

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 9, 2015

15-1640

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

PRESENT: [14] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Callahan, Young [*9:32 a.m.], Clayton, McGough, Kleinman, Greyson [*9:15 a.m.], Gates, Kingston

ABSENT: [1] **Arnold

The meeting was called to order at 9:12 a.m.

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

The invocation was given by Deputy Mayor Pro Tem Wilson.

Mayor Pro Tem Alonzo led the pledge of allegiance.

The meeting recessed for the afternoon session at 12:11 p.m. and reconvened at 1:39 p.m. (Griggs [*1:45 p.m.], Thomas [*1:41 p.m.]).

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered, the city council adjourned at 2:12 p.m.

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**
** **Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 9, 2015

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 9, 2015

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1641

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: Kermit Mitchell, 5659 Marblehead Dr.
SUBJECT: Omni Dallas/Convention Center

SPEAKER: Carter Jebb, 8650 Southwestern Blvd.
SUBJECT: City Council

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

SPEAKER: Sandy Moseley, 9450 Royal Ln.
SUBJECT: Budget

SPEAKER: Deloris Phillips, 2385 Sweetwater Dr., Grand Prairie, TX
(handout provided)
SUBJECT: Unlocked wide open racism

ADDITIONAL – OPEN MICROPHONE:

There were no speakers under this category.

OPEN MICROPHONE – END OF MEETING:

There were no speakers under this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1642

Item 1: Approval of Minutes of the August 26, 2015 City Council Meeting

The city secretary stated the following correction to the minutes was necessary:

- Agenda item 77: Remove reference to Dallas City Code Chapter 51A.

Deputy Mayor Pro Tem Wilson moved to adopt the minutes with the correction noted by the city secretary.

Motion seconded by Councilmember Clayton and unanimously adopted. (Young absent when vote taken; **Arnold absent)

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1643

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-22 and addendum addition consent agenda item 1. Consent agenda item 18 was deleted on the addendum to the agenda. Consent agenda item 20 was corrected on the addendum to the agenda to be considered as an individual item.

Councilmember Kingston requested consent agenda item 15 be considered as an individual item later in meeting; there was no objection voiced to his request.

Councilmember Kleinman requested consent agenda item 15 be considered as an individual item later in meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda item 15 be considered as an individual item later in meeting; there was no objection voiced to her request.

Therefore, the consent agenda, consisting of consent agenda items 2-14, 16-17, 19, 21-22 and addendum addition consent agenda item 1, was presented for consideration.

Deputy Mayor Pro Tem Wilson moved to adopt all items on the consent agenda with the exception of consent agenda items 15, 18, and 20.

Motion seconded by Councilmember Young and unanimously adopted. (**Arnold absent)

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1644

Item 2: Authorize a three-year service contract for ambulance power stretchers service and repair - San Antonio Equipment Repair, Inc. dba EMSAR of Texas, only bidder - Not to exceed \$182,850 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1645

Item 3: Authorize a three-year service contract for chemical root control - Municipal Sales, Inc., lowest responsible bidder of two - Not to exceed \$900,500 - Financing: Water Utilities Capital Construction Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1646

Item 4: Authorize a five-year service contract for pest control services at City facilities - Shamrock Pest Control, Inc. in the amount of \$734,924 and Pest Management of Texas, Inc. in the amount of \$75,000, lowest responsible bidders of six - Total not to exceed \$809,924 - Financing: Current Funds (\$704,810), Department of State Health Services Grant Funds (\$31,260), Aviation Current Funds (\$27,010), Water Utilities Current Funds (\$18,418), Sanitation Current Funds (\$14,440), Convention and Event Services Current Funds (\$9,620) and Stormwater Drainage Management Current Funds (\$4,366) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1647

- Item 5: Authorize (1) a three-year software subscription agreement, with two one-year renewal options, for a specialized electronic patient care reporting and data collection system, to include software service, maintenance and on-site support for Fire-Rescue, in the amount of \$1,279,036 - ScanHealth, Inc. dba Sansio, a wholly-owned subsidiary of Physio-Control, Inc.; and (2) a three-year master agreement, with two one-year renewal options, for hardware and accessories for an electronic patient care reporting data system for Fire-Rescue in the amount of \$1,499,959 - VetSource Mobility, LLC, most advantageous proposers of nine - Total not to exceed \$2,778,995 - Financing: Current Funds (\$1,984,580) (subject to annual appropriations) and Municipal Lease Agreement Funds (\$794,415)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1648

Item 6: Authorize a five-year acquisition contract for the purchase of software, maintenance and support services for a report distribution and repository application - SHI Government Solutions, Inc. through the Buyboard, Texas Purchasing Cooperative - Not to exceed \$336,856 - Financing: Current Funds (subject to annual appropriations)15-1516

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1649

Item 7: Authorize the purchase of a bio-solids distribution vehicle - Texarkana Tractor Company dba Nor-Tex Tractor, lowest responsible bidder of two - Not to exceed \$474,954 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1650

- Item 8: Authorize (1) a fifteen-year contract with conditional extension options from one to ten years, not to exceed ten years, with Fomento de Construcciones y Contratas, S.A. dba FCC, S.A. (“Contractor” and “Tenant”) for the development, construction, operation and management of a materials recovery facility to process single-stream recycling material at McCommas Bluff Landfill; and (2) a concurrent ground lease agreement for a fifteen year lease term with conditional extension options of from one to ten years with Fomento de Construcciones y Contratas, S.A. dba FCC, S.A. for approximately 15 acres of land located at 5100 Youngblood Road within the McCommas Bluff Municipal Solid Waste Landfill (estimated term period January 1, 2017 - December 31, 2031) - Estimated Revenue: \$22,793,487 (over the fifteen year lease term)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1651

Item 9:

Authorize a three-year master agreement for the purchase of veterinary drugs and supplies - Butler Animal Health Holding Company, LLC in the amount of \$2,101,318 and A-S Medication Solutions, LLC in the amount of \$295,200, lowest responsible bidders of three - Total not to exceed \$2,396,518 - Financing: Current Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1652

Item 10: Authorize supplemental agreement no. 1 to decrease the contract with DQS, Inc. (previously referred to as UL DQS, Inc.) for accredited registrar services for the International Organization for Standardization 9001:2008, International Organization for Standardization 14001:2004 and the Occupational Health and Safety Assessment Series 18001:2007 - Not to exceed (\$241,466), from \$1,202,364 to \$960,898 - Financing: Current Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1653

Item 11: Authorize settlement of the lawsuit styled Joy Wallace v. City of Dallas, Cause No. DC-14-05603-D - Not to exceed \$35,000 - Financing: Current Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1654

Item 12: Authorize an amendment of the loan agreement with Bruton Apartments, Ltd. for the construction of residential/retail/commercial space at 9514 Bruton Road, Dallas, Texas 75217 to extend the completion date from January 31, 2016 to September 30, 2016 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1655

Item 13: Authorize a contract for Elmwood Parkway trail improvements located along Rugged Drive - RoeschCo Construction, Inc., lowest responsible bidder of six - Not to exceed \$619,781 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1656

Item 14: Authorize a thirty-six-month Interlocal Agreement with Dallas County Schools to transport participants to various programs and activities for the period October 1, 2015 through September 30, 2018 - Not to exceed \$875,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1657

Item 15: A resolution to endorse the B4 Jackson alternative in concept as the locally preferred alternative for the Dallas Area Rapid Transit (DART) second light rail alignment in Downtown Dallas (D2), and to articulate certain City priorities to be addressed during subsequent planning of this project - Financing: No cost consideration to the City

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

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

The following individuals addressed the city council on the item:

Michael Lum, 2129 Canton St.
Allison Emery, 2113 Canton St.
Ben Shank, 2121 Diversey St.
Tanya Ragan, 630 S. Pearl Expy.
Eduardo Lopategui, 2133 Canton St.
Joe Clifford, 7226 Centenary Ave.
Danny Gibson, 2101 Canton St.
Roselyn Reades, 2117 Diversey St.
Richard Squires, Private
Gardner Harris, Private
Bill Butler, Private
Suzan Kedron, Private (handout provided)
John Crawford, 4401 Livingston Ave.
Brian Ratner, 3355 Blackburn St.

(Although not a registered speaker, at Councilmember Kingston's request, this individual was allowed to speak on the item; there was no objection voiced by the city council.)

Councilmember Kleinman moved to adopt the item as presented.

Motion seconded by Councilmember Medrano.

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

Note: Prior to the meeting, city staff distributed a corrected resolution that stated "a minimum of ~~five~~ four new stations will be added in order to maximize transit oriented development potential." A packet was also distributed containing additional letters and emails received to date concerning the locally preferred alternative for D2.

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1658

Item 16: Authorize Supplemental Agreement No. 2 to the professional services contract with SGDesign, Inc. for the architectural and engineering design services and construction administration for landscaping and site drainage improvements at the Dallas Animal Shelter, located at 1818 North Westmoreland Road - Not to exceed \$51,000, from \$82,008 to \$133,008 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1659

Item 17: Authorize a professional services contract with Burns & McDonnell Engineering Company, Inc. for construction and technical consulting related services pertaining to the construction of a Materials Recovery Facility (MRF) at the McCommas Bluff landfill, including preconstruction plan review, design consultation, key construction component oversight of equipment installation and initial operation and testing of the equipment for the City of Dallas' Single Stream Recycling Materials Facility - Not to exceed \$180,000 - Financing: Current Funds (\$11,250) and Sanitation Current Funds (\$168,750) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1660

Item 18: An ordinance abandoning a portion of a utility easement to Intercity Investments, Inc., the abutting owner, containing approximately 13,467 square feet of land, located near the intersection of Edgemere Road and Bandera Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1661

Item 19: Authorize settlement in lieu of proceeding further with condemnation of a subsurface easement under approximately 4,944 square feet of land from 1507 Dragon Street DDD, LLC, 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 \$30,500 (\$28,000 plus closing costs and title expenses not to exceed \$2,500); an increase of \$6,118 from the amount Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1662

Item 20: Authorize an amendment to Resolution No. 15-0857, previously approved on May 13, 2015, to modify the elevations of the subsurface easement and to authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from M.I. Gaston Partners, Ltd. and MSC-I, Ltd., of a subsurface easement located 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 - Financing: This action has no cost consideration to the City

Item classification corrected on the Addendum; the reclassification provides the item be considered as an individual item with a record vote required.

At the time the consent agenda was presented for consideration, the city secretary announced that due to reclassification of this item, the item was being pulled for individual consideration and would be considered collectively with agenda items 25-28; there was no objection voiced by the city council.

Later in the meeting, the city secretary read agenda items 20 and 25-28 into the record; and stated if any council member wanted to consider any item separately, that item would be pulled and voted on separately. Following the reading of the items, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 20 requires a motion that the Council of the City of Dallas adopt the item which amends Resolution No. 15-0857 previously approved on May 13, 2015 to modify the elevations of the subsurface easement 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 20 and 25-28.

Motion seconded by Councilmember Greyson.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1662

Page 2

Mayor Rawlings called a record vote on Councilmember Kingston's motion to adopt the items:

Voting Yes: [14] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Callahan, Young, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent: [1] **Arnold

The city secretary declared the items adopted.

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1663

Item 21: Authorize a five-year franchise agreement, with a five-year renewal option, between the City of Rockwall and Core Adventures Sports, for stand up paddleboard lessons, retail and rental services within the take line area at The Harbor of Rockwall, Texas, on Lake Ray Hubbard - Estimated Annual Revenue: \$1,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1664

Item 22: Authorize Interlocal Agreements with the City of Duncanville and the City of Hutchins to allow the City of Dallas to construct, own, and operate a 96-inch and 120-inch water transmission main within the corporate limits of Duncanville and Hutchins - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1665

Item 23: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all (re)nominations received for city board and commission appointments for the 2015-2017 board term, with term ending September 30, 2017, updated through SEPTEMBER 9, 2015 and noted the report indicated all (re)nominees met qualifications for service.

Prior to (re)nominees being read into the record, the city secretary announced the item would be split to two votes in order to vote on chair appointments separately. There was no objection voiced by the city council.

The city secretary read the chair appointments to be considered as follows:

- Peter S. Brodsky, Animal Advisory Commission
- Gloria S. Tarpley, City Plan and Zoning Commission
- Max W. Wells, Park and Recreation Board

Councilmember Kingston and Councilmember Kleinman requested chair appointments be split to allow separate votes on each chair appointment; there was no objection voiced by the city council.

Councilmember Kingston moved to appoint Peter S. Brodsky as Chair to the Animal Advisory Commission.

Motion seconded by Councilmember Griggs and unanimously adopted. (**Arnold absent)

Mayor Pro Tem Alonzo moved to appoint Gloria S. Tarpley as Chair to the City Plan and Zoning Commission.

Motion seconded by Deputy Mayor Pro Tem Wilson.

Councilmember Kingston moved a substitute motion to appoint Paul E. Ridley as Chair to the City Plan and Zoning Commission.

Motion seconded by Councilmember Griggs.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1665

Page 2

After brief deliberation as to the ability of a council member to nominate a board and commission chair, the city attorney ruled Councilmember Kingston's motion was not in order as it did not follow the *harmonized provisions, in the Dallas City Charter, given to the appointment of Chair to the City Plan and Zoning Commission and other board and commission chairs.

Mayor Rawlings called the vote on the appointment of Gloria S. Tarpley as Chair to the City Plan and Zoning Commission and declared the appointment adopted on a divided vote with Councilmember Kingston voting "No." (**Arnold absent)

Mayor Pro Tem Alonzo moved to appoint Max W. Wells as Chair to the Park and Recreation Board.

Motion seconded by Deputy Mayor Pro Tem Wilson.

Mayor Rawlings declared the appointment adopted on a divided vote with Councilmember Young and Councilmember Kleinman voting "No." (**Arnold absent)

Councilmember Greyson moved to appoint the following:

- Trent Hughes to the Housing Finance Corporation Board;
- Sam Childers, Historian, to the Landmark Commission Alternate Members;
- Carmen R. Garcia to the Automated Red Light Enforcement Commission;
- Judith Burnett, General Public, to the Animal Advisory Commission;
- Kristine Schwope to the Community Development Commission;
- Peter Jung and Carolyn "Cookie" S. Peadon to the City Plan and Zoning Commission;
- Robert Murphy to the Civil Service Board Adjunct Members;
- Amie Parsons, Experience in the History Field, and Katherine D. Seale, Historian Preservation, to the Landmark Commission;
- Belinda A. Thomas to the Municipal Library Board;
- Michael W. Waters to the Martin Luther King Jr. Community Center Board;
- Barbara Barbee to the Park and Recreation Board;
- Johnny Rodriguez, Marlene A. Cohen, and Trini Garza, all 55+ years of age, to the Seniors Affairs Commission; and
- Maurice O. Franklin to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted. (**Arnold absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1665

Page 3

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

15-6701	ARC	AUTOMATED RED LIGHT ENFORCEMENT COMMISSION
15-6702	ASC	ANIMAL ADVISORY COMMISSION
15-6703	CDC	COMMUNITY DEVELOPMENT COMMISSION
15-6704	CPC	CITY PLAN AND ZONING COMMISSION
15-6705	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
15-6706	HFC	HOUSING FINANCE CORPORATION BOARD
15-6707	LMC	LANDMARK COMMISSION
15-6708	LMX	LANDMARK COMMISSION ALTERNATE MEMBERS
15-6709	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
15-6710	PAR	PARK AND RECREATION BOARD
15-6711	PLA	PERMIT AND LICENSE APPEAL BOARD
15-6712	SAC	SENIOR AFFAIRS COMMISSION
15-6713	SSF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD
15-6714		BOARD OFFICERS

*Note: Dallas City Charter XXIV §13(c) states: “The mayor shall appoint the chair of each commission and board from among the members appointed in accordance with Subsection (b), subject to confirmation by a majority of the city council.” Dallas City Charter Chapter XV §3 states: “The city council shall name one of the members [of the city plan commission] to be chairman....” Harmonizing the two provisions, the Mayor appoints the chair with confirmation from the City Council.

**Note: Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1666

Item 24: Authorize (1) a contract with the Dallas Convention & Visitors Bureau (DCVB) for convention facility promotion, advertising and tourism development for the period October 1, 2015 through September 30, 2020, with one five-year renewal option and one three-year renewal option, for an amount not to exceed 30% of the City's Hotel Occupancy Tax Receipts received annually; (2) the receipt and deposit of funds from the DCVB in the amount of \$500,000 annually in the Convention & Event Services Capital Construction Fund; (3) the receipt and deposit of funds from the DCVB in the amount of \$100,000 annually; and (4) an amendment to Resolution No. 09-2672, previously approved on October 28, 2009, to reflect transfers are to be made annually - Not to exceed 30% of the City's 7% Hotel Occupancy Tax Receipts - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

The following individuals addressed the city council on the item:

Fred Euler, 10014 Fieldcrest Dr.
Cecile Fernandez, 5540 Miller Ave.
Kathryn Bailey Hutchison, 25 Downs Lake Cir.
Bobby Heard, 4931 W. Hanover Ave.

Councilmember Gates moved to adopt the item.

Motion seconded by Mayor Pro Tem Alonzo.

Councilmember Clayton moved a substitute motion to defer the item for a briefing to the city council on September 16, 2015 followed by city council consideration at the September 22, 2015 voting agenda meeting.

Motion seconded by Councilmember Kingston.

After discussion, Mayor Rawlings called a record vote on Councilmember Clayton's substitute motion to defer the item for a briefing to the city council on September 16, 2015 followed by city council consideration at the September 22, 2015 voting agenda meeting.

Voting Yes: [3] Griggs, Clayton, Kingston

Voting No: [11] Rawlings, Alonzo, Wilson, Medrano, Thomas, Callahan,
Young, McGough, Kleinman, Greyson, Gates

Absent: [1] **Arnold

The city secretary declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1666

Page 2

Mayor Rawlings called a record vote on Councilmember Gates' original motion to adopt the item.

Voting Yes: [13] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Callahan, Young, Clayton, McGough, Kleinman, Greyson, Gates

Voting No: [1] Kingston

Absent: [1] **Arnold

The city secretary declared the items adopted.

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1667

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from PATRONMARCHE, LLC, of a subsurface easement under approximately 519 square feet of land located on Flora Street near its intersection with Interstate Highway 345 for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$3,517 (\$1,817 plus closing costs and title expenses not to exceed \$1,700) - Financing: General Obligation Commercial Paper Funds

At the time the consent agenda was presented for consideration, the city secretary announced that due to reclassification of consent agenda item 20, the item was being pulled for individual consideration and would be considered collectively with agenda items 25-28; there was no objection voiced by the city council.

Later in the meeting, the city secretary read agenda items 20 and 25-28 into the record; and stated if any council member wanted to consider any item separately, that item would be pulled and voted on separately. Following the reading of the items, 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 *PATRONMARCHE, LLC*, a subsurface easement under approximately 519 square feet of land, located on Flora Street near its intersection with Interstate Highway 345 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 20 and 25-28.

Motion seconded by Councilmember Greyson.

Mayor Rawlings called a record vote on Councilmember Kingston's motion to adopt the items:

Voting Yes: [14] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Callahan, Young, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent: [1] **Arnold

The city secretary declared the items adopted.

****Note: Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1668

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Post Apartment Homes, L.P., of a subsurface easement under approximately 3,811 square feet of land located on Woodall Rodgers Freeway at its intersection with Maple-Routh Connection for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$72,598 (\$68,598 plus closing costs and title expenses not to exceed \$4,000) - Financing: 2006 Bond Funds

At the time the consent agenda was presented for consideration, the city secretary announced that due to reclassification of consent agenda item 20, the item was being pulled for individual consideration and would be considered collectively with agenda items 25-28; there was no objection voiced by the city council.

Later in the meeting, the city secretary read agenda items 20 and 25-28 into the record; and stated if any council member wanted to consider any item separately, that item would be pulled and voted on separately. Following the reading of the items, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 26 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Post Apartment Homes, L.P.*, a subsurface easement under approximately 3,811 square feet of land, located on Woodall Rodgers Freeway at its intersection with Maple-Routh Connection in City of Dallas Block G/558, 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 20 and 25-28.

Motion seconded by Councilmember Greyson.

Mayor Rawlings called a record vote on Councilmember Kingston's motion to adopt the items:

Voting Yes: [14] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Callahan, Young, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent: [1] **Arnold

The city secretary declared the items adopted.

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1669

Item 27: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from San Jacinto Urban Lofts, L.P., of three subsurface easements under a total of approximately 2,304 square feet of land located on San Jacinto Street near its intersection with Caddo Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$10,525 (\$8,525 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds

At the time the consent agenda was presented for consideration, the city secretary announced that due to reclassification of consent agenda item 20, the item was being pulled for individual consideration and would be considered collectively with agenda items 25-28; there was no objection voiced by the city council.

Later in the meeting, the city secretary read agenda items 20 and 25-28 into the record; and stated if any council member wanted to consider any item separately, that item would be pulled and voted on separately. Following the reading of the items, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 27 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *San Jacinto Urban Lofts, L.P.*, three subsurface easements under a total of approximately 2,304 square feet of land, located on San Jacinto Street near its intersection with Caddo Street in City of Dallas Blocks 641 and 2/642 Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Kingston moved to adopt agenda items 20 and 25-28.

Motion seconded by Councilmember Greyson.

Mayor Rawlings called a record vote on Councilmember Kingston's motion to adopt the items:

Voting Yes: [14] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Callahan, Young, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent: [1] **Arnold

The city secretary declared the items adopted.

****Note: Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1670

Item 28: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from SHF I ICON, LLC, of a subsurface easement under approximately 62,688 square feet of land located on Hall Street at its intersection with Ross Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$257,752 (\$250,752 plus closing costs and title expenses not to exceed \$7,000) - Financing: 2006 Bond Funds

At the time the consent agenda was presented for consideration, the city secretary announced that due to reclassification of consent agenda item 20, the item was being pulled for individual consideration and would be considered collectively with agenda items 25-28; there was no objection voiced by the city council.

Later in the meeting, the city secretary read agenda items 20 and 25-28 into the record; and stated if any council member wanted to consider any item separately, that item would be pulled and voted on separately. Following the reading of the items, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 28 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from SHF I ICON, LLC, a subsurface easement under approximately 62,688 square feet of land, located on Hall Street at its intersection with Ross Avenue in City of Dallas Block A/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 20 and 25-28.

Motion seconded by Councilmember Greyson.

Mayor Rawlings called a record vote on Councilmember Kingston's motion to adopt the items:

Voting Yes: [14] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Callahan, Young, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent: [1] **Arnold

The city secretary declared the items adopted.

****Note: Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1671

Item 29: Authorize (1) a housing development loan in an amount not to exceed \$900,000; and (2) a conditional grant agreement in an amount not to exceed \$405,040 for a mixed-income housing development project with East Dallas Community Organization, a certified Community Housing Development Organization, for the construction of eight single family homes located in the 2400 block of Hooper Street - Total not to exceed \$1,305,040 - Financing: 2012-13 HOME Investment Partnerships Program Grant Funds (\$506,002), 2013-14 HOME Investment Partnerships Program Grant Funds (\$393,998) and General Obligation Commercial Paper Funds (\$405,040

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 Young moved to adopt the item.

Motion seconded by Councilmember Griggs and Councilmember Medrano and unanimously adopted. (**Arnold absent)

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1672

The consent zoning docket consisted of agenda items 30-37.

- Agenda item 30: Zoning Case Z134-322(MD)
- Agenda item 31: Zoning Case Z134-325(DL)
- Agenda item 32: Zoning Case Z134-348(MD)
- Agenda item 33: Zoning Case Z145-219(AF)
- Agenda item 34: Zoning Case Z145-261(WE)
- Agenda item 35: Zoning Case Z145-276(CG)
- Agenda item 36: Zoning Case Z145-277(CG)
- Agenda item 37: Zoning Case Z145-278(CG)

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

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

Councilmember Kingston moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning docket and pass the ordinances.

Motion seconded by Councilmember Callahan.

After discussion, Councilmember Greyson requested consent zoning agenda items 35-37 be removed from the consent zoning agenda docket to be considered collectively as individual items.

Mayor Rawlings asked Councilmember Kingston to withdraw his motion to allow removal of consent zoning agenda items 35-37 from the consent zoning docket to be considered collectively as individual items.

Councilmember Kingston withdrew his motion.

Councilmember Callahan withdrew his second to the motion.

Therefore, the consent zoning docket, consisting of agenda items noted below, was presented for consideration:

- Agenda item 30: Zoning Case Z134-322(MD)
- Agenda item 31: Zoning Case Z134-325(DL)
- Agenda item 32: Zoning Case Z134-348(MD)
- Agenda item 33: Zoning Case Z145-219(AF)
- Agenda item 34: Zoning Case Z145-261(WE)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1672

Page 2

Councilmember Greyson moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning docket and pass the ordinances.

Motion seconded by Councilmember Kingston and unanimously adopted. (**Arnold absent)

****Note: Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1673

Item 30: Zoning Case Z134-322(MD)

The consent zoning docket, consisting of consent zoning agenda items 30-34 was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of and modifications to Historic Overlay 36, Adolphus Hotel, on property zoned Planned Development District No. 619 on the northwest corner of South Akard Street and Commerce Street.

Recommendation of Staff and CPC: Approval, subject to preservation criteria.

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. 29844

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1674

Item 31: Zoning Case Z134-325(DL)

The consent zoning docket, consisting of consent zoning agenda items 30-34 was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1376 for a community service center on property zoned an MF-2 Multiple-Family Subdistrict and Planned Development Subdistrict No. 30, both within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Reagan Street and Brown Street.

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site/landscape 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. 29845

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1675

Item 32: Zoning Case Z134-348(MD)

The consent zoning docket, consisting of consent zoning agenda items 30-34 was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for the Allen Building on property zoned Planned Development District No. 619 on the southeast corner of South Ervay Street and Commerce Street.

Recommendation of Staff and CPC: Approval, subject to preservation criteria.

Recommendation of Landmark Commission: Approval, subject to preservation criteria.

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. 29846

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1676

Item 33: Zoning Case Z145-219(AF)

The consent zoning docket, consisting of consent zoning agenda items 30-34 was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District and an R-7.5(A) Single Family District on the northeast side of Old Gate Lane, northwest of Diceman Drive.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29847

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1677

Item 34: Zoning Case Z145-261(WE)

The consent zoning docket, consisting of consent zoning agenda items 30-34 was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center for household metals and industrial metals on property zoned an IM Industrial Manufacturing District on the southwest side of South Lamar Street between Lenway Street and Martin Luther King Jr. Boulevard.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29848

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1678

Item 35: Zoning Case Z145-276(CG)

The consent zoning docket, consisting of consent zoning agenda items 30-34 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. 1755 for two attached projecting non-premise district activity videoboard signs on property zoned Planned Development District No. 619 on the north side of Main Street and the east side of Four Way Place.

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

Councilmember Greyson requested consent zoning agenda items 35-37 be removed from the consent zoning docket to be considered collectively as individual items.

Later in the meeting, the items were presented for consideration.

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

Councilmember Kingston moved to close the public hearings, accept the recommendations of the city plan commission and pass the ordinances for zoning agenda items 35-37.

Motion seconded by Deputy Mayor Pro Tem Wilson.

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

Assigned ORDINANCE NO. 29849

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1679

Item 36: Zoning Case Z145-277(CG)

The consent zoning docket, consisting of consent zoning agenda items 30-34 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. 1788 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the northeast corner of Commerce Street and South Field Street.

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

Councilmember Greyson requested consent zoning agenda items 35-37 be removed from the consent zoning docket to be considered collectively as individual items.

Later in the meeting, the items were presented for consideration.

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

Councilmember Kingston moved to close the public hearings, accept the recommendations of the city plan commission and pass the ordinances for zoning agenda items 35-37.

Motion seconded by Deputy Mayor Pro Tem Wilson.

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

Assigned ORDINANCE NO. 29850

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1680

Item 37: Zoning Case Z145-278(CG)

The consent zoning docket, consisting of consent zoning agenda items 30-34 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. 1791 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the south side of Elm Street and the east side of North Akard Street.

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

Councilmember Greyson requested consent zoning agenda items 35-37 be removed from the consent zoning docket to be considered collectively as individual items.

Later in the meeting, the items were presented for consideration.

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

Councilmember Kingston moved to close the public hearings, accept the recommendations of the city plan commission and pass the ordinances for zoning agenda items 35-37.

Motion seconded by Deputy Mayor Pro Tem Wilson.

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

Assigned ORDINANCE NO. 29851

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1681

ZONING CASES – INDIVIDUAL

Item 38: Zoning Case Z145-123(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to portions of Subareas 10, 11, 12, and 12A of Planned Development District No. 298, the Bryan Area Special Purpose District, various parcels generally bounded by Live Oak Street, Gordon Street, Gaston Avenue, and Skiles Street.

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

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

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

Motion seconded by Councilmember Young and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29852

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1682

ZONING CASES – UNDER ADVISEMENT – INDIVIDUAL

Item 39: Zoning Case Z145-143(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 810 for a Private Utility Service Center and Microwave Tower on property zoned an A(A) Agricultural District on the north line of Frankford Road, east of Meandering Way.

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

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

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

- A minimum six-foot-high wrought iron fence must be provided along the southern property line in the location shown on the attached site plan;
- A minimum four-foot-high wrought iron fence must be provided along the southern property line in the location shown on the attached site plan;

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29853

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1683

ZONING CASES – UNDER ADVISEMENT – INDIVIDUAL

Item 40: Zoning Case Z145-232(DJ)

A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District, a resolution accepting deed restrictions volunteered by the applicant, and an ordinance granting a Specific Use Permit for a metal salvage facility on property zoned an IR Industrial Research District west of the terminus of Bekay Street, west of Plano Road.

Recommendation of Staff and CPC: Approval of an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant; and approval of a Specific Use Permit for a metal salvage facility for a three-year period, subject to a site/landscape plan and conditions.

Note: This item was considered by the City Council at a public hearing on August 12, 2015, and was deferred until September 9, 2015.

Neva Dean, interim assistant director of sustainable development and construction, reminded the city 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.

Councilmember McGough moved to deny the item without prejudice.

Motion seconded by Councilmember Clayton and unanimously adopted. (**Arnold absent)

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1684

ZONING CASES – UNDER ADVISEMENT – INDIVIDUAL

Item 41: Zoning Case Z145-256(CG)

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the northwest corner of South Walton Walker Boulevard and Duncanville Road.

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

Note: This item was considered by the City Council at public hearings on August 12, 2015, and August 26, 2015, and was deferred until September 9, 2015.

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

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

Calli Turner, 1661 Elm St.

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

- The Specific Use Permit (SUP) is subject to the site plan handed out today

and pass the ordinances.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NOS. 29854 AND 29855

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1685

ZONING CASES – UNDER ADVISEMENT – INDIVIDUAL

Item 42: Zoning Case Z145-257(CG)

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the northwest corner of West Ledbetter Drive and South Hampton Road.

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

Note: This item was considered by the City Council at public hearings on August 12, 2015, and August 26, 2015, and was deferred until September 9, 2015.

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Thomas moved to continue the public hearing and defer the item until the October 14, 2015 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Griggs, Young absent when vote taken; **Arnold absent)

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1686

DESIGNATED ZONING CASES – INDIVIDUAL

Item 43: Zoning Case Z145-234(AF)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment and an expansion of Specific Use Permit No. 1007 for a public school on property zoned a TH-3(A) Townhouse District on the north side of Wheatland Road and west of Clark Road.

Recommendation of Staff and CPC: Approval for a permanent period, subject to a revised site plan, revised landscape plan, traffic management 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 or in favor of the city plan commission's recommendation.

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

Motion seconded by Deputy Mayor Pro Tem Wilson and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29856

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1687

DESIGNATED ZONING CASES – UNDER ADVISEMENT – INDIVIDUAL

Item 44: Zoning Case Z134-319(RB)

An ordinance granting a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned a CS Commercial Service District on the north line of East University Boulevard, east of North Central Expressway.

Recommendation of Staff: Denial Recommendation of CPC: Approval, subject to a development plan and conditions; and approval of the termination of deed restrictions.

Note: This item was considered by City Council at a public hearing on June 10, 2015, and was denied without prejudice, with the public hearing closed. This item was reconsidered on June 17, 2015, to be heard on August 12, 2015, with the public hearing closed. This item was considered by the City Council on August 12, 2015, and was held under advisement until September 9, 2015, with the public hearing closed.

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."

The city secretary announced this item was not a public hearing.

Councilmember Kingston moved to hold the item under advisement until the September 22, 2015 voting agenda meeting of the city council.

Motion seconded by Councilmember Callahan and unanimously adopted. (**Arnold absent)

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1688

THOROUGHFARE PLAN AMENDMENTS

Item 45: A public hearing to receive comments to amend the City of Dallas' Thoroughfare Plan to change the dimensional classification of Community Drive from Denton Drive to Larga Drive from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special three-lane undivided roadway (SPCL 3U) with bicycle facilities in 60-feet of right-of-way and 44-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 on the item.

Mayor Pro Tem Alonzo moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29857

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1689

MISCELLANEOUS HEARINGS

Item 46: A public hearing to receive comments on the proposed sale of six unimproved properties acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** convey by Deed without Warranty six unimproved properties to Dallas Neighborhood Alliance for Habitat, Inc. 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: \$6,000

Prior to approval of the consent zoning docket and the item being read into the record, Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the September 22, 2015 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Griggs, Thomas, Young absent when vote taken; **Arnold absent)

****Note:** Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1690

ADDITIONS:

Closed Session

15-1690

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

- Bobby Gerald Bennett v. Cardan Spencer, et al., Civil Action No. 3:14-CV-00402-N.
- Legal issues relating to Southwest Airlines, Inc. v. U.S. Dept. of Transp.et al., Case No. 15-1036 (D.C. Cir.), City of Dallas v. Delta Air Lines, Inc. et al., Civil Action No. 3:15-CV-02069-K (N.D. Tex.), In re City of Dallas, FAA Docket No. 16-15-10, pending requests for gate accommodations at Love Field, and related matters.

At 12:11 p.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Bobby Gerald Bennett v. Cardan Spencer, et al., Civil Action No. 3:14-CV-00402-N.
- Legal issues relating to Southwest Airlines, Inc. v. U.S. Dept. of Transp.et al., Case No. 15-1036 (D.C. Cir.), City of Dallas v. Delta Air Lines, Inc. et al., Civil Action No. 3:15-CV-02069-K (N.D. Tex.), In re City of Dallas, FAA Docket No. 16-15-10, pending requests for gate accommodations at Love Field, and related matters.

Addition:

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

- Legal issues relating to Addendum Agenda Items 5-28 (Public Improvement Districts).

Mayor Rawlings reconvened to open session after the closed session at 1:39 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1691

Addendum Addition 1: Authorize partial release of deed restrictions on three tracts of land containing approximately 23 acres to be conveyed by the University of North Texas System to Dallas Area Rapid Transit, located near Wheatland Road and University Hills Boulevard for construction and operation of a rail line - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1692

Note: If addendum agenda item 2 passes, the city council will consider addendum agenda item 3.

Addendum Addition 2: A motion to reconsider Agenda Item No. 2, previously denied on August 26, 2015, authorizing: (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 Limited Partnership 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: This action has no cost consideration to the City

Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson.

Mayor Rawlings called a record vote on Mayor Pro Tem Alonzo's motion to adopt the item:

Voting Yes: [8] Rawlings, Alonzo, Wilson, Thomas, Callahan, McGough, Kleinman, Gates

Voting No: [6] Griggs, Medrano, Young, Clayton, Greyson, Kingston

Absent: [1] **Arnold

The city secretary declared the item adopted.

****Note: Approved as "Official City Business" per Resolution 15-1824 adopted on September 22, 2015.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1693

Note: As addendum agenda item 2 passed, the city council considered addendum agenda item 3.

Addendum Addition 3: 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 - Estimated Annual Revenue: \$1,150,000

The following individuals addressed the city council on the item:

Randall Reed, 6927 Stone Meadow Dr.
Joe Chumlea, 10005 Linkwood Dr.

At Councilmember Medrano's request, the following individuals addressed the city council on the item; there was no objection voiced by the city council:

Pat White, 4714 Wildwood Rd.
David Preziosi, 2229 Lawndale Dr.

Councilmember Callahan moved to adopt the item with the following changes:

- That the legal name of the proposed lessee be corrected from "The Braniff Center Limited Partnership" to "The Braniff Centre L.P."
- That in the second recital of the resolution, the time period the lessee has to invest be corrected from "24 months " to "36 months"

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1693

Page 2

- That Section 1 of the resolution be corrected to state that the “Resolution No. 12-2724, that was previously approved on November 14, 2012, authorized an aviation and a commercial lease at Dallas Love Field with Reed Enterprises Investment Holdings, L.P. and not with The Braniff Centre L.P.”
- That Section 4J of the resolution, which gives the lessee the right of first refusal to lease the two office buildings formerly leased by Signature Flight Support Cooperation, be deleted.”

Motion seconded by Deputy Mayor Pro Tem Wilson.

Mayor Rawlings called a record vote on Councilmember Callahan’s motion to adopt the item with changes:

Voting Yes: [8] Rawlings, Alonzo, Wilson, Thomas, Callahan, McGough, Kleinman, Gates

Voting No: [6] Griggs, Medrano, Young, Clayton, Greyson, Kingston

Absent: [1] **Arnold

The city secretary declared the item adopted.

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1694

Addendum Addition 4: First reading of the appropriation ordinances for the proposed FY 2015-16 City of Dallas Operating, Grants/Trusts, and Capital Budgets - Financing: This action has no cost consideration to the City

Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NOS. 29858 AND 29859

****Note: Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1695

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Dallas Downtown Improvement District

Note: Item Nos. 5 and 6
must be considered collectively.

Addendum Item 5: A public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 6: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Dallas Downtown Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; providing for City participation in the District in an amount not to exceed \$676,048 and providing for an effective date - Total amount not to exceed \$676,048 - Financing: Current Funds (\$461,762) and Convention and Event Services Current Funds (\$214,286) (subject to appropriations)

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

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

Mayor Rawlings announced addendum addition agenda items 5-16 and 19-28 would be considered collectively and addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1695

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29860

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1696

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 7 and 8
must be considered collectively.

Deep Ellum Public Improvement District

Addendum Item 7: A public hearing concerning the proposed levy of assessment for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 8: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Deep Ellum Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1696

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29861

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1697

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Klyde Warren Park/Dallas Arts District Public Improvement District

Note: Item Nos. 9 and 10 must be considered collectively.

Addendum Item 9: A public hearing concerning the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 10: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Klyde Warren Park/Dallas Arts District Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1697

Page 2

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29862

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1698

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 11 and 12
must be considered collectively.

Knox Street Public Improvement District.

Addendum Item 11: A public hearing concerning the proposed levy of assessment for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 12: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing and levying special assessments for the services and improvements to property in the Knox Street Public Improvement District (District); closing the hearing a special assessment on property in the District, for services and improvements to be provided during 2016; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1698

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29863

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1699

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 13 and 14
must be considered collectively.

Lake Highlands Public Improvement District

Addendum Item 13: A public hearing concerning the proposed levy of assessment for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 14: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Lake Highlands Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1699

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29864

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1700

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Oak Lawn-Hi Line Public Improvement District

Note: Item Nos. 15 and 16 must be considered collectively.

Addendum Item 15: A public hearing concerning the proposed levy of assessment for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 16: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Oak Lawn-Hi Line Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1700

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29865

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1701

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 17 and 18
must be considered collectively.

Prestonwood Public Improvement District

Addendum Item 17: A public hearing concerning the proposed levy of assessment for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 18: An ordinance approving and adopting the final 2016 Service Plan, the final 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Prestonwood Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1701

Page 2

Later in the meeting, the city secretary read addendum addition agenda items 17 and 18 into the record.

No one addressed the city council on the items.

Councilmember Greyson moved to close the public hearing and approve the ordinance levying the assessment and approving the 2016 Service Plan and 2015 Assessment Roll and Assessment Plan on the items with the following change:

- The actual assessment rate should be corrected to 7% throughout the agenda documents.

Motion seconded by Mayor Pro Tem Alonzo and Deputy Mayor Pro Tem Wilson and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29866

****Note: Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1702

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 19 and 20
must be considered collectively.

South Side Public Improvement District

Addendum Item 19: A public hearing concerning the proposed levy of assessment for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 20: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the South Side Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1702

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29867

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1703

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

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

Tourism Public Improvement District

Addendum Item 21: A public hearing concerning the proposed levy of assessment for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 22: An ordinance approving and adopting the proposed and final Service Plan for 2015-16, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments on Dallas hotels with 100 or more rooms, for the services and improvements to property in the Tourism Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1703

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29868

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1704

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

University Crossing Public Improvement District **Note:** Item Nos. 23 and 24 must be considered collectively.

Addendum Item 23: A public hearing concerning the proposed levy of assessment for the University Crossing Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 24: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the University Crossing Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1704

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29869

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1705

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 25 and 26
must be considered collectively.

Uptown Public Improvement District

Addendum Item 25: A public hearing concerning the proposed levy of assessment for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 26: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Uptown Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1705

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29870

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 9, 2015

15-1706

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

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

Vickery Meadow Public Improvement District

Addendum Item 27: A public hearing concerning the proposed levy of assessment for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

Addendum Item 28: An ordinance approving and adopting the proposed and final 2016 Service Plan, the 2015 Assessment Plan and the 2015 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Vickery Meadow Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2016; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2015 assessment; 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," City Secretary Rios read the following certification into the record:

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

Mayor Rawlings requested the city secretary read addendum addition agenda items 5-16 and 19-28 into the record to be considered collectively as addendum addition agenda items 17 and 18 would be considered separately; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1706

Page 2

The city secretary read addendum addition agenda items 5-16 and 19-28 into the record.

No one addressed the city council on the items.

Councilmember Kingston moved to close the public hearings, adopt the ordinances and approve the service plans on the items with the following change:

- The last sentence of each 2016 Service Plan be deleted.

Motion seconded by Councilmember Griggs and Councilmember Callahan and unanimously adopted. (**Arnold absent)

Councilmember Kingston moved to close the public hearings on addendum addition agenda items 11-20, adopt the ordinances and approve the service plans as presented.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Griggs and unanimously adopted. (**Arnold absent)

Assigned ORDINANCE NO. 29871

****Note:** Approved as “Official City Business” per Resolution 15-1824 adopted on September 22, 2015.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 9, 2015

EXHIBIT C