
Daniel Caldwell, 11029 Shady Trl.

Councilmember Kingston moved to close the public hearing, accept the recommendation of the city plan commission, with the ordinance to return on May 27, 2015.

Motion seconded by Councilmember Griggs.

Mayor Rawlings called the vote on the motion and declared the item adopted on a divided vote with Councilmember Kadane and Councilmember Kleinman voting "No." (Davis, Callahan absent when vote taken; Allen absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0875

THOROUGHFARE PLAN AMENDMENTS

Item 42: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of **(1)** Myrtle Street from Elsie Faye Heggins Street to Bexar Street from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and **(2)** Bexar Street from Myrtle Street to Riverfront Extension from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No individuals addressed the city council regarding the item.

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 Hill and unanimously adopted. (Callahan, Davis, Kleinman absent when vote taken; Allen absent)

Assigned ORDINANCE NO. 29739

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0876

MISCELLANEOUS HEARINGS

Item 43: A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization (EDCO), a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property to EDCO under the HB110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000

No individuals addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0877

MISCELLANEOUS HEARINGS

Item 44: 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 Broadstone Farmers Market Property Owner, LLC located near the intersection of South Cesar Chavez Boulevard and East RL Thornton Freeway and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Broadstone Farmers Market Property Owner, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval.

The city secretary read the following statement into the record:

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

The following individuals addressed the city council on the item:

Kenneth Tram, 1904 Industrial Blvd., Professional Geoscientist
Daniel Caldwell, 11029 Shady Trl.
Susan Rainey, 2200 Ross Ave., representing the applicant

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

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

Assigned ORDINANCE NO. 29740

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0878

MISCELLANEOUS HEARINGS

Item 45: 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 Gas Equipment Company, Inc., Precise C Corp., and AN Luxury Imports Ltd. located near the intersection of Forest Lane and Harry Hines Boulevard and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Rochester Gauges, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval.

The city secretary read the following statement into the record:

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

The following individuals addressed the city council on the item:

Fred Nawrocki, P.O. Box 1027, Aledo, 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 Mayor Pro Tem Atkins and unanimously adopted. (Davis absent when vote taken; Allen absent)

Assigned ORDINANCE NO. 29741

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0879

Closed Session

6ES

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

- George Earl Pogue v. City of Dallas, et al. Civil Action No. 3:13-CV-4702-B.
- Legal issues regarding Chapter 9C, "Carryout Bags," of the Dallas City Code and Hilex Pojy Co., et al. v. City of Dallas, Texas, Cause No. DC-15-04967.
- Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L.

At 10:49 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 matters:

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

- George Earl Pogue v. City of Dallas, et al. Civil Action No. 3:13-CV-4702-B.
- Legal issues regarding Chapter 9C, "Carryout Bags," of the Dallas City Code and Hilex Pojy Co., et al. v. City of Dallas, Texas, Cause No. DC-15-04967.
- Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L.

Mayor Rawlings reconvened the city council meeting after the closed session at 2:10 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0880

Addendum Addition 1: Authorize the cancellation of secured promissory notes and the execution of release of liens on properties held as collateral for repaid loans made by the South Dallas/Fair Park Trust Fund to **(1)** Richard Knight dba “the MLK/175 Gateway Project” (Knight), in the amount of \$92,800; **(2)** Charles Senteio, dba Namamai Services, LLC, (Senteio), in the amount of \$50,000; and **(3)** Ephraim and Helen Oladiran dba Freedom Beauty and Fashions (Oladiran) in the amount of \$26,684 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0881

Addendum Addition 2: Authorize **(1)** Supplemental Agreement No. 2 for renewal of the Interlocal Agreement (ILA) with Dallas County Schools (DCS) to administer and enforce the School Bus Stop Arm Enforcement Program for the period June 25, 2015 through May 22, 2062; and **(2)** disbursement of funds from the joint escrow account for certain DCS expenses associated with the operation of the school crossing guard program - Financing: No cost consideration to the City

Councilmember Caraway moved to adopt the item with the following change:

- shorten the period of the Interlocal Agreement (ILA) with Dallas County Schools (DCS) from 47 years to 25 years [June 25, 2015 through May 22, 2062 to June 25, 2015 through May 13, 2040].

Motion seconded by Mayor Pro Tem Atkins.

After discussion, Councilmember Gates moved a substitute motion to defer the vote on the item to May 27, 2015, after being briefed to the Budget Finance and Audit Committee on May 18, 2015.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called the record vote on Councilmember Gates' substitute motion:

Voting Yes: [1] Gates

Voting No: [12] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Greyson, Kingston

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the item failed.

After discussion, Councilmember Griggs' proposed an amendment to Councilmember Caraway's amended motion to: (1) delay execution but not later than June 1, 2015 and (2) briefing to Budget Finance and Audit on May 18, 2015.

Mayor Rawlings presented Councilmember Griggs' proposed motion as a friendly amendment to Councilmember Caraway.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0881

Page 2

Councilmember Caraway and Mayor Pro Tem Atkins, who seconded Councilmember Caraway's amending motion, did not accept the friendly amendment.

After further discussion, Councilmember Griggs' moved a substitute motion to Councilmember Caraway's amended motion to: (1) delay execution of the agreement but not later than June 1, 2015 and (2) briefing to Budget Finance and Audit on May 18, 2015.

Motion seconded by Councilmember Gates.

Mayor Rawlings called the record vote on Councilmember Griggs' substitute motion:

Voting Yes: [4] Griggs, Callahan, Gates, Kingston

Voting No: [9] Rawlings, Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Greyson

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the item failed.

Mayor Rawlings called the vote on Councilmember Caraway's original amended motion:

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

Voting No: [1] Gates

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29721

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0882

Addendum Addition 3: An ordinance abandoning a portion of an alley to CVS Pharmacy, Inc., the abutting owner, containing approximately 3,392 square feet of land, located near the intersection of Amelia Street and Maple Avenue - Revenue: \$72,000, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29742

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0883

Addendum Addition 4: An ordinance granting an amendment to and an expansion of 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, Specific Use Permit No. 1679 for a financial institution with a drive-in window, H/84 Lake Cliff Historic District, and H/71 Betterton House Historic District; Planned Development District No. 160 with Specific Use Permit No. 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 restriction; 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 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 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29743

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0884

Addendum Addition 5: Authorize settlement in lieu of proceeding with condemnation of a subsurface easement under approximately 9,440 square feet of land from Kambiz Khadivi located on Junius Street at its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$15,860 (\$14,160 plus closing costs and title expenses not to exceed \$1,700); an increase of \$4,720 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0885

Addendum Addition 6: A resolution authorizing the conveyance of an easement and right-of-way containing approximately 12,778 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Great Trinity Forest Way near its intersection with Long Acre Lane – Revenue: \$1,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0886

Addendum Addition 7: Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 54 and 55 for bid BM1422 for a three-year master agreement for the purchase of pumps and parts - Austin Pump & Supply Company and Master Pumps & Equipment - Financing: This action has no cost consideration to the City

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

The city secretary announced the names of the tying bidders for Groups Lines 54 and 55 had been placed in separate plain envelopes for Mayor Rawlings to select one sealed envelope for each line. Mayor Rawlings selected one sealed envelope for each line and announced the selection as follows:

- Line 54 – Austin Pump & Supply Company
- Line 55 – Austin Pump & Supply Company

Mayor Pro Tem Atkins moved to adopt the item with Lines 54 and 55 awarded as selected by Mayor Rawlings.

Motion seconded by Councilmember Hill and unanimously adopted. (Kleinman absent on city business; Allen absent)

Note: On May 12, 2015, the City Secretary, Assistant City Secretary, Stephanie Cooper, Assistant Director of Business Development and Procurement Services and Carmen Esquivel (Business Development and Procurement Services) met and sealed the envelopes, all ensuring each sealed envelope for the respective lines contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0887

Addendum Addition 8: A resolution designating absences by Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson, and Councilmember Philip Kingston as being for "Official City Business" - Financing: No cost consideration to the City

The city secretary announced the item was being considered as two separate items in order to maintain a quorum at all times.

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

The city secretary read the following into the record for the first part of the vote on the item:

A resolution designating absences by Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano and Councilmember Lee Kleinman as being for "Official City Business."

Councilmember Hill moved to adopt the item.

Motion seconded by Councilmember Callahan and unanimously adopted. (*Kleinman absent on city business; Rawlings, Griggs, Medrano abstain; Allen absent)

Councilmember Carolyn Davis, Councilmember Sandy Greyson and Councilmember Philip Kingston announced they had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Carolyn Davis, Councilmember Sandy Greyson and Councilmember Philip Kingston left the city council chamber.

The city secretary read the following into the record for the second part of the vote on the item:

A resolution designating absences by Councilmember Carolyn Davis, Councilmember Sandy Greyson and Councilmember Philip Kingston as being for "Official City Business."

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Kleinman absent on city business; Davis, Greyson, Kingston abstain; Allen absent)

Note: Councilmember Kleinman had a conflict of interest on this item; however, he was absent on city business at the time the vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0888

Addendum Addition 9: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kayla M. Heath and Christopher A. Geno, of a subsurface easement under approximately 182 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,710 (\$910 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 23-25 and addendum addition agenda items 9-12 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 23-25 and addendum addition agenda items 9-12, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 9 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 *Kayla M. Heath and Christopher A. Geno*, a subsurface easement under approximately 182 square feet of land, located on Zenia Drive at its intersection with North Central Expressway in City of Dallas Block 2/594, 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 23-25 and addendum addition agenda items 9-12.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings requested a record vote on the item.

After discussion, Mayor Rawlings called the record vote on Councilmember Kingston's motion to adopt agenda items 23-25 and addendum addition agenda items 9-12:

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

Voting No: [0]

Absent When Vote Taken: [1] Davis

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0889

Addendum Addition 10: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Michael James Hudson and Robert Hudson, of a subsurface easement under approximately 634 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,170 (\$3,170 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 23-25 and addendum addition agenda items 9-12 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 23-25 and addendum addition agenda items 9-12, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 10 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 *Michael James Hudson and Robert Hudson*, a subsurface easement under approximately 634 square feet of land, located on Zenia Drive at its intersection with North Central Expressway in City of Dallas Block 2/594, 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 23-25 and addendum addition agenda items 9-12.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Kingston's motion to adopt agenda items 23-25 and addendum addition agenda items 9-12:

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

Voting No: [0]

Absent When Vote Taken: [1] Davis

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0890

Addendum Addition 11: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rosedale Apartments, LLC, of a subsurface easement under approximately 4,944 square feet of land located on Ross Avenue at its intersection with Hall Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$24,382 (\$21,882 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 23-25 and addendum addition agenda items 9-12 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 23-25 and addendum addition agenda items 9-12, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 11 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 *Rosedale Apartments, LLC*, a subsurface easement under approximately 4,944 square feet of land, located on Ross Avenue at its intersection with Hall Street in City of Dallas Block 596, 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 23-25 and addendum addition agenda items 9-12.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Kingston's motion to adopt agenda items 23-25 and addendum addition agenda items 9-12:

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

Voting No: [0]

Absent When Vote Taken: [1] Davis

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 13, 2015

15-0891

Addendum Addition 12: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Stuart Crow, of a subsurface easement under approximately 3,140 square feet of land located on Flora Street near its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$12,690 (\$10,990 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The city secretary read agenda items 23-25 and addendum addition agenda items 9-12 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 23-25 and addendum addition agenda items 9-12, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda 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 *Stuart Crow*, a subsurface easement under approximately 3,140 square feet of land, located on Flora Street near its intersection with North Central Expressway in City of Dallas Block 595, 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 23-25 and addendum addition agenda items 9-12.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Kingston's motion to adopt agenda items 23-25 and addendum addition agenda items 9-12:

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

Voting No: [0]

Absent When Vote Taken: [1] Davis

Absent on City Business: [1] Kleinman

Absent: [1] Allen

The city secretary declared the items adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 13, 2015

EXHIBIT C