## MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, MAY 27, 2015

15-0920

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs [\*9:55 a.m.], Medrano [\*9:09 a.m.], Hill, Caraway, Callahan [\*9:12 a.m.], Davis [\*9:34 a.m.], Kadane, Allen, Kleinman [\*2:10 p.m.], Greyson [\*9:30 a.m.], Gates, Kingston [\*9:14 a.m.]

ABSENT: [0]

The meeting was called to order at 9:05 a.m.

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

The invocation was given by Chaplain Al Taylor with the Dallas Police Department.

Mayor Rawlings led the pledge of allegiance.

The meeting recessed for the afternoon session at 10:04 a.m. and reconvened at 1:03 p.m. (Hill [\*1:05 p.m.], Caraway [\*1:30 p.m.], Kleinman [\*1:10 p.m.], Greyson [\*1:04 p.m.]; Atkins, Davis not present).

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 1:39 p.m.

	Mayor
ATTEST:	Mayor
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, MAY 27, 2015

EXHIBIT A

## MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, MAY 27, 2015

EXHIBIT B

MAY 27, 2015

15-0921

#### 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: Gary Barton, 3916 Shady Hill Dr.

RESPRESENTING: Texas Discovery Gardens

SUBJECT: Stipend increase

SPEAKER: Kermit Mitchell, 5659 Marblehead Dr

SUBJECT: Omni Dallas/Convention Center

SPEAKER: Bobby Brantley, 3811 Black Oak Dr.

SUBJECT: Texas Horse Park

SPEAKER: Billie Scott, 2550 Palo Alto Dr.

REPRESENTING: Alta Mesa Foundation SUBJECT: Awareness to foundation

SPEAKER: Robert Nicol, 509 S. Winnetka Ave. (handout provided)

SUBJECT: Permitting issue

## **ADDITIONAL – OPEN MICROPHONE:**

There were no speakers under this category.

## <u>OPEN MICROPHONE – END OF MEETING:</u>

There were no speakers under this category.

MAY 27, 2015

15-0922

Item 1: Approval of Minutes of the May 13, 2015 City Council Meeting

Councilmember Medrano moved to adopt the minutes of the May 13, 2015 City Council Meeting.

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

MAY 27, 2015

15-0923

#### CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-58 and addendum addition consent agenda items 1-8. Consent agenda item 2 was deleted on the addendum to the agenda.

Councilmember Kingston requested consent agenda items 31, 32 and 42 be considered as individual items later in meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda item 42 be considered as individual item later in meeting; there was no objection voiced to her request.

Councilmember Medrano requested addendum addition consent agenda item 8 be considered as individual item later in meeting; there was no objection voiced to his request.

Therefore, the consent agenda, consisting of consent agenda items 3-30, 33-41 and 43-58 and addendum addition consent agenda items 1-7, was presented for consideration.

Councilmember Kadane moved to adopt all items on the consent agenda with the exception of consent agenda items 31, 32 and 42 and addendum addition consent agenda item 8.

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

MAY 27, 2015

15-0924

Item 2:

Authorize (1) the rescission of Resolution No. 12-2724, previously approved on November 14, 2012, which authorized an aviation lease and a commercial aviation lease with The Braniff Centre Limited Partnership (previously known as Reed Enterprises Investment Holdings, LP); (2) a thirty-nine-year lease agreement with three, ten-year renewal options with The Braniff Centre for approximately 752,913 square feet of land located at 7701 Lemmon Avenue for aviation use development with a capital commitment of \$17,000,000 to be expended within 36-months from the effective date of the lease with an additional \$4,000,000 to be expended within ten-years; and (3) a thirty-nine year lease agreement with three, ten-year renewal options with The Braniff Centre Limited Partnership at Dallas Love Field, for approximately 414,600 square feet of land for commercial development with a total capital commitment of \$20,000,000 to be expended within sixty-months from the effective date of the lease - Financing: Estimated Annual Revenue - \$1,150,000

Deleted on the addendum.

MAY 27, 2015

15-0925

Item 3:

Authorize a thirty-year lease agreement with a purchase option with Scarborough Forest Park IV, LP, effective July 17, 2015, for approximately 13.442 acres of land and improvements located at 6814 Harry Hines Boulevard to be used for parking at Dallas Love Field - Financing - Aviation Current Funds: \$2,500,000 (subject to appropriations)

MAY 27, 2015

15-0926

Item 4:

Authorize an amendment to the Interlocal Agreement with the North Texas Tollway Authority, previously approved by Resolution No. 05-0144 on January 12, 2005, to extend the contract for a period of thirty-six months for the installation, maintenance, upgrading and clearinghouse functions of the automated vehicle identification system equipment for tolltag exit lanes in the parking facilities, and tolltag readers for ground transportation vehicles throughout the roadways at Dallas Love Field, effective April 1, 2015 - Not to exceed \$350,000 - Financing: Aviation Current Funds

MAY 27, 2015

15-0927

Item 5:

Authorize a three-year service contract for the development of a comprehensive strategic plan for the Dallas Public Library - Futterman & Associates, Inc. dba CIVIC Technologies, most advantageous proposer of five - Not to exceed \$129,571 - Financing: Current Funds (subject to annual appropriations)

MAY 27, 2015

15-0928

Item 6:

Authorize a three-year service contract for pump overhaul and repair services - Allen's Electric Motor Services, Inc. in the amount of \$3,865,850, Anytime Pump Service Company dba CIE in the amount of \$1,364,125 and Xylem Water Solutions USA, Inc. in the amount of \$1,360,470, lowest responsible bidders of four - Total not to exceed \$6,590,445 - Financing: Current Funds (\$326,925), Water Utilities Current Funds (\$5,886,786) and Aviation Current Funds (\$376,734) (subject to annual appropriations)

MAY 27, 2015

15-0929

Item 7:

Authorize (1) a three-year service contract for all heating, ventilation and air conditioning system repair services - Trane U.S., Inc. in the amount of \$7,993,080 and The Brandt Companies, LLC in the amount of \$3,492,380; and (2) a three-year master agreement for heating, ventilation and air conditioning system parts - Trane U.S., Inc. in the amount of \$2,095,350 and Johnson Supply & Equipment in the amount of \$825,000, lowest responsible bidders of five - Total not to exceed \$14,405,810 - Financing: Current Funds (\$11,022,000), Aviation Current Funds (\$1,373,000), Convention and Event Services Current Funds (\$1,346,000), Water Utilities Current Funds (\$628,310) and Stormwater Drainage Management Current Funds (\$36,500) (subject to annual appropriations)

MAY 27, 2015

15-0930

Item 8:

Authorize (1) an acquisition contract for the purchase and implementation of a library scanning system in the amount of \$116,800; and (2) a three-year service contract for maintenance and technical support of the library scanning system in the amount of \$27,712 - Image Access, Inc. doing business in Texas as Digital Library Systems Group, Inc., most advantageous proposer of two - Total not to exceed \$144,512 - Financing:

Current Funds (subject to annual appropriations)

MAY 27, 2015

15-0931

Item 9:

Authorize (1) an acquisition contract for the purchase, installation and implementation of an event and venue management software system for Fair Park in the amount of \$42,560; and (2) a five-year service contract for maintenance and support in the amount of \$89,640 - Ungerboeck System International, Inc., most advantageous proposer of three - Total not to exceed \$132,200 - Financing: Fair Park Improvement Funds (subject to annual appropriations)

MAY 27, 2015

15-0932

Item 10: Authorize a three-year master agreement for solar powered school zone

flashers and 24-hour warning flasher assemblies parts and accessories - K & K Systems, Inc., lowest responsible bidder of six - Not to exceed \$646,250 -

Financing: Current Funds

MAY 27, 2015

15-0933

Item 11:

Authorize a three-year master agreement for the purchase of pumps and parts - FCX Performance, Inc. dba Pierce Pump Company in the amount of \$2,298,700, Xylem Water Solutions USA, Inc. in the amount of \$977,500, Austin Pump & Supply Company in the amount of \$359,500, Master Pumps & Equipment in the amount of \$244,702, Hartwell Environmental Corporation in the amount of \$45,000, Pump Solutions, Inc. in the amount of \$40,000, McCaulay Controls Company in the amount of \$32,500 and HD Supply Facilities Maintenance dba USA Bluebook in the amount of \$2,000, lowest responsible bidders of eight - Total not to exceed \$3,999,902 - Financing: Current Funds (\$302,000), Water Utilities Current Funds (\$2,922,902), Aviation Current Funds (\$693,000), Convention and Event Services Current Funds (\$56,000) and Stormwater Drainage Management Current Funds (\$26,000)

MAY 27, 2015

15-0934

Item 12: Authorize (1) the rejection of bids received for sewer maintenance and repair services; and (2) the re-advertisement for new bids - Financing: No cost consideration to the City

MAY 27, 2015

15-0935

Item 13: Authorize supplemental agreement no. 1 to exercise the one-year renewal option to the service contract for temporary industrial labor for Sanitation Services - Results Staffing, Inc. - Not to exceed \$5,931,379, from \$12,060,374 to \$17,991,753 - Financing: Current Funds (subject to

appropriations)

MAY 27, 2015

15-0936

Item 14: Authorize supplemental agreement no. 1 to increase the service contract

with The Dallas Morning News, for the publishing of official notices and City advertising - Not to exceed \$250,000, from \$1,000,000 to \$1,250,000 -

Financing: Current Funds (subject to annual appropriations)

MAY 27, 2015

15-0937

Item 15: Authorize settlement of the lawsuit styled <u>Alma Nieto v. Javier Osorio and City of Dallas</u>, Cause No. DC-14-05157 - Not to exceed \$50,000 -

Financing: Current Funds

MAY 27, 2015

15-0938

Item 16:

Authorize Supplemental Agreement No. 11 to the professional services contract with Hankinson, L.L.P. for additional legal services necessary in the lawsuits styled <u>City of Dallas v. Kenneth E. Albert, et al.</u>, Cause No. 13-0940; <u>Kenneth E. Albert v. City of Dallas</u>, Cause No. 199-00697-94; <u>Anthony Arredondo v. City of Dallas</u>, Cause No. 199-1743-99; <u>David L. Barber v. City of Dallas</u>, Cause No. 199-624-95; <u>David S. Martin v. City of Dallas</u>, Cause No. 1-95-506; <u>George G. Parker v. City of Dallas</u>, Cause No. 1-95-107; <u>Kevin Michael Willis v. City of Dallas</u>, Cause No. 199-200-95; and any other proceedings relating to the subject matter of this litigation - Not to exceed \$175,000, from \$570,000 to \$745,000 - Financing: Current Funds

MAY 27, 2015

15-0939

Item 17: Authorize the issuance of a tax-exempt loan by the Hackberry Cultural

Education Facilities Finance Corporation in an aggregate principal amount not to exceed \$4,000,000 for the benefit of St. Mark's School of Texas -

Financing: No cost consideration to the City

MAY 27, 2015

15-0940

Item 18: Authorize a deadline extension for the 211 North Ervay redevelopment

project to extend the Certificate of Occupancy and construction completion date from July 31, 2014 to December 31, 2016 - Financing: No cost

consideration to the City

MAY 27, 2015

15-0941

Item 19:

An Authorize a public hearing to be held on June 10, 2015, to receive comments on amendments to the Project and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Six (the Farmers Market TIF District) to: (1) increase the geographic area of the Farmers Market TIF District to include property located on the east side of Harwood Street, south of Canton Street (approximately 13,057 square feet); (2) adjust TIF Budget to reflect an increase in TIF collections (current dollars) from \$33,955,605 to \$48,398,723 (with no increase in NPV, \$19,238,514); and (3) other related modifications and, at the close of the public hearing, consideration of an ordinance amending Ordinance No. 23521, previously approved on May 27, 1998, Ordinance No. 24001, previously approved on August 25, 1999, Ordinance No. 25298, previously approved on June 25, 2003, and Ordinance No. 28951, previously approved on March 27, 2013, to reflect these amendments - Financing: No cost consideration to the City

MAY 27, 2015

15-0942

Item 20:

Authorize a public hearing to be held on June 10, 2015, to receive comments on amendments to Cypress Waters TIF District (the "District") to: (1) modify the boundaries; (2) adjust the base year value of the District; (3) decrease the District's total budget from \$65,698,683 NPV (approximately \$160,115,818 total dollars) to \$25,779,665 (approximately \$49,465,852 total dollars), a decrease of \$39,919,018 NPV (approximately \$110,649,966 total dollars) to reflect the early termination of the District after repayment of Phase I, II, DWU/Irving water/wastewater obligations, of the public funding safety building; (4) correct the infrastructure/utility improvements category consistent with changes to state law to allow TIF funding to be used for infrastructure constructed outside the boundary if it benefits the District; and (5) make corresponding modifications to the Cypress Waters TIF District boundary, budget, and Project and Reinvestment Zone Financing Plans and, at the close of the public hearing, consideration of an ordinance to reflect these changes -Financing: No cost consideration to the City

MAY 27, 2015

15-0943

Item 21:

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

MAY 27, 2015

15-0944

Item 22:

Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by DFW Construction for the construction of affordable houses; (2) the sale of 5 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to DFW Construction; and (3) execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City - Financing: No cost consideration to the City

MAY 27, 2015

15-0945

Item 23:

Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by East Dallas Community Organization for the construction of an affordable house; (2) the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to East Dallas Community Organization; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

MAY 27, 2015

15-0946

Item 24:

Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Mascorro Properties for the construction of an affordable house; (2) the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Mascorro Properties; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

MAY 27, 2015

15-0947

Item 25:

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

MAY 27, 2015

15-0948

Item 26:

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

MAY 27, 2015

15-0949

Item 27:

Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by RPL Properties, LLC for the construction of affordable houses; and (2) the exchange of deed restrictions from 4 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 4 comparable lots owned by the developer (list attached) - Financing: No cost consideration to the City

MAY 27, 2015

15-0950

Item 28:

Authorize an amendment to Resolution No. 14-0746, previously approved on May 14, 2014, for the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC to change the proposed square footage and price range for the construction of affordable duplexes on 2 lots owned by the developer that had the deed restrictions exchanged from 2 lots previously acquired from the Dallas Housing Acquisition and Development Corporation (list attached)

- Financing: No cost consideration to the City

MAY 27, 2015

15-0951

Item 29: Authorize a contract with Van Enter Studio, Ltd. for the design, fabrication

and installation of Octavio Medellin Fused Glass windows with attached light box frame at the Dallas City Performance Hall - Not to exceed \$56,000

- Financing: 2003 Bond Funds (\$36,000) and Current Funds (\$20,000)

MAY 27, 2015

15-0952

Item 30:

Authorize (1) the receipt and deposit of funds from the Oak Cliff Foundation in an amount not to exceed \$68,000; (2) an increase of appropriations in the amount of \$28,000 in the Park and Recreation Capital Gift, Donation and Development Fund; (3) an increase of appropriations in the amount of \$40,000 in the Cultural Affairs Gifts & Donations Fund; and (4) a contract with the Oak Cliff Foundation for financial support and development of the Kiest Park public art project to be located in Kiest Park at 3080 South Hampton Road - Not to exceed \$68,000 - Financing: Oak Cliff Foundation Funds

MAY 27, 2015

15-0953

Item 31:

An ordinance approving Dallas/Fort Worth International Airport Board Resolution No. 2015-05-074, an amendment to Chapter 4, "Ground Transportation," of the Code of Rules and Regulations of the Dallas/Fort Worth International Airport Board to: (1) retain conformity with the Airport's Owner Cities' rules governing transportation-for-hire services; (2) to remove limitations on the number of taxicab companies, vehicles, and taxicab drivers that are authorized to operate at the Airport; (3) to enable pre-arranged transportation network companies to be authorized to operate at the Airport; and (4) to eliminate redundant permitting fees and administration - Financing: No cost consideration to the City

Councilmember Kingston requested consent agenda item 31 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 31 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

Assigned ORDINANCE NO. 29745

MAY 27, 2015

15-0954

Item 32:

Authorize (1) the receipt and deposit of funds from the State Fair of Texas in an amount not to exceed \$8,689,438; (2) the establishment of appropriations in the amount of \$8,689,438 in the State Fair of Texas Capital Construction Fund; and (3) a construction contract for the Briscoe Carpenter Livestock Center which includes an auditorium, pre-function lobby, lounge, banquets and dining facilities located at 1419 South Washington Street - Thos. S. Byrne. Ltd., best value proposer of nine - Not to exceed \$10,509,788 - Financing: State Fair of Texas Capital Construction Funds (\$8,689,438) and 2006 Bond Funds (\$1,820,350)

Councilmember Kingston requested consent agenda item 32 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 32 was brought up for consideration.

Councilmember Kingston moved to deny the item.

The motion died due to lack of a second.

Mayor Pro Tem Atkins moved to adopt the item as presented.

Motion seconded by Councilmember Hill.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Kingston voting "No." (Griggs absent when vote taken)

MAY 27, 2015

15-0955

Item 33:

Authorize a professional services contract with Dal-Tech Engineering, Inc. for the engineering design of one street petition project on Gardenview Drive, from Alto Garden Drive to Loma Garden Avenue and one thoroughfare project on Highland Road, from Ferguson Road to Primrose at Highland (list attached) - Not to exceed \$397,388 - Financing: 2012 Bond Funds (\$298,398) and Water Utilities Capital Improvement Funds (\$98,990)

MAY 27, 2015

15-0956

Item 34:

Authorize a contract with Ken-Do Contracting, LP, lowest responsible bidder of five, for the reconstruction of alley paving, drainage, drive approaches, and wastewater main adjustment improvements for Alley Reconstruction Groups 12-2042 and 12-2044 (list attached) - Not to exceed \$1,878,620 - Financing: General Obligation Commercial Paper Funds (\$1,542,507), 2006 Bond Funds (\$211,563), Water Utilities Capital Improvement Funds (\$115,595) and Water Utilities Capital Construction Funds (\$8,955)

MAY 27, 2015

15-0957

Item 35:

Authorize a contract with Camino Construction, L.P., lowest responsible bidder of four, for the reconstruction of street paving, drainage, drive approaches, sidewalks, water and wastewater main improvements for Street Reconstruction Group 12-634 (list attached) - Not to exceed \$3,176,740 - Financing: General Obligation Commercial Paper Funds (\$2,325,343), 2012 Bond Funds (\$23,197), Water Utilities Capital Improvement Funds (\$792,250) and Water Utilities Capital Construction Funds (\$35,950)

MAY 27, 2015

15-0958

# **Street Reconstruction Group 12-637**

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

Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of six, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 12-637 (list attached) - Not to exceed \$19,989,714 - Financing: 2006 Bond Funds (\$1,948,475), 2012 Bond Funds (\$8,910,311), General Obligation Commercial Paper Funds (\$4,987,913), Water Utilities Capital Improvement Funds (\$4,071,276) and Water Utilities Capital Construction Funds (\$71,739)

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MAY 27, 2015

15-0959

# **Street Reconstruction Group 12-637**

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

Item 37: Authorize a professional services contract with Kleinfelder Central, Inc., to provide construction material testing for the Street Reconstruction Group 12-637 construction project - Not to exceed \$199,415 - Financing: 2006 Bond Funds (\$35,895) 2012 Bond Funds (\$129,620), and General Obligation Commercial Paper Funds (\$33,901)

MAY 27, 2015

15-0960

Item 38:

Authorize (1) street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3000; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and (2) a benefit assessment hearing to be held on August 12, 2015, to receive comments - Financing: No cost consideration to the City

MAY 27, 2015

15-0961

Item 39:

Authorize an increase in the contract with RBR Infrastructure and Road, LLC to add new items requested by Oncor for burial of existing utilities for the Mockingbird Plaza Sustainable Development Project along SMU Boulevard from Central Expressway to Greenville Avenue - Not to exceed \$86,528, from \$2,052,842 to \$2,139,370 - Financing: 2006 Bond Funds

MAY 27, 2015

15-0962

Item 40: Authorize payment to the Texas Department of Transportation for the City's

share of final construction costs for the Dickerson Street Bridge over McKamy Branch - Not to exceed \$51,732 - Financing: 2006 Bond Funds

MAY 27, 2015

15-0963

Item 41: Authorize an additional payment to the Texas Department of Transportation

for the city's share of design costs for intersection improvements on Valley View Lane/Walnut Street from IH635 to east of the city limits - Not to

exceed \$166,147 - Financing: 2006 Bond Funds

MAY 27, 2015

15-0964

Item 42:

A resolution (1) designating hearing officers to hear contested civil red light camera citations under the City's automated red light camera enforcement program and contested school bus stop arm citations under the City's school bus stop arm program; and (2) ratifying the past actions of these hearing officers in hearing contested civil red light camera citations and contested school bus stop arm citations - Financing: No cost consideration to the City

Councilmember Kingston and Councilmember Greyson requested consent agenda item 42 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, consent agenda item 42 was brought up for consideration.

Councilmember Greyson moved to adopt the item with the following changes to the resolution:

- Section 2. That the actions authority of Terrence Howard, Thelma Jones, Mary Pagan, and Esther Tripp in hearing to hear contested school bus stop arm citations and of Porsha Thomas in hearing to hear contested school bus stop arm and red light camera citations are is hereby ratified as of the date of their respective designations as hearing officers.
- Section 3. That the designation and actions of Hendriel Anderson, who was recommended by the City Manager to hear contested red light camera and school bus stop arm citations, is hereby designated as a hearing officer for the school bus stop-arm and the red light camera enforcement programs from May 1, 2013, through September 30, 2013, and his authority to hear such cases during that time is hereby ratified.

The city attorney stated there were no legal objections to the revisions.

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

MAY 27, 2015

15-0965

Item 43:

Authorize (1) termination of the existing Interlocal Agreement with the Texas Department of Transportation for the Dolphin Road (Hatcher Street) project from Spring Avenue to North Haskell Avenue, previously approved on January 8, 1997, by Resolution No. 97-0098; and (2) a Local Transportation Project Advance Funding Agreement between the City of Dallas and the Texas Department of Transportation for the design and construction of paving improvements to Dolphin Road (Hatcher Street) from Spring Avenue to North Haskell Avenue - Not to exceed \$144,667 - Financing: 2006 Bond Funds

MAY 27, 2015

15-0966

Item 44:

Authorize the first amendment to Texas Commission on Environmental Quality (TCEQ) Air Monitoring contract #582-14-40015 for: (1) the acceptance of additional grant funds in the amount of \$9,788 for the Ambient Air Monitoring Program for the period September 1, 2013 through August 31, 2015; (2) a local match in the amount of \$4,821; and (3) authorize the execution of the grant agreement - Not to exceed \$14,609, from \$548,940 to \$563,549 - Financing: Texas Commission on Environmental Quality Grant Funds (\$9,788) and Current Funds (\$4,821) (subject to annual appropriations)

MAY 27, 2015

15-0967

Item 45: Authorize an Interlocal Agreement with the North Central Texas Council of

Governments (NCTCOG) to provide traffic signal retiming improvements to 304 City of Dallas intersections (list attached) - Financing: No cost

consideration to the City

MAY 27, 2015

15-0968

Item 46:

Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for traffic signal improvements at nine intersections on Loop 12 (Northwest Highway) (list attached); and (2) the establishment of appropriations in the amount of \$196,453 in the Texas Department of Transportation Grant Fund - Not to exceed \$196,453 - Financing: Texas Department of Transportation Grant Funds

MAY 27, 2015

15-0969

Item 47:

Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 33,288 square feet from Sam Garrett Properties, LLC, located near the intersection of Joe Field Road and Emerald Street for the Goodnight Lane Street Improvements Project - Not to exceed \$23,409, increased from \$142,700 (\$137,700, plus closing costs and title expenses not to exceed \$5,000) to \$166,109 (\$161,109, plus closing costs and title expenses not to exceed \$5,000) - Financing: 2006 Bond Funds

MAY 27, 2015

15-0970

Item 48:

Authorize acquisition from Fasil Kagnew, of approximately 5,610 square feet of land consisting of a single family dwelling located near the intersection of Childers and Gloyd Streets for the Cadillac Heights Phase II Project - Not to exceed - \$31,000 (\$27,500 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

MAY 27, 2015

15-0971

Item 49:

Authorize the quitclaim of 87 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale to the highest bidders and; authorize the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Revenue: \$574,441

MAY 27, 2015

15-0972

Item 50:

An ordinance abandoning portions of a fire lane, access and utility easement to Alfred E. Record and Focus Learning Academy, Incorporated, the abutting owners, containing a total of approximately 8,614 square feet of land, located near the intersection of Ledbetter Drive and Hampton Road, and providing for the dedication of approximately 8,644 square feet of land needed for a water line easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29746

MAY 27, 2015

15-0973

Item 51:

An ordinance abandoning two storm sewer easements to CG Partners, Inc., the abutting owner, containing a total of approximately 494 square feet of land, located near the intersection of Aberdeen Avenue and Preston Road and providing for the dedication of approximately 1,320 square feet of land needed for a drainage easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29747

MAY 27, 2015

15-0974

Item 52:

An ordinance amending Ordinance No. 29345, previously approved on May 28, 2014, which abandoned a portion of Paramount Avenue to Maria Solis, the abutting owner containing approximately 14,475 square feet of land, to extend the replat deadline from one year to 18 months, located near the intersection of Paramount Avenue and Glencliff Street, and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29748

MAY 27, 2015

15-0975

Item 53:

Authorize settlement in lieu of proceeding further with condemnation of a subsurface easement under approximately 16,115 square feet of land from Dallas Hidden Creek Apartments, Ltd., located on Hatcher Street near its intersection with Junction Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$18,000 (\$15,000 plus closing costs and title expenses not to exceed \$3,000); an increase of \$5,734 from the amount Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds

MAY 27, 2015

15-0976

Item 54:

Authorize settlement in lieu of proceeding further with condemnation of a subsurface easement under approximately 57,609 square feet of land from Stonewood Terrace Apartments, Ltd., located on Dixon Circle near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$54,000 (\$50,000 plus closing costs and title expenses not to exceed \$4,000); an increase of \$19,294 from the amount Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds

MAY 27, 2015

15-0977

Item 55:

Authorize a Facilities Extension Agreement contract with Oncor Electric Delivery Company, LLC., to provide a separate electricity delivery system facility for a tunnel boring machine to construct the Mill Creek/Peaks Branch/State-Thomas drainage relief tunnel - Not to exceed \$637,325 - Financing: General Obligation Commercial Paper Funds

MAY 27, 2015

15-0978

Item 56: Authorize a contract for the cleaning and rehabilitation of a residuals basins

site at the Elm Fork Water Treatment Plant - Quest Civil Constructors, Inc., lowest responsible bidder of four - Not to exceed \$46,464,646 - Financing:

Water Utilities Capital Improvement Funds

MAY 27, 2015

15-0979

Item 57:

Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 30-inch wastewater main in the vicinity of Park Central Place and North Central Expressway - Not to exceed \$326,940, from \$8,815,998 to \$9,142,938 - Financing: Water Utilities Capital Improvement Funds

MAY 27, 2015

15-0980

Item 58:

Authorize Supplemental Agreement No. 1 to the engineering services contract with Arredondo, Zepeda & Brunz, LLC to provide additional engineering design services for the replacement of a water transmission main in the Central Business District and the relocation of water and wastewater mains in advance of the Dallas Streetcar North Extension Phase 3 Project - Not to exceed \$1,212,761, from \$1,501,775 to \$2,714,536 - Financing: Water Utilities Capital Improvement Funds

MAY 27, 2015

15-0981

Item 59: 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 27, 2015.

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

Councilmember Kadane moved to appoint the following:

- Appointment of nominees to "individual appointment" positions; and
- Derek Watson to the Reinvestment Zone Ten Board (Southwestern Medical), Kaufman County Resident; and

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

**Note:** In accordance with Dallas City Code, Chapter 12-A, Article VI, Section 12A-19(f)(1)(G)(ii), the city secretary announced the following name of the board member who had not turned in the financial disclosure report:

Betty Sue Brewer, Fire Code Advisory and Appeals Board

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

15-5053	MLK	MARTIN LUTHER KING JR. COMMUNITY CENTER
		BOARD
15-5054	<b>RZ10</b>	REINVESTMENT ZONE TEN BOARD (SOUTHWESTERN
		MEDICAL)
15-5055	SAC	SENIOR AFFAIRS COMMISSION

MAY 27, 2015

15-0982

Item 60:

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Southport Properties, LP, of approximately 36,053 square feet of land located near the intersection of Langdon and JJ Lemmon Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$78,000 (\$72,010, plus closing costs and title expenses not to exceed \$5,990) - Financing: Water Utilities Capital

Construction Funds

The city secretary read agenda items 60-63 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 60-63, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 60 requires a power of eminent domain, if such becomes necessary from Southport Properties, LP to acquire a tract of land containing approximately 36,053 square feet near the intersection of Langdon and JJ Lemmon 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 Medrano moved to adopt agenda items 60-63.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Medrano's motion to adopt agenda items 60-63:

> Voting Yes: [14] Rawlings, Atkins, Alonzo, Medrano, Hill, Caraway, Callahan, Davis, Kadane, Allen,

> > Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent When Vote Taken: [1] Griggs

MAY 27, 2015

15-0983

Item 61:

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Daniel P. Corello and Danielle M. Tuccio, of a subsurface easement under approximately 1,060 square feet of land located on Zenia Drive near its intersection with Rock Rose Drive for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$7,300 (\$5,300 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 60-63 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 60-63, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 61 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 *Daniel P. Corello and Danielle M. Tuccio*, a subsurface easement under approximately 1,060 square feet of land, located on Zenia Drive near its intersection with Rock Rose Drive 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 Medrano moved to adopt agenda items 60-63.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Medrano's motion to adopt agenda items 60-63:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Medrano, Hill,

Caraway, Callahan, Davis, Kadane, Allen,

Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent When Vote Taken: [1] Griggs

MAY 27, 2015

15-0984

Item 62:

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Erik N. Peterson and Alison Elrod, of a subsurface easement under approximately 550 square feet of land located on Zenia Drive near its intersection with Rock Rose Drive for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$4,750 (\$2,750 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 60-63 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 60-63, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 62 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 *Erik N. Peterson and Alison Elrod*, a subsurface easement under approximately 550 square feet of land, located on Zenia Drive near its intersection with Rock Rose Drive 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 Medrano moved to adopt agenda items 60-63.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Medrano's motion to adopt agenda items 60-63:

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

Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent When Vote Taken: [1] Griggs

MAY 27, 2015

15-0985

Item 63:

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mark LaPlante, of a subsurface easement under approximately 1,300 square feet of land located on Zenia Drive near its intersection with Rock Rose Drive for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$8,500 (\$6,500 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 60-63 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 60-63, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 63 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 *Mark LaPlante*, a subsurface easement under approximately 1,300 square feet of land, located on Zenia Drive near its intersection with Rock Rose Drive 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 Medrano moved to adopt agenda items 60-63.

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings called the record vote on Councilmember Medrano's motion to adopt agenda items 60-63:

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

Voting No: [0]

Absent When Vote Taken: [1] Griggs

MAY 27, 2015

15-0986

Item 64:

Authorize a Chapter 380 economic development grant agreement with CoreLogic Solutions, LCC in an amount up to \$600,000 to stimulate business development activity in the City of Dallas in conjunction with the relocation and expansion of its regional workforce and operations to a new office facility at 3001 Hackberry Road, pursuant to the Public/Private Partnership Program - Not to exceed \$600,000 - Financing: Public/Private Partnership Funds

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

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and Councilmember Caraway.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Greyson voting "No." (Griggs absent when vote taken)

MAY 27, 2015

15-0987

Item 65:

Authorize a development agreement with Supreme Bright Dallas II, LLC to reimburse eligible project costs related to environmental remediation, demolition, street/utility improvements and façade improvements associated with the 1712 Commerce Hotel redevelopment project located at 1712 Commerce Street in an amount not to exceed \$4,800,000 plus Economic Development TIF Grant in an amount not to exceed \$5,700,000, for a total TIF incentive not to exceed \$10,500,000 from revenues accruing to Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) - Not to exceed \$10,500,000 - Financing: Downtown Connection TIF District Funds (subject to future appropriations)

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

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

MAY 27, 2015

15-0988

Item 66:

Authorize a second amendment to the Chapter 380 economic development grant agreement with SLF III - THE CANYON TIF, L.P. to: (1) extend the construction start date from May 31, 2015 to December 31, 2015; and (2) increase the minimum private investment from \$10,000,000 to \$12,500,000 - 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 Hill moved to adopt the item.

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

MAY 27, 2015

15-0989

Item 67:

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

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."

Mayor Pro Tem Atkins moved to adopt the item.

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

MAY 27, 2015

15-0990

Item 68: Zoning Case Z134-341(RB) – <u>INDIVIDUAL</u>

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane.

<u>Recommendation of Staff</u>: <u>Approval</u> for a forty-year period, subject to a site plan and conditions.

<u>Recommendation of CPC</u>: <u>Approval</u> for a fifteen-year period, subject to a site plan and conditions.

Prior to the item being read into the record, Councilmember Gates moved to continue the public hearing and defer the item until the June 10, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

MAY 27, 2015

15-0991

# ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 69: Zoning Case Z134-245(DJ)

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

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

Note: This item was considered by the City Council at public hearings on August 27, 2014, December 10, 2014 and March 25, 2015, and was taken under advisement until May 27, 2015, with the public hearing open.

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

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

• Delete condition number 8 regarding off-premise parking

and pass the ordinance.

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

Assigned ORDINANCE NO. 29749

MAY 27, 2015

15-0992

# ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 70: Zoning Case Z145-152(OTH)

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.

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

Note: This item was considered by the City Council at a public hearing on May 13, 2015, and was taken under advisement until May 27, 2015, with the public hearing open.

Prior to the item being read into the record, Councilmember Kadane moved to continue the public hearing and defer the item until the June 10, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

MAY 27, 2015

15-0993

# ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 71: Zoning Case Z145-192(AF)

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.

Note: This item was considered by the City Council at a public hearing on May 13, 2015, and was taken under advisement until May 27, 2015, with the public hearing open.

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

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

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

Assigned ORDINANCE NO. 29750

MAY 27, 2015

15-0994

# DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 72: Zoning Case Z134-267(CE)

A public hearing to receive comments regarding an application for the creation of a new subdistrict within Planned Development District No. 708, the Dallas Arts District Extension Area, north corner of Routh Street and Ross Avenue.

<u>Recommendation of Staff</u>: <u>Approval</u>, subject to a location plan, elevations, details plan, illustrations and conditions.

Recommendation of CPC: Denial.

Note: This item was considered by the City Council at public hearings on February 11, 2015, and April 8, 2015, and was taken under advisement until May 27, 2015, with the public hearing open.

Neva Dean, interim assistant director of sustainable development and construction, reminded the city council that a waiver to Sec. 9.304(a)(5) of Chapter 51A: A street name may not contain more than 14 characters and a waiver to Sec. 9.304(c)(2) of Chapter 51A: A street name commemorating a person or a historic site or area is prohibited until at least 2 years after the death of the person to be honored, council approval of the application would require a favorable vote of three-fourths of all members of the city council.

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

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

Motion seconded by Councilmember Griggs and Councilmember Medrano and unanimously denied. (Atkins, Caraway, Davis, Kleinman absent when vote taken)

MAY 27, 2015

15-0995

## SPECIAL PROVISION SIGN DISTRICT – UNDER ADVISEMENT - INDIVIDUAL

Item 73: Zoning Case SPSD134-005

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.

<u>Recommendation of Staff and CPC</u>: <u>Approval</u>, subject to conditions. <u>Special Sign District Advisory Committee</u>: <u>Denial</u>.

Note: This item was considered by the City Council at public hearings on April 22, 2015, and May 13, 2015, and was taken under advisement until May 27, 2015, with the public hearing closed.

Councilmember Kingston moved to accept the recommendation of the city plan commission with the following changes:

- 1. Property owner or operator shall submit a signage study evaluating the types and ratio of signs in this subdistrict. The signage study must be in writing, must be submitted to the director between 60 and 90 days before December 31, 2021, and must include:
- (A) a summary of all middle-level sign permit applications, including the forms submitted detailing compliance with this section; and
- (B) the total number of notices of violation and citations issued by the City of Dallas for violating this section since May 27, 2015.
- 2. Within 30 days after submission of the signage study, the director shall forward to the city council. If no signage study is submitted by the deadline, the director shall notify city council.
- 3. This ordinance does not confer a nonconforming or vested right to maintain a non-premise sign after the maximum period allowed for a non-premise message has expired."

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL 15-0995 Page 2

Motion seconded by Councilmember Medrano.

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

Assigned ORDINANCE NO. 29751

MAY 27, 2015

15-0996

#### THOROUGHFARE PLAN AMENDMENTS

Item 74:

A public hearing to receive comments to amend the City of Dallas' Thoroughfare Plan to change the dimensional classifications of (1) Beckley Avenue from IH-30 to Greenbriar Lane from a six-lane divided roadway [M-6-D(A)] within 100-feet of right-of-way to a special six-lane undivided (SPCL 6U) roadway with a center turn lane, a cycle track and recommended off-peak parking within 100-feet of right-of-way; (2) Beckley Avenue from Greenbriar Lane to Colorado Boulevard from a six-lane divided roadway [M-6-D(A)] within 100-feet of right-of-way to a special six-lane divided (SPCL 6D) roadway with a cycle track within 100-feet of right-of-way and 72 feet of pavement; (3) Beckley Avenue from Colorado Boulevard to Zang Boulevard from a six-lane divided roadway [M-6-D(A)] within 100-feet of right-of-way to a special six-lane divided (SPCL 6D) roadway with cycle track within 88-feet of right-of-way and 64 feet of pavement; (4) Zang Boulevard from Jefferson/Houston Viaduct to Oakenwald Street from a sixlane divided roadway [M-6-D(A)] within 100-feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with protected bicycle facility and a dedicated streetcar lane within 100-feet of right-of-way and 80-feet of pavement; (5) Zang Boulevard from Oakenwald Street to Beckley Avenue from a six-lane divided roadway [M-6-D(A)] within 100-feet of right-ofway to a special four-lane divided (SPCL 4D) roadway with bicycle lanes within 100-feet of right-of-way and 80-feet of pavement; and (6) Zang Boulevard from Beckley Avenue to Davis Street from a six-lane divided roadway [M-6-D(A)] within 100-feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with parking in 100-feet of right-of-way with 72-feet of pavement; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

The assistant city secretary announced the item should reflect Council District 1 instead of Council District 7.

Councilmember Griggs moved to continue the public hearing and hold the item under advisement until the June 17, 2015 voting agenda meeting of the city council.

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

MAY 27, 2015

15-0997

## MISCELLANEOUS HEARINGS

Item 75:

A public hearing to receive comments on Substantial Amendment No. 2 to amend the FY 2014-15 Action Plan for the Community Development Block Grant and HOME Investment Partnerships Program to (a) establish a new HOME Reconstruction activity and reallocate \$1,020,000 from the HOME Housing Development Loan Program activity to the Reconstruction Program; and (b) reallocate \$1,642,626 from the CDBG Residential Development Loan Program to the Major Systems Repair Program; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 2 to amend the FY 2014-15 Action Plan for the Community Development Block Grant and HOME Investment Partnerships Program - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

MAY 27, 2015

15-0998

## MISCELLANEOUS HEARINGS

Item 76: A public hearing to receive comments on the FY 2015-16 Operating,

Capital, and Grant/Trust budgets - Financing: No cost consideration to the

City

The following individuals addressed the city council on the item:

Patti Clapp, 9418 Trailhill Dr. Antonia Johnson, 7920 Skillman St. Katherine McGovern, 4364 Royal Ridge Dr. Suzanne Massey, 12406 Pleasant Valley Dr. Geraldine McDaniel, 2515 Sylvan Ave.

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

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

MAY 27, 2015

15-0999

## MISCELLANEOUS HEARINGS

Item 77: A public hearing to receive comments on the Proposed FY 2015-16 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and the Proposed FY 2014-15 Reprogramming Budget - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Hill moved to close the public hearing.

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

MAY 27, 2015

15-1000

#### MISCELLANEOUS HEARINGS

Item 78:

A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Henry W. Longfellow Career Exploration Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store with 10,000 square feet or more floor area [L&B Depp Inwood Village, dba CVS Pharmacy #7412] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV145-004 - Financing: No cost consideration to the City

The following individual addressed the city council on the item:

Moe Haghinghat, 5016 Horseshoe Trl.

Councilmember Gates moved to continue the public hearing and hold the item under advisement until the June 10, 2015 voting agenda meeting of the city council.

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

MAY 27, 2015

15-1001

Closed Session 6ES

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

- Legal issues relating to <u>Southwest Airlines</u>, <u>Inc. v. U.S. Dept. of Transp.</u>, Case No. 15-1036 (D.C. Cir.), pending requests for gate accommodations at Love Field, and related matters.

The closed session was not held.

MAY 27, 2015

15-1002

Addendum Addition 1:

Authorize (1) an acquisition contract for the purchase and implementation of software and hardware for a hosted cloud storage body worn camera system for Police in the amount of \$825,034; and (2) a five-year service contract for maintenance and support for the body worn camera system in the amount of \$2,912,536 - Taser International, most advantageous proposer of eight - Total not to exceed \$3,737,570 - Financing: Current Funds (\$2,719,028) (subject to annual appropriations) and 2013 Urban Area Security Initiative Grant Funds (\$1,018,542)

MAY 27, 2015

15-1003

Authorize settlement of the lawsuit styled George Earl Pogue Addendum Addition 2:

v. City of Dallas, et al., Civil Action No. 3:13-CV-4702-B - Not to exceed \$90,000 - Financing: Current Funds

MAY 27, 2015

15-1004

Addendum Addition 3:

Authorize an amendment to Resolution No. 15-0453, previously approved on February 25, 2015, for 2015 4% Low Income Housing tax Credits (LIHTC) for Gateway on Clarendon, a 139-unit multifamily project, located at 1526 East Clarendon Drive, to change the conditional loan to a conditional grant to Matthews Affordable Income Development, LLC in the amount of \$436,895, conditioned upon 2015 4% LIHTC award - Financing: No cost consideration to the City

MAY 27, 2015

15-1005

Addendum Addition 4: Authorize a net decrease in the contract with J.C.

Commercial, Inc. for reduced scope of work to include: paving, utility work and additional work for underground electrical duct banks for the Briscoe Carpenter Livestock Center at Fair Park located at 1419 South Washington Street, for a net deductive amount of (-\$271,203), from \$2,687,777

to \$2,416,574 - Financing: 2006 Bond Funds

MAY 27, 2015

15-1006

Addendum Addition 5: Authorize an increase in the contract with Jeske Construction

Company for additional work required for the installation of street lighting along West Red Bird Lane from South Hampton Road to Greenspan Avenue, and sidewalk repairs along South Polk Street from West Red Bird Lane to Medalist Drive - Not to exceed \$198,470, from \$3,745,189 to

\$3,943,659 - Financing: 2003 Bond Funds

MAY 27, 2015

15-1007

Addendum Addition 6:

Authorize Supplemental Agreement No. 3 to the professional services contract with LCA Environmental, Inc. for the removal of non-aqueous phase liquid gasoline and delineation of the extent of non-aqueous phase liquid and petroleum-related chemicals in groundwater at 138 West Davis Street for the southern extension of the streetcar project - Not to exceed \$157,480, from \$163,426 to \$320,906 - Financing: General Obligation Commercial Paper Funds

MAY 27, 2015

15-1008

Addendum Addition 7:

Authorize a twenty-year lease agreement with the Texas Military Department for approximately nine acres of land and improvements located at 1775 California Crossing Road, and for the Texas Military Department to provide the City with exclusive use and occupancy of (1) approximately 6,694 square feet of office space; (2) a maintenance facility building of approximately 4,120 square feet; and (3) a reserved parking area to be used for the Park and Recreation District 5 Maintenance Facility office for the period June 1, 2015 through May 31, 2035 - No cost consideration to the City

MAY 27, 2015

15-1009

Addendum Addition 8: Authorize the first amendment to the Option Contract with

LCS Land Partners II, Ltd. previously approved by Resolution No. 97-3998 on December 10, 1997 for a tract of land located near the intersection of Akard and Payne Streets to (1) change the effective date of the Option Period to the passage of this amendment; and (2) change the Purchase Price to \$655,000 - Financing: No cost consideration to the

City

Councilmember Medrano requested addendum addition consent agenda item 8 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, addendum addition consent agenda item 8 was brought up for consideration.

Councilmember Medrano moved to defer the item until the June 10, 2015 voting agenda meeting of the city council.

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

MAY 27, 2015

15-1010

Addendum Addition 9: An ordinance amending Ordinance No. 29744, to change

certain election day polling locations for the Saturday, June 13, 2015, runoff election - Financing: No cost consideration

to the City

The city secretary read the following changes to certain election day polling locations into the record:

Precinct(s)	Council District	Current Location	New Location
4065, 4066, 4076	3	Anson Jones Elem. School, 3901 Meredith Ave., Dallas Tx 75211	George Peabody Elem. School, 3101 Raydell Pl., Dallas, Tx 75211
1084	7	Edna Rowe Elem. School, 4918 Hovencamp Dr., Dallas Tx 75227	Skyline High School, 7777 Forney Rd., Dallas Tx 75227
3065	8	Umphrey Lee Elem. School, 7808 Racine Dr., Dallas Tx 75232	Martin Weiss Elem. School, 8601 Willoughby Blvd., Dallas Tx 75232
1092	7	Edward Titche Elem. School, 9560 Highfield Dr., Dallas Tx 75227	Forester Field House, 8233 Military Pkwy., Dallas Tx 75227
3062	8	J.N. Ervin Elem. School, 3722 Black Oak Dr., Dallas Tx, 75241	Highland Hills United Methodist Church, 3800 Simpson Stuart Rd., Dallas Tx 75241
4055, 4054, 4090, 4093, 4111, 4112	3	Leslie Stemmons Elem. School, 2727 Knoxville St., Dallas Tx 75211	Mountain View Church of Christ, 4111 W. Illinois Ave., Dallas Tx 75211

Councilmember Kadane moved to adopt the ordinance with the changes.

Motion seconded by Councilmember Davis and unanimously adopted.

Assigned ORDINANCE NO. 29752

MAY 27, 2015

15-1011

Addendum Addition 10: A resolution designating absences by Councilmember Adam

Medrano, Councilmember Dwaine Caraway and Councilmember Carolyn R. Davis as being for "Official City Business" - Financing: No cost consideration to the City

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

Councilmember Kadane moved to adopt the item.

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

MAY 27, 2015

15-1012

Addendum Addition 11:

An ordinance amending Chapter 8A, "Boarding Home Facilities," and Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code by amending definitions; licensing and inspections requirements; structure and maintenance requirements; resident health and safety requirements; requirements for owners operators, and volunteers of boarding homes; penalties; and multi-tenant registration requirements - Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the ordinance.

Motion seconded by Councilmember Kleinman and unanimously adopted.

Assigned ORDINANCE NO. 29753

MAY 27, 2015

15-1013

Addendum Addition 12: Authorize a 4% increase in the annual base salary of City

Auditor Craig Daniel Kinton, CPA in the amount of \$7,832 from \$195,815 to \$203,647 plus the associated pension contribution in the amount of \$1,020 and Medicare in the amount of \$114 for a total additional cost of \$8,966, effective

May 28, 2015 - Financing: Current Funds

Councilmember Allen moved to adopt the item.

Motion seconded by Councilmember Kingston and unanimously adopted.

# MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, MAY 27, 2015

EXHIBIT C