

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

15-1850

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

PRESENT: [15] Rawlings, Alonzo, Wilson, Griggs [*9:44 a.m.], Medrano [*9:19 a.m.], Thomas, Arnold, Callahan, Young [*9:11 a.m.], Clayton, McGough, Kleinman, Greyson [*9:11 a.m.], Gates, Kingston [*9:10 a.m.]

ABSENT: [0]

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

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

The invocation was given by Reverend Denis G. Simon, Permanent Deacon, All Saints Catholic Church.

Councilmember Callahan led the pledge of allegiance.

The meeting recessed at 11:21 a.m. and reconvened for the afternoon session at 1:05 p.m. (Medrano [*1:06 p.m.], Callahan [*1:06 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 1:39 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/reconvened**

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

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1851

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: Yolanda Williams, 1012 Pindar Ave.
SUBJECT: Carter High movie premiere

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

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

SPEAKER: Steven Betzen, 2621 Gibbs Williams Rd. (handout provided)
REPRESENTING: Dallas Reading & Language Services
SUBJECT: Ending bullying

SPEAKER: Greg Ellis, 14665 Midway Rd., Addison, TX
SUBJECT: Carter High movie

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Deloris Phillips, 2385 Sweetwater Dr., Grand Prairie, TX (handout provided)
SUBJECT: The cover up-racism

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Patty Carter, 3326 Lochwood Dr., Mesquite, TX
SUBJECT: Bullying

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1852

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

Mayor Pro Tem Alonzo moved to adopt the minutes as presented.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1853

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-37 and addendum addition consent agenda items 1-2. Consent agenda item 23 was corrected on the addendum to the agenda.

Councilmember Kingston requested consent agenda items 5 and 23 be considered as individual items later in meeting; there was no objection voiced to his request.

Councilmember McGough requested consent agenda items 5 be considered as an individual item later in meeting; there was no objection voiced to his request.

Therefore, the consent agenda, consisting of consent agenda items 2-4, 6-22, 24-37, and addendum addition consent agenda items 1-2, was presented for consideration.

Councilmember Medrano moved to adopt the consent agenda with the exception of consent agenda items 5 and 23.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1854

Item 2: Authorize (1) a Tenth Amendment to the Maintenance Base Lease with Southwest Airlines Co. to add 1.483 acres to the leased premises; and (2) an Agreement For Donation and Assignment to accept Southwest Airline's donation of all rights, title and interest in those certain items of tangible personal property and services to be incorporated in or used for the construction of improvements purchased by Southwest Airlines required under the Tenth Amendment to the Southwest Airlines Co. Maintenance Base Lease at Dallas Love Field - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1855

Item 3: Authorize **(1)** the rescission of Resolution No. 15-0264, previously approved on February 11, 2015, which authorized a lease agreement and rent abatement with DTG Operations, Inc.; and **(2)** a new lease agreement and rent abatement with DTG Operations, Inc. for approximately 106,137 square feet of improved land, buildings, and other improvements at Dallas Love Field to run through December 31, 2017, with seven, one-year extension options to extend the lease, rent abatement is in consideration of and conditional to DTG Operations, Inc. retrofitting the office building, maintenance building, car wash, and other improvements at the lessee's expense in an amount not to exceed \$1,200,000 - Revenue Foregone - \$1,200,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1856

Item 4: Authorize **(1)** a sixteen-month service contract to establish a master agreement for meter lease and maintenance for four Pitney Bowes postage machines in the amount of \$54,656; and **(2)** a sixteen-month master agreement for postage in the amount of \$2,944,934 - Pitney Bowes, Inc., sole source - Total not to exceed \$2,999,590 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1857

Item 5: Authorize a three-year service contract for food establishment inspections - Bureau Veritas North America, Inc., most advantageous proposer of two - Not to exceed \$340,000 - Financing: Current Funds (subject to annual appropriations)

Councilmember Kingston and Councilmember McGough 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.

Councilmember Kleinman moved to adopt the item.

Motion seconded by Councilmember McGough.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Griggs, Councilmember Arnold, and Councilmember Kingston voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1858

Item 6: Authorize a three-year service contract for plumbing services at City facilities - A Star Heat & Air, Inc., lowest responsible bidder of three - Not to exceed \$829,617 - Financing: Current Funds (\$246,161), Water Utilities Current Funds (\$388,291), Sanitation Current Funds (\$91,716), Aviation Current Funds (\$43,260), Convention and Event Services Current Funds (\$42,100) and Stormwater Drainage Management Current Funds (\$18,089) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1859

Item 7: Authorize a three-year service contract for boat and motor repairs - Tommy's Mobile Boat & Motor Service, Inc. in the amount of \$208,154 and Triad Marine & Industrial Supply, Inc. in the amount of \$27,000, lowest responsible bidders of two - Total not to exceed \$235,154 - Financing: Current Funds (\$124,284), Water Utilities Current Funds (\$100,460) and Stormwater Drainage Management Current Funds (\$10,410) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1860

Item 8: Authorize a five-year service contract for preventative maintenance, parts and repair for the central utility plant at Love Field airport - Trane U.S., Inc., most advantageous proposer of three - Not to exceed \$2,313,720 - Financing: Aviation Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1861

Item 9: Authorize the purchase of a broadcast transmitter and related equipment for WRR radio station - Nautel Maine, Inc., lowest responsible bidder of two - Not to exceed \$178,936 - Financing: WRR Capital Construction Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1862

Item 10: Authorize a three-year master agreement for reprographic printing - Thomas Reprographics dba Thomas Printworks, lowest responsible bidder of four - Not to exceed \$1,354,746 - Financing: Current Funds (\$1,305,670), Water Utilities Current Funds (\$25,907), Stormwater Drainage Management Current Funds (\$12,288) and Aviation Current Funds (\$10,882)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1863

Item 11: Authorize a three-year master agreement for lumber and building materials - Craddock Lumber Company in the amount of \$1,833,247, Big D Lumber Company in the amount of \$276,950 and Simba Industries in the amount of \$8,760, lowest responsible bidders of four - Total not to exceed \$2,118,957 - Financing: Current Funds (\$1,185,533), 2015-16 Community Development Block Grant Funds (\$392,752), Aviation Current Funds (\$181,423), Water Utilities Current Funds (\$169,738), Stormwater Drainage Management Current Funds (\$100,758), Convention and Event Services Current Funds (\$79,124) and Sanitation Current Funds (\$9,629)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1864

Item 12: Authorize settlement of the claim of Ernen Chalmers in the lawsuit styled Noel Ortega et al. v. City of Dallas, Cause No. CC-14-02861-B - Not to exceed \$30,000 - Financing: Current Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1865

Item 13: Authorize payment of annual software maintenance in support of the CityLaw Law Office Management System, a performance-based tracking system from Cycom Data Systems, Inc., for the period November 1, 2015 through October 31, 2016 - Not to exceed \$60,516 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1866

Item 14: Authorize the preparation of plans for issuance of General Obligation Refunding and Improvement Bonds, Series 2015 in an amount not to exceed \$227,000,000 - Financing: This action has no cost consideration to the City.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1867

Item 15: Authorize adoption of the revised Clean Fleet Policy in accordance with a request from the North Central Texas Council of Governments Regional Transportation Council - Financing: No cost consideration to the City.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1868

Item 16: Authorize **(1)** an application for and acceptance of the Texas Commission on Environmental Quality (TCEQ) Texas Natural Gas Vehicle Grant Program for ten Compressed Natural Gas Peterbilt vehicles - model 320 and 382 under contract number 582-15-51503-0838 in the amount of \$300,000 for the period December 10, 2014 through August 31, 2021; **(2)** an application for and acceptance of the TCEQ Texas Natural Gas Vehicle Grant Program for thirteen Compressed Natural Gas Peterbilt vehicles - model 382 under contract number 582-15-56447-0838 in the amount of \$487,500 for the period July 8, 2015 through August 31, 2021; **(3)** an application for and acceptance of the TCEQ Light-Duty Motor Vehicle Purchase or Lease Incentive Program for reimbursement of sixty-five vehicles at \$2,500 each for a total amount of \$162,500 under contract numbers listed in Attachment A; and **(4)** execution of the grant agreements - Total not to exceed \$950,000 - Financing: Texas Commission on Environmental Quality Grant Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1869

- Item 17: Authorize an application for and acceptance of grant funding from the North Central Texas Council of Governments as a pass-through grant from the U.S. Department of Transportation - Federal Highway Administration for the Clean Fleets North Texas 2015 Call for Projects Grant contingent upon approval by the North Central Texas Council of Governments - Not to exceed \$700,000 - Financing: North Central Texas Council of Governments Grant Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1870

- Item 18: Authorize **(1)** the acceptance of a grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program (FHAP) to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2015 through September 30, 2016; and **(2)** the execution of the cooperative grant agreement and any other documents related to the grant - Not to exceed \$274,825 - Financing: U.S. Department of Housing and Urban Development Grant Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1871

Item 19: Authorize **(1)** a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2015 through September 30, 2016; and **(2)** the execution of the Data Use Agreement between the Texas Health and Human Services Enterprise and the City - Not to exceed \$15,599,144 - Financing: Department of State Health Services Grant Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1872

Item 20: Authorize contracts with fully-licensed child care providers pursuant to the City Child Care Services for the period October 1, 2015 through September 30, 2016 (list attached) and with other fully-licensed child care providers selected by eligible parents during the fiscal year - Not to exceed \$127,301 - Financing: 2015-16 Community Development Block Grant Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1873

Item 21: Authorize an amendment to Resolution No. 15-1365, previously approved on August 12, 2015 to: **(1)** increase the local cash match from the City of Dallas by \$100,040 (from \$96,253 to \$196,293); **(2)** decrease the In-Kind Contributions by AIDS Arms, Inc. by \$100,040 (from \$175,000 to \$74,960); and **(3)** specify new terms regarding match requirements in the Memorandum of Understanding between the City of Dallas and AIDS Arms, Inc. to provide an In-Kind Contribution in the amount of \$74,960, under the Continuum of Care Grant for the Permanent Supportive Housing from the U.S. Department of Housing and Urban Development - Total not to exceed \$100,040 - Financing: Current Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1874

Item 22: An ordinance approving Dallas/Fort Worth International Airport Board Resolution No. 2015-09-168, amendments to Chapters 2,3,9 and Appendix I to the Code of Rules and Regulations of the Dallas/Fort Worth International Airport Board regarding: **(1)** traffic regulations; **(2)** miscellaneous offenses; **(3)** airport security badges; and **(4)** street names and speed limits - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29894

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1875

Item 23: Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to Gartner, Inc. (IT Executives and Leaders) in the amount of \$121,089, North Central Texas Council of Governments in the amount of \$124,427, ~~North Texas Commission in the amount of \$93,320~~, Oncor Cities Steering Committee in the amount of \$160,169, Texas Coalition of Cities For Utility Issues in the amount of \$51,243, Texas Municipal League in the amount of \$51,947, Water Environment Research Foundation in the amount of \$80,820, and Water Research Foundation in the amount of \$243,998 - Total not to exceed ~~\$927,013~~\$833,693 - Financing: Current Funds (~~\$602,195~~) (\$508,875) and Water Utilities Current Funds (\$324,818)

Corrected on the addendum.

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

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

Mayor Pro Tem Alonzo moved to adopt the item as corrected on the addendum.

Motion seconded by Deputy Mayor Pro Tem Wilson.

Councilmember Kingston moved a substitute motion to approve the payment of all annual membership fees except for Texas Municipal League in the amount of \$51,947.

Motion seconded by Councilmember Griggs.

After discussion, Mayor Rawlings called a record vote on Councilmember Kingston's substitute motion to approve the payment of all annual membership fees except for Texas Municipal League in the amount of \$51,947.

Voting Yes: [4] Griggs, Medrano, Clayton, *Kingston

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

The city secretary declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1875

Page 2

Mayor Rawlings called the vote on Mayor Pro Tem Alonzo's original motion to adopt the item as corrected on the addendum and declared the item adopted on a divided vote with Councilmember Kingston voting "No."

*Note: The city secretary clarified the on-screen record vote should reflect Councilmember Arnold as voting "No" and Councilmember Kingston as voting "Yes" on the motion as they were seated in each other's chair at the time the record vote was taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1876

Item 24: Authorize a five-year contract with two five-year renewal options for trustee services for the Park and Recreation Trust of the City of Dallas - Bank of Texas N.A., only proposer - Financing: No cost consideration to the City.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1877

Item 25: Authorize an additional payment to the Texas Department of Transportation for the City's share of direct state costs associated with the design and construction of the safety improvements along the Union Pacific Railroad from Carlton Garrett Street (formerly Municipal Street) to Scyene Road - Not to exceed \$18,089, from \$37,661 to \$55,750 - Financing: 2006 Bond Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1878

Item 26: Authorize a service agreement with ONCOR Electric Delivery for the installation and connection of historical-style street lights on West Red Bird Lane from South Hampton Road to South Polk Street - Not to exceed \$61,353 - Financing: 2003 Bond Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1879

Item 27: Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for additional engineering services for renovation of the east kitchen at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed \$88,500, from \$49,950 to \$138,450 - Financing: 2009 Convention Center Revenue Bonds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1880

Item 28: Authorize Supplemental Agreement No. 1 to the professional services contract with HNTB Corporation to provide design, construction documents and bidding services for the physical improvements necessary to convert the existing Runway 18/36 to a taxiway for the Runway 18-36 Conversion Project at Dallas Love Field - Not to exceed \$525,492, from \$236,929 to \$762,421 - Financing: Aviation Capital Construction Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1881

Item 29: Authorize **(1)** Amendment No. 2 to the Project Specific Agreement with Dallas County for Walnut Hill Lane from Malibu Drive to the MoneyGram Soccer Park at Elm Fork to expand the project limit and scope to include new pedestrian facilities along the north side of Walnut Hill Lane from Malibu Drive to IH35E and from Morrison Street to Shady Trail; and **(2)** an additional payment to Dallas County for the City's share of project costs for new pedestrian facilities along the north side of Walnut Hill Lane from Malibu Drive to IH35E - Not to exceed \$370,000 - Financing: 2006 Bond Funds.

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1882

Item 30: Authorize ordinances granting three franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$17,800.

Adopted as part of the consent agenda.

Assigned ORDINANCE NOS. 29895, 29896, AND 29897

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1883

Item 31: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2013 Highway Safety Improvement Program grant to design, upgrade and construct seven traffic signals and associated on and off system intersection improvements at Loop 12 (Buckner Boulevard) and John West Road, Abrams Road and Forest Lane, Bruton Road and St. Augustine Drive, Dilido Road and John West Road, Bruton Road and Prairie Creek Road, Bruton Road and Masters Drive, and Commerce Street and Good Latimer Expressway; **(2)** a required local match in the amount of \$184,842; and **(3)** an amendment to Resolution No. 15-1172, previously approved on June 17, 2015, to identify a required local match for design of the signals in the amount of \$97,886 - Total not to exceed \$2,171,698 - Financing: Texas Department of Transportation Grant Funds (\$1,888,970) and Street Assessment Funds (\$184,842)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1884

Item 32: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct three traffic signals and associated on system intersection improvements at IH 35 East Frontage Road at South Loop 12, South Loop 12 at Hampton Road, and IH 635 Frontage Road at US 75; **(2)** a required local match in the amount of \$12,496; and **(3)** an amendment to Resolution No. 15-1172, previously approved on June 17, 2015, to identify a required local match for design of the signals in the amount of \$76,900 - Total not to exceed \$1,280,268 - Financing: Texas Department of Transportation Grant Funds (\$1,190,872) and Street Assessment Funds (\$12,496)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1885

Item 33: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements at Belt Line Road and Dallas Parkway, Hampton Road and Clarendon Drive, Hampton Road and Illinois Avenue, Hillcrest Road and Alpha Road, and Polk Street and Wheatland Road; **(2)** a required local match in the amount of \$172,273; and **(3)** an amendment to Resolution No. 15-1172, previously approved on June 17, 2015, to identify a required local match for design of the signals in the amount of \$155,200 - Total not to exceed \$1,799,237 - Financing: Texas Department of Transportation Grant Funds (\$1,471,764) and Street Assessment Funds (\$172,273)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1886

Item 34: Authorize acquisition from Willow Greene Homeowners Association, of a total of approximately 20,569 square feet of land located near the intersection of McCallum Boulevard and Meandering Way for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed \$144,000 (\$138,654, plus closing costs and title expenses not to exceed \$5,346) - Financing: Water Utilities Capital Construction Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1887

Item 35: Authorize a contract for the installation of water and wastewater mains at 46 locations (list attached) - Ark Contracting Services, LLC, lowest responsible bidder of four - Not to exceed \$12,291,878 - Financing: Water Utilities Capital Improvement Funds.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1888

Item 36: Authorize a twenty-four-month contract with the Department of State Health Services to provide on-line computer services for the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of \$1.83 for each birth certificate printed for the period September 1, 2015 through August 31, 2017 - Not to exceed \$25,000 annually for a total not to exceed \$50,000 - Financing: Water Utilities Current Funds (to be reimbursed by Current Funds) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1889

Item 37: Authorize a thirty-year contract with the Dallas/Fort Worth International Airport Board to continue providing treated water service, from October 8, 2015 through October 7, 2045 - Estimated Annual Revenue: \$1,176,042.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1890

Item 38: 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 OCTOBER 14, 2015 and noted the report indicated all (re)nominees met qualifications for service.

Councilmember Greyson moved to appoint the following:

- Sylvia Houglund to the Cultural Affairs Commission;
- Paul Hille to the Dallas Citizens Police Review Board;
- Yolanda F. Williams to the Park and Recreation Board;
- Anita Childress, Chair, to the Civil Service Board;
- John N. Rogers, Chair, to the Ethics Advisory Commission; and
- Antonia Hubert, Vice Chair, to the Community Development Commission.

Motion seconded by Councilmember Medrano and unanimously adopted.

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

15-6901	CAC	CULTURAL AFFAIRS COMMISSION
15-6902	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
15-6903	PAR	PARK AND RECREATION BOARD
15-6904		BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1891

Item 39: Authorize reappointment of Gilbert Gerst, Brentt Shropshire, Zenetta Drew and Edward Okpa to the Dallas Development Fund Board - Financing: No cost consideration to the City.

Deputy Mayor Pro Tem Wilson moved to adopt the item.

Motion seconded by Mayor Pro Tem Alonzo and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1892

Item 40: Authorize a development agreement with WC 717 N Harwood Property, LLC, to reimburse TIF eligible project costs for streetscape and redevelopment project improvements in an amount not to exceed \$1,650,000, a portion of which is in the form of an Economic Development TIF Grant, for the 717 North Harwood Redevelopment Project from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed \$1,650,000 - Financing: City Center TIF District Funds (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," 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 Kingston moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1893

Item 41: Authorize **(1)** the acceptance of a grant from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP) in an amount not to exceed \$806,510 for the period September 1, 2015 through August 31, 2016, and execution of the required grant agreements; **(2)** the acceptance of a grant from the Texas Department of State Health Services (TDSHS): **(a)** to provide services to the homeless through the Healthy Community Collaborative in the amount of \$2,613,607 for the period July 1, 2014 through August 31, 2017; and **(b)** a private 1:1 cash match in an amount not to exceed \$2,613,607 and execution of the grant agreement(s); and **(3)** the first amendment to the Management Services Contract, Phase II, with Bridge Steps to: **(a)** allow Bridge Steps to count the TDHCA and TDSHS funds toward Bridge Steps' required contribution to the Bridge operating budget for the period September 1, 2015 through August 31, 2016; and **(b)** require Bridge Steps to comply with all conditions of the TDHCA and TDSHS grant agreements - Total not to exceed \$3,420,117 - Financing: Texas Department of Housing and Community Affairs Grant Funds (\$806,510) and Texas Department of State Health Services Grant Funds (\$2,613,607)

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 Griggs moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and Councilmember Young and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1894

The consent zoning docket consisted of agenda items 42-45.

Agenda item 42: Zoning Case Z145-125(OTH)
Agenda item 43: Zoning Case Z145-195(AF)
Agenda item 44: Zoning Case Z145-297(AF)
Agenda item 45: Zoning Case Z145-309(OTH)

Prior to the consent zoning docket being read into the record, Mayor Pro Tem Alonzo moved to continue the public hearing and defer consent zoning agenda item 43 until the November 10, 2015 voting agenda meeting of the city council. Therefore, no speakers were called on the item. Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted.

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

Agenda item 42: Zoning Case Z145-125(OTH)
Agenda item 44: Zoning Case Z145-297(AF)
Agenda item 45: Zoning Case Z145-309(OTH)

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 Arnold 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 Griggs and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1895

Item 42: Zoning Case Z145-125(OTH)

The consent zoning docket, consisting of consent zoning agenda items 42 and 44-45 was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the boundaries of Specific Use Permit No. 1571 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District northeast of the intersection of South Lancaster Road and East Kiest Boulevard.

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 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. 29898

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1896

Item 43: Zoning Case Z145-195(AF)

The consent zoning docket, consisting of consent zoning agenda item 42 and 44-45 was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southwest corner of Royal Lane and Brockbank Drive.

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

Prior to approval of the consent zoning docket and the item being read into the record, Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the November 10, 2015 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1897

Item 44: Zoning Case Z145-297(AF)

The consent zoning docket, consisting of consent zoning agenda item 42 and 44-45 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. 2011 for an alcoholic beverage establishment limited to a microbrewery, microdistillery or winery on property zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District, on the northwest corner of West 7th Street and North Bishop Avenue.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29899

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1898

Item 45: Zoning Case Z145-309(OTH)

The consent zoning docket, consisting of consent zoning agenda item 42 and 44-45 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. 2068 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District, on the southeast corner of Main Street and Exposition Avenue.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29900

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1899

ZONING CASES – INDIVIDUAL

Item 46: Zoning Case Z134-105(SM)

A public hearing to receive comments regarding an application for and an ordinance granting a new subarea and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of Scyene Road and South Buckner Boulevard.

Recommendation of Staff: Approval of a new subarea, subject to a development/landscape plan and conditions; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

Recommendation of CPC: Approval of a new subarea, subject to a development/landscape plan and conditions; and approval of a Specific Use Permit for a one-year period, subject to a site plan and conditions.

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Callahan moved to continue the public hearing and defer the item until the November 10, 2015 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1900

ZONING CASES – INDIVIDUAL

Item 47: Zoning Case Z145-290(SM)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 7 for a private school on property zoned an R-16(A) Single Family District on the west line of Inwood Road, south of Forest Lane.

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

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

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

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

- Change the 20-year time period with 20-year auto-renewals to a 30-year time period with automatic 30-year auto-renewals

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted.

Assigned ORDINANCE NO. 29901

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1901

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 48: 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, August 26, 2015, and September 9, 2015, and was deferred until October 14, 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 November 10, 2015 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1902

DESIGNATED ZONING CASES - INDIVIDUAL

Item 49: Zoning Case Z145-247(AF)

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Planned Development District No. 812 and the creation of a new tract for mixed uses on property zoned an R-5(A) Single Family District and a CR Community Retail District at the southeast corner of East 11th Street and Fran Way.

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

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Arnold moved to continue the public hearing and defer the item until the November 10, 2015 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1903

DESIGNATED ZONING CASES - INDIVIDUAL

Item 50: Zoning Case Z145-287(AF)

A public hearing to receive comments regarding an application for and an ordinance granting an RR Regional Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, an MF-2(A) Multifamily District, and an LI Light Industrial District on the southeast corner of West Illinois Avenue and South Cockrell Hill Road.

Recommendation of Staff: Denial of an RR Regional Retail District; and approval of a CR Community Retail District.

Recommendation of CPC: Approval of an RR Regional Retail District with deed restrictions volunteered by the applicant.

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

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

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

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

Robert Miklos, 1800 Valley View Lane, Farmers Branch, TX

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

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

Assigned ORDINANCE NO. 29902

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1904

MISCELLANEOUS HEARINGS

Item 51: A public hearing to receive comments on the proposed establishment of a Property Assessed Clean Energy (“PACE”) program for the City of Dallas pursuant to the Property Assessed Clean Energy Act (“PACE Act”), as amended (Texas Local Government Code Chapter 399) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Drew Byrd, 500 Rochelle Blvd.
Charlene Heydinger, 40 Pascal Lane, Austin, TX

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

Motion seconded by Mayor Pro Tem Alonzo and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1905

MISCELLANEOUS HEARINGS

Item 52: A public hearing to receive comments on the proposed City of Dallas FY 2015-16 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, consideration of approval of the City of Dallas FY 2015-16 Urban Land Bank Demonstration Program Plan - 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 Deputy Mayor Pro Tem Wilson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1906

MISCELLANEOUS HEARINGS

Item 53: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by GuideStone Financial Resources of the Southern Baptist Convention, located near the intersection of Fairmount Street and Cedar Springs Road and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to GuideStone Financial Resources of the Southern Baptist Convention, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: (No cost consideration to the City)

Recommendation of Staff: Approval.

The city secretary read the following statement into the record:

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

The following individual addressed the city council on the item:

Cynthia Bishop, 521 Wales Ct., representing the applicant

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

Motion seconded by Councilmember Clayton.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Kleinman voting "No."

Assigned ORDINANCE NO. 29903

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1908

Addendum Addition 2: An ordinance abandoning a portion of Treehouse Lane to HT Midtown LP and TKG Valencia-Midtown, L.L.C., the abutting owners, containing approximately 97,525 square feet of land, located near the intersection of Meadow Road and Manderville Lane, authorizing the quitclaim and providing for the dedication of approximately 97,525 square feet of land needed for a realignment of Treehouse Lane - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29904

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1909

Addendum Addition 3: A resolution authorizing waiver of the attorney-client privilege and release of all attorney-client privileged information involving investigation of and allegations against Councilmember Scott Griggs for his statements of April 13, 2015 - Financing: No cost consideration to the City

Prior to the item being read into the record, Mayor Rawlings announced the city council would go into closed session for an executive briefing followed by consideration and approval of the item.

At 10:24 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the Attorney Briefings (Sec. 551.071 T.O.M.A.) to discuss the matter.

Mayor Rawlings reconvened to open session after the closed session at 11:19 a.m. No other matters were discussed during the closed session.

The city secretary read the item into the record.

Councilmember Kleinman moved to adopt the item as presented.

Motion seconded by Councilmember Callahan.

Councilmember Griggs moved a substitute motion to approve the resolution with the following changes:

- The City is waiving both work product and attorney-client privilege as to the events of April 13, 2015; and
- That the waiver is as to written communication documents, or other materials in the City records as of October 14, 2015.

Motion seconded by Councilmember Medrano.

Mayor Rawlings announced the city council would go back into closed session for an executive briefing on the item.

At 11:21 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the Attorney Briefings (Sec. 551.071 T.O.M.A.) to discuss the matter.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1909

Page 2

Mayor Rawlings reconvened to open session after the closed session at 1:05 p.m. No other matters were discussed during the closed session

Mayor Rawlings called for a vote on Councilmember Griggs' substitute motion to approve the resolution with the following changes:

- The City is waiving both work product and attorney-client privilege as to the events of April 13, 2015; and
- That the waiver is as to written communication documents, or other materials in the City records as of October 14, 2015.

and declared the motion unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 14, 2015

15-1910

Addendum Addition 4: A resolution designating an absence by Mayor Michael Rawlings as being for "Official City Business" - Financing: No cost consideration to the City

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

Deputy Mayor Pro Tem Wilson moved to adopt the item.

Motion seconded by Councilmember Callahan and unanimously adopted. (Rawlings abstain)