

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

15-2190

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

PRESENT: [15] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Arnold, Callahan, Young, Clayton, McGough, Kleinman, Greyson, Gates, Kingston [*9:20 a.m.]

ABSENT: [0]

The meeting was called to order at 9:10 a.m.

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

The invocation was given by Dr. Jeff Warren, Senior Pastor at Park Cities Baptist Church.

Councilmember Arnold led the pledge of allegiance.

The meeting recessed at 12:09 p.m. and reconvened for the afternoon session at 1:19 p.m. (Medrano [*1:20 p.m.], Arnold [*1:22 p.m.], Callahan [*1:20 p.m.]).

The meeting agenda, 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 2:17 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, DECEMBER 9, 2015

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2191

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE – BEGINNING OF MEETING:

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

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

SPEAKER: Mel Blazer, 2451 Matland Dr.
SUBJECT: Dallas Executive Airport

SPEAKER: John Corker, 3200 Maple Ave. (handout provided)
SUBJECT: Heat related illness

SPEAKER: Darryl Baker, 2606 Woodmere Dr.
SUBJECT: Executive Airport Master Plan

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Ronnie Mestas, 3215 Rutz St.
SUBJECT: Pollution in neighborhood

SPEAKER: Hilda Ramirez Duarte, 407 Bella St., Duncanville, TX
REPRESENTING: Coalition Against Plant Relocation
SUBJECT: Plant relocation

SPEAKER: Melody Bell Bey, 2820 Park Row Ave.
SUBJECT: City of Dallas map/South Fair CDC

SPEAKER: Dominique Alexander, 2512 Overton Rd.
Representing: Next Generation Action Network
SUBJECT: The state of the City of Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: James Garner, 3105 Peavy Rd.
SUBJECT: Dallas Housing Authority

SPEAKER: Norman Williams, 1018 Galloway Ave.
SUBJECT: Certificate of Occupancy

SPEAKER: Robert Ceccarelli, 1822 Young St.
SUBJECT: Problems with Dallas Metrocare

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2192

Item 1: Approval of Minutes of the November 18, 2015 City Council Meeting

Councilmember Griggs moved to adopt the minutes as presented.

Motion seconded by Councilmember Kleinman and unanimously adopted. (Arnold absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2193

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-46 and addendum addition consent agenda items 1-11. Consent agenda item 23 was corrected on the addendum to the agenda.

Councilmember Gates requested consent agenda items 3 and 44 be considered as an individual items later in the meeting; there was no objection voiced to her request.

Councilmember Thomas requested consent agenda item 4 be considered as an individual item later in meeting; there was no objection voiced to his request.

Councilmember Griggs requested consent agenda item 22 be considered as an individual item later in meeting; there was no objection voiced to their request.

Councilmember Callahan requested addendum addition consent agenda item 4 be considered as an individual item later in meeting; there was no objection voiced to his request.

Councilmember Greyson requested addendum addition consent agenda item 11 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, 5-21, 23-43, 45, 46 and addendum addition consent agenda items 1-3 and 5-10 was presented for consideration.

Councilmember Kleinman moved to adopt all items on the consent agenda.

Motion seconded by Councilmember Callahan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2194

Item 2: Authorize **(1)** a Termination Agreement with Banc of America Community Development Corporation for that certain lease of land located south of Dallas Executive Airport entered into on April 23, 2002 by and between the City of Dallas and the City of Dallas Business Development Corporation; and **(2)** the acceptance of a \$25,000 payment from Banc of America Community Development Corporation in lieu of the remaining three hundred sixteen rent payments left on the current lease - Revenue: \$25,000; and Estimated Revenue Foregone: \$195,418 (in rent over three hundred sixteen months)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2195

Item 3: Authorize an early Termination Agreement with Jet Center of Dallas, LLC regarding two of its leases at Dallas Executive Airport to accommodate the Commemorative Air Force for approximately 45,000 square feet of improved land, 7,000 square feet of office space, 11,000 square feet of hangar space, and 10 acres of unimproved land; and to pay Jet Center a termination deposit payment equal to \$1,900,000, which will be credited towards the final termination payment - Financing: Aviation Current Funds

Councilmember Gates requested the item be considered as an individual item later in the meeting as she had a conflict of interest and would abstain from voting or participating in any discussion; there was no objection voiced to her request.

Later in the meeting and prior to the item being read into the record, Councilmember Gates left the council chamber.

Councilmember Thomas moved to adopt the item.

Motion seconded by Councilmember Clayton and unanimously adopted. (Gates abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2196

Item 4: Authorize adoption of the Airport Master Plan for Dallas Executive Airport and approval of the recommendations contained therein as a guide in the implementation of future airport development to service forecasted operational demand - Financing: No cost consideration to the City

Councilmember Thomas 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.

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

- Continue to work with the Dallas Executive Steering Committee to develop a comprehensive land use plan to guide development in and around the airport along with planning variance guidelines;
- A detailed action plan that takes the outline of the Master Plan and gives us strategies to make them come to fruition with the participation of the Dallas Executive Steering Committee;
- Need long, medium, and short term tactics to make the airport beneficial for the City; and
- More focus on the voluntary noise abatement program.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2197

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

Item 5: Authorize (1) a thirty-year lease agreement with a purchase option with Scarborough Maple Manor V, LP for approximately 16.79 acres of land and improvements located at 6333 Denton Drive to be used for Dallas Love Field Airport operations - Financing: Aviation Current Funds (\$3,400,000 estimated) (subject to annual appropriations); and (2) a Purchase Option agreement with Scarborough Maple Manor V, LP, granting the City the right to acquire in fee approximately 16.79 acres of land located at 6333 Denton Drive, Dallas, TX 75235 at the end of the thirty-year lease term for and in consideration of the full payment of rents under the Lease and an additional \$10 exercise price, the City may also exercise the option such that it closes before expiration of the full lease term in which event the purchase price shall not exceed \$41,400,995 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2198

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

Item 6: Authorize the assignment of all of Scarborough Maple Manor V, LP's rights, title and interest in the current leases at the property located at 6333 Denton Drive to the City of Dallas through the remainder of their current lease terms - Estimated Annual Revenue: \$1,356,815

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2199

Item 7: Authorize a one-year master agreement for the purchase of (1) one hundred fleet vehicles and equipment - Chastang Ford in the amount of \$3,629,204, Southwest International Trucks, Inc. in the amount of \$2,809,369, Austin Truck & Equipment, LTD dba Freightliner of Austin in the amount of \$2,224,153, Holt Texas, Ltd. dba Holt Cat in the amount of \$1,302,446, RDO Equipment Company in the amount of \$1,710,940, BTE Body Company, Inc. in the amount of \$925,174, Clark Equipment Company dba Bobcat Company in the amount of \$465,363, Kirby-Smith Machinery, Inc. in the amount of \$78,178, Landmark Equipment, Inc. in the amount of \$73,751 and Darr Equipment in the amount of \$27,395 through Texas Association of School Boards (BuyBoard); (2) one hundred eighty-one fleet vehicles - Sam Pack's Five Star Ford, Ltd. in the amount of \$4,331,599 through Texas Smart Buy; (3) eighty-three Police fleet and equipment - Freedom Dodge in the amount of \$1,764,139, Kinloch Equipment and Supply, Inc. in the amount of \$736,747 and Blueline Rental, LLC in the amount of \$358,365 through the Houston Galveston Area Council; and (4) twenty one fleet vehicles - Freedom Chevrolet in the amount of \$826,491 through the City of Fort Worth Interlocal Agreement - Total not to exceed \$21,263,314 - Financing: Current Funds (\$2,377,502), Water Utilities Current Funds (\$2,208,971), Municipal Lease Agreement Funds (\$15,180,959), 2003 Equipment Acquisition Contractual Obligation Notes (\$5,924), 2004 Equipment Acquisition Contractual Obligation Notes (\$30,771), 2005 Equipment Acquisition Contractual Obligation Notes (\$24,604), 2006 Equipment Acquisition Contractual Obligation Notes (\$679), 2007 Equipment Acquisition Contractual Obligation Notes (\$636,684), 2008 Equipment Acquisition Contractual Obligation Notes (\$7,557), 2010 Equipment Acquisition Contractual Obligation Notes (\$789,663)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2200

Item 8: Authorize a two-year master agreement for furniture, floor covering and related support services with Haworth, Inc., Herman Miller, Inc., Knoll, Inc., Virco, Inc., National Office Furniture, Peter Pepper Products, Inc., Hon Office Furniture, Mohawk Industries, Milliken & Company, Shaw Industries, Interface, Spacesaver, Texas Correctional Industries and their associated distributors through the U.S. Communities Government Purchasing Alliance, Texas Multiple Award Schedules and Texas Department of Criminal Justice, Texas Correctional Industries - Not to exceed \$4,476,735 - Financing: Current Funds (\$2,219,237), Convention and Event Services Capital Construction Funds (\$1,200,000), 2006 Bond Funds (\$457,499), Central Library Gift and Donation Funds (\$307,499), Water Utilities Current Funds (\$164,500), Building Inspection Current Funds (\$98,000) and Texas Department of State Health Services Grant Funds (\$30,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2201

Item 9: Authorize a two-year master agreement for hot mix asphalt and cold patch materials - Austin Asphalt, LP in the amount of \$9,345,133, Unique Paving Materials in the amount of \$939,240 and APAC-Texas, Inc. in the amount of \$92,500, lowest responsible bidders of five - Total not to exceed \$10,376,873 - Financing: Current Funds (\$10,346,115), Water Utilities Current Funds (\$19,000) and Aviation Current Funds (\$11,758)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2202

Item 10: Authorize a three-year master agreement for cement treated base, rebase, and super slurry - Martin Marietta Materials, LTD, lowest responsible bidder of two - Not to exceed \$3,434,634 - Financing: Current Funds (\$3,415,734) and Water Utilities Current Funds (\$18,900)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2203

Item 11: Authorize a three-year master agreement for the purchase of water meters, detector check valves and parts - Mueller Systems, LLC in the amount of \$8,036,109, Itron, Inc. in the amount of \$6,418,201, Neptune Technology Group, Inc. in the amount of \$5,525,809, National Meter & Automation, Inc. in the amount of \$370,884, HD Supply Waterworks, LTD in the amount of \$322,000, Elster AMCO Water, LLC, in the amount of \$122,168, Sensus USA, Inc. in the amount of \$87,407 and Metron-Farnier, LLC in the amount of \$32,640, lowest responsible bidders of eight - Total not to exceed \$20,915,218 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2204

Item 12: Authorize the purchase of a tarp deployment system - Con-Wal, Inc. dba Southwestern Sales Co. doing business in Texas as tarpARMOR Co., lowest responsible bidder of two - Not to exceed \$107,889 - Financing: Sanitation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2205

Item 13: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Carter Scholer Arnett Hamada & Mockler, PLLC f/k/a Carter Stafford Arnett Hamada & Mockler, PLLC, for additional services necessary in the lawsuits styled Kenneth E. Albert v. City of Dallas, Cause No. 199-00697-94; Anthony Arredondo v. City of Dallas, Cause No. 199-1743-99; David L. Barber v. City of Dallas, Cause No. 199-624-95; David S. Martin v. City of Dallas, Cause No. 1-95-506; George G. Parker v. City of Dallas, Cause No. 1-95-107; Kevin Michael Willis v. City of Dallas, Cause No. 199-200-95; and any other proceedings relating to the subject matter of this litigation - Not to exceed \$375,000, from \$50,000 to \$425,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2206

Item 14: Authorize Supplemental Agreement No. 3 to the professional services contract with Sayles Werbner, P.C. for additional legal services necessary in the lawsuits styled Kenneth E. Albert v. City of Dallas, Cause No. 199-00697-94; Anthony Arredondo v. City of Dallas, Cause No. 199-1743-99; David L. Barber v. City of Dallas, Cause No. 199-624-95; David S. Martin v. City of Dallas, Cause No. 1-95-506; George G. Parker v. City of Dallas, Cause No. 1-95-107; Kevin Michael Willis v. City of Dallas, Cause No. 199-200-95; and any other proceedings relating to the subject matter of this litigation - Not to exceed \$375,000, from \$325,000 to \$700,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2207

Item 15: Authorize Supplemental Agreement No. 12 to the professional services contract with Hankinson, L.L.P. for additional legal services necessary in the lawsuits styled Kenneth E. Albert v. City of Dallas, Cause No. 199-00697-94; Anthony Arredondo v. City of Dallas, Cause No. 199-1743-99; David L. Barber v. City of Dallas, Cause No. 199-624-95; David S. Martin v. City of Dallas, Cause No. 1-95-506; George G. Parker v. City of Dallas, Cause No. 1-95-107; Kevin Michael Willis v. City of Dallas, Cause No. 199-200-95; and any other proceedings relating to the subject matter of this litigation - Not to exceed \$210,000, from \$745,000 to \$955,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2208

Item 16: Authorize an amendment to Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) and the Project Plan and Reinvestment Zone Financing Plan for the Oak Cliff Gateway TIF District to clarify language related to planned improvements as part of creating recreational amenities and entry portals allowing pedestrian and bicycle access into the Trinity River corridor/trail system amending Ordinance No. 23033, previously approved on February 12, 1997, as amended, to reflect this amendment - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29943

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2209

Item 17: Authorize an amendment to the Oak Cliff Gateway TIF District Grant Program to update the program map consistent with the current boundaries of the TIF district and add additional criteria related to grant consideration - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2210

Item 18: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by AAA Properties for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to AAA Properties; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2211

Item 19: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by G&G Restoration Solutions LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to G&G Restoration Solutions LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2212

Item 20: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of affordable houses; **(2)** the sale of 3 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to KW New Vision Properties and Land, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2213

Item 21: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Lakee Group LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Lakee Group LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2214

Item 22: Authorize **(1)** amendment of the Loan Agreement between TEOF Hotel LP, a Texas limited partnership, and the City of Dallas to provide for refinancing of the developer's first lien loan and third lien (mezzanine) loan for development of the Lorenzo Hotel project located at 1011 South Akard Street; **(2)** incorporation of the mezzanine loan into first lien place together with the Construction Loan and increasing the total senior loan from \$12,912,615 to \$18,000,000 including an increase of \$1,997,572 in total project cost in return for which Lawrence E. Hamilton, Lawrence E. Hamilton III, and Texas Educational Opportunity Fund will convert \$415,000 of mezzanine debt into additional equity, Lawrence E. Hamilton, Lawrence E. Hamilton III, and TEOF Hotel LP will forego \$350,000 of mezzanine loan payments, and Lawrence E. Hamilton will provide the City with a personal payment and completion guaranty; and **(3)** the City Manager or his designee to execute any necessary documents related to amending the Loan Agreement with TEOF Hotel LP - Financing: No cost consideration to the City

Councilmember Griggs 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.

Councilmember Medrano moved to adopt the item with the following amendment:

- The City acknowledges that HUD has not reviewed the terms of the proposed refinance, and the resolution is contingent upon HUD's review and approval.

Motion seconded by Councilmember Kingston and unanimously adopted. (Arnold absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2215

Item 23: Authorize a Project Specific Agreement with Dallas County for trail design and right-of-way acquisition for the remainder of Northaven Trail Phase 1 from south of Valleydale Drive to White Rock Creek Trail - Financing: No cost consideration to the City

Corrected on the addendum.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2216

Item 24: Authorize a twenty-two month concession contract with Duane Edward Evans for management and operation of the Fretz Tennis Center located at 6998 Belt Line Road - Estimated Net Annual Revenue: \$30,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2217

Item 25: Authorize a Design and Development Agreement with Carpenter Park, LLC for (1) Design Development documents; and (2) removal, storage at a Park and Recreation Department facility, re-design, transportation, fabrication and re-installation of two sculptures for John W. Carpenter Plaza located at 2201 Pacific Avenue - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2218

Item 26: Authorize **(1)** an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$53,915 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 1, 2015 through September 30, 2016; **(2)** a required City match in the amount of \$14,827 for pension contribution; and **(3)** execution of the grant agreement - Total not to exceed \$68,742 - Financing: Current Funds (\$14,827) and Texas Department of Transportation Grant Funds (\$53,915)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2219

Item 27: Authorize a contract with Texas Standard Construction Ltd., lowest responsible bidder of two, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Superior Street from Catherine Street to West Clarendon Drive - Not to exceed \$1,678,671 - Financing: General Obligation Commercial Paper Funds (\$686,545), 2012 Bond Funds (\$457,379), Water Utilities Capital Improvement Funds (\$531,548) and Water Utilities Capital Construction Funds (\$3,199)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2220

Item 28: Authorize Supplemental Agreement No. 1 to the contract with Gensler for design and construction document services for security improvements to the lobby desk area at the Jack Evans Police Headquarters, located at 1400 South Lamar Street, and to perform seven building assessments to identify security enhancements at the Police Substations (list attached) - Not to exceed \$124,338, from \$49,900 to \$174,238 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2221

Item 29: Authorize Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from West Davis Street to 800 feet south of the IH 30 eastbound frontage road and Chalk Hill Road from the IH 30 westbound frontage road to Singleton Boulevard - Not to exceed \$94,001, from \$518,648 to \$612,649 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2222

Item 30: Authorize the rejection of a single bid received for the removal and replacement of underground fuel storage tanks located at Dallas City Hall and the I.C. Harris Service Center, and the re-advertisement for new bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2223

Item 31: Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of thirteen, to provide traffic signal design services for 32 traffic signals at various intersections and other related tasks (list attached) - Not to exceed \$642,000 - Financing: General Obligation Commercial Paper Funds (\$428,000), Street Assessment Funds (\$197,000) and Sanitation Current Funds (\$17,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2224

Item 32: Authorize **(1)** Supplemental Agreement No. 1 to the traffic signal design contract with Kimley-Horn and Associates, Inc., previously authorized on June 17, 2015, by Resolution No. 15-1172, to provide right-of-way/easement purchase documentation for six intersections (list attached); and **(2)** an increase in the required local match in the amount of \$12,000 - Not to exceed \$12,000 - Financing: Street Assessment Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2225

Item 33: Authorize a five-year extension of the license agreement with AIDS Arms, Inc., for approximately 19,876 square feet of City-owned land located at 210 Sunset Avenue for the use of 30 parking spaces for the period December 15, 2015 through December 14, 2020 - Annual Revenue: \$8,400

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2226

Item 34: Authorize a ten-year lease agreement with Columbia Colson Corporation for approximately 5,500 square feet of office space located at 2910 Broadway Boulevard, Garland, Texas to be used as a Women, Infants and Children Clinic for the period January 1, 2016 through December 31, 2025 - Not to exceed \$1,079,376 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2227

Item 35: Authorize an amendment to the ten-year lease agreement with Marcer Investments, LLC to make rental payments for the use of approximately 1,600 square feet of office space located at 6925 Lake June Road for the Women, Infants, and Children Clinic for the period October 1, 2014 through July 31, 2015 - Not to exceed \$35,560 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2228

Item 36: An ordinance abandoning portions of Alpine Street and Owenwood Avenue to Southern Foods Group, LLC, the abutting owner, containing a total of approximately 76,840 square feet of land, located near the intersection of Dolphin Road and Spurlock Street, and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29944

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2229

Item 37: An ordinance abandoning a portion of an alley to Benedetto Revocable Trust and Lillian Rose Lampo Catalina, John Anthony Lampo, Jr. and Peter Gerard Lampo, the abutting owners, containing approximately 1,412 square feet of land, located near the intersection of Munger Avenue and Johnson Place, and authorizing the quitclaim - Revenue: \$17,650, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29945

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2230

Item 38: An ordinance abandoning a portion of an alley to City of Dallas, the abutting owner, containing approximately 7,693 square feet of land, located near the intersection of Hillcrest Road and Aberdeen Avenue, and authorizing the quitclaim - Revenue: \$161,553, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29946

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2231

Item 39: An ordinance abandoning a water easement and fire lane easement to Kroger Texas L.P., the abutting owner, containing a total of approximately 1,908 square feet of land, located near the intersection of Midway and Frankford Roads - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29947

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2232

Item 40: An ordinance abandoning two water easements to Old Dominion Freight Line, Inc. the abutting owner, containing a total of approximately 8,619 square feet of land, located near the intersection of Duncanville Road and Keist Boulevard - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29948

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2233

Item 41: An ordinance abandoning a drainage easement to Logic Land, LTD, the abutting owner, containing approximately 1,393 square feet of land, located near the intersection of Cypress Waters Boulevard and Saintsbury Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29949

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2234

Item 42: An ordinance abandoning a drainage easement to TG Flats, LP, the abutting owner, containing approximately 224 square feet of land, located near the intersection of Singleton Boulevard and Borger Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29950

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2235

Item 43: An ordinance abandoning a portion of a sanitary sewer easement to City of Dallas, the abutting owner, containing approximately 7,426 square feet of land, located near the intersection of Bruton and St. Augustine Roads, and providing for the dedication of approximately 13,500 square feet for a needed water and wastewater easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29951

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2236

Item 44: An ordinance abandoning a portion of a utility easement to Intercity Investment Properties, 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

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

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

Councilmember Gates moved to hold the item under advisement indefinitely.

Motion seconded by Councilmember Kleinman and unanimously adopted. (Arnold absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2237

Item 45: An ordinance amending Ordinance No. 29441, previously approved on September 10, 2014, which abandoned aerial rights to Hunt Dallas Office, L.P., the abutting owner containing approximately 316 square feet of land, to extend the building deadline from 18 months to five years, located near the intersection of North Akard Street and Munger Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29952

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2238

Item 46: Authorize a five-year contract, with four, five-year renewal options, with the United States of America acting through the U.S. Army Corps of Engineers to continue providing untreated water, from December 9, 2015 through December 8, 2020 - Estimated Annual Revenue: \$6,790

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2239

Item 47: 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)

*At 10:05 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the Personnel (Sec. 551.074 T.O.M.A.) to discuss appointments for the following nominees prior to consideration of the item: Michael Lugo, Martin Luther King Jr. Community Center Board, and Maurice A. West, Community Development Commission.

Mayor Rawlings reconvened to open session at 11:11 a.m.

The meeting progressed with consideration of other agenda items.

Later in the meeting, 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 DECEMBER 9, 2015, and noted the report indicated all (re)nominees met qualifications for service.

Mayor Pro Tem Alonzo moved to appoint the following:

- Ricardo Martinez to the Board of Adjustment Alternate Members;
- Sidney P. Grant and Brett A. Johansson to the Cypress Waters Municipal Management District;
- April Allen, Dallas County Resident, to the Reinvestment Zone Three Board (Oak Cliff Gateway);
- Jill B. Louis, Dallas County Resident, to the Reinvestment Zone Four Board (Cedars Area);
- Neal D. Sleeper, Dallas County Resident, to the Reinvestment Zone Six Board (Farmers Market) and Reinvestment Zone Seventeen Board (TOD);
- Herbert Goodman, Collin County Resident, to the Reinvestment Zone Seven Board (Sports Arena);
- Brian Driesse, Dallas County Resident, to the Reinvestment Zone Nine Board (Vickery Meadow);
- Robert L. Prejean, Dallas County Resident, to the Reinvestment Zone Ten Board (Southwestern Medical) and Reinvestment Zone Eighteen Board (Maple/Mockingbird);

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-2239

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- Thomas F. Goodale and Sam A. Merten, Dallas County Residents, to the Reinvestment Zone Fourteen Board (Skillman Corridor);
- Robbie Good, Dallas County Resident, to the Reinvestment Zone Seventeen Board (TOD);
- Charles Johnson to the Board of Adjustment;
- Maurice A. West and Lynn Davenport to the Community Development Commission;
- Miriam P. Dominguez to the Dallas Citizens Police Review Board;
- Michael Lugo and Karissa N. Madison to the Martin Luther King Jr. Community Center Board;
- Christopher M. Albert to the Permit and License Appeal Board; and
- Chiyoko Douglas, 55+ Years of Age, to the Senior Affairs Commission.

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

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

15-7401	BOA	BOARD OF ADJUSTMENT;
15-7402	BOX	BOARD OF ADJUSTMENT ALTERNATE MEMBERS
15-7403	CDC	COMMUNITY DEVELOPMENT COMMISSION
15-7404	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
15-7405	CYP	CYPRESS WATERS MUNICIPAL MANAGEMENT DISTRICT
15-7406	MLK	MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD
15-7407	PLA	PERMIT AND LICENSE APPEAL BOARD
15-7408	RZ03	REINVESTMENT ZONE THREE BOARD (OAK CLIFF GATEWAY)
15-7409	RZ04	REINVESTMENT ZONE FOUR BOARD (CEDARS AREA)
15-7410	RZ06	REINVESTMENT ZONE SIX BOARD (FARMERS MARKET)
15-7411	RZ07	REINVESTMENT ZONE SEVEN BOARD (SPORTS ARENA)
15-7412	RZ09	REINVESTMENT ZONE NINE BOARD (VICKERY MEADOW)
15-7413	RZ10	REINVESTMENT ZONE TEN BOARD (SOUTHWESTERN MEDICAL)
15-7414	RZ14	REINVESTMENT ZONE FOURTEEN BOARD (SKILLMAN CORRIDOR)
15-7415	RZ17	REINVESTMENT ZONE SEVENTEEN BOARD (TOD)
15-7416	RZ18	REINVESTMENT ZONE EIGHTEEN BOARD (MAPLE/MOCKINGBIRD)
15-7417	SAC	SENIOR AFFAIRS COMMISSION

***Note:** Other items discussed during closed session were as duly posted as well as Agenda Item 49.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2240

Item 48: An ordinance amending Article XI of the Dallas Development Code, including tax exemptions, conservation easements, and transfer of development rights -
Financing: No cost consideration to the City

The following individual addressed the city council on the item:

Nicky DeFreece Emery, 1122 Jackson St.

Councilmember Callahan moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Kingston.

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

Assigned ORDINANCE NO. 29953

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2241

Item 49: Authorize a Chapter 380 economic development grant agreement with OneSource Virtual, Inc., in an amount not to exceed \$800,000 for the relocation and expansion of its U.S. headquarters to a new office facility at 9001 Cypress Waters Boulevard, in Dallas, pursuant to the Public/Private Partnership Program - Not to exceed \$800,000 - Financing: Public/Private Partnership Funds

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

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

Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and Councilmember Callahan.

Councilmember Arnold presented a friendly amendment to Mayor Pro Tem Alonzo's motion to revise the terms of the Chapter 380 agreement with OneSource Virtual, Inc. to include the following MWBE requirement for all tenant finish out and tenant allowances for the project:

"Comply with the Business Inclusion and Development ("BID") good faith goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise (M/WBE) participation for all expenditures in contracts entered into relating to tenant finish-out or tenant allowances for the project, and meet all reporting requirements for this obligation."

Mayor Pro Tem Alonzo, and Deputy Mayor Pro Tem Wilson and Councilmember Callahan who seconded the motion, accepted Councilmember Arnold's friendly amendment.

Councilmember Griggs requested a closed session to allow consultation with the city attorney on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1909

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*At 10:03 a.m., Mayor Rawlings announced the city council would convene into closed session, as authorized by Chapter 551, "OPEN MEETINGS," Section 551.071 of the T.O.M.A. (Attorney Briefings), to consult with the city attorney.

Mayor Rawlings reconvened to open session at 11:17 a.m. No other matters were discussed during the closed session.

Councilmember Griggs moved a substitute motion to adopt the item with Councilmember Arnold's friendly amendment and the City acknowledges U.S. Department of Housing and Urban Development (HUD) has not reviewed this proposal and approval is subject to HUD reviewing and approving.

Motion seconded by Councilmember Kingston.

Mayor Rawlings called a record vote on Councilmember Griggs' substitute motion to adopt the item with Councilmember Arnold's friendly amendment and the City acknowledges U.S. Department of Housing and Urban Development (HUD) has not reviewed this proposal and approval is subject to HUD reviewing and approving.

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 substitute motion failed.

Mayor Rawlings called a record vote on Mayor Pro Tem Alonzo's motion to adopt the item with Councilmember Arnold's friendly amendment.

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

Voting No: [1] Griggs

The city secretary declared the item adopted.

***Note: Other items discussed during closed session were as duly posted as well as Agenda Item 47.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2242

Item 50: Authorize a real property tax abatement agreement with US Real Estate Limited Partnership, granting a ten-year abatement of 90 percent of the taxes on added value to the real property for the purpose of assisting in the development of a new industrial/warehouse facility located south of IH-20, on the northwestern corner of Old Hickory Trail and its intersection with Autobahn Drive within the Southfield Park 35 Industrial park in Dallas, Texas within a Texas Enterprise Zone in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$14,346; ten-year revenue estimated at \$143,460 (Estimated revenue forgone for the ten-year real property abatement estimated at \$1,291,140)

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

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

Deputy Mayor Pro Tem Wilson moved to adopt the item.

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Clayton and unanimously adopted. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2243

DPF TX I Bonnie View, L.L.C.

Note: Item Nos. 51, 52 and 53
must be considered collectively.

Item 51: Authorize rescission of Resolution Nos. 14-1052 and 14-1053, previously approved on June 25, 2014, which authorized a ten-year tax abatement agreement in the amount of 90 percent of the taxes on added value to the real property and a Chapter 380 economic development grant agreement in an amount not to exceed \$1,760,000 respectively, with DLH Master Land Holding, LLC associated with a proposed new commercial distribution development located east of Bonnie View Road, south of Telephone Road and north of Wintergreen Road in southern Dallas within the International Inland Port of Dallas - Financing: No cost consideration to the City

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

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

Deputy Mayor Pro Tem Wilson moved to adopt agenda items 51-53 with the following amendments:

- The second paragraph of the background information for agenda items 51-53, which read "approximately 46.8 acres," to read "61.699 acres;" and
- The last sentence on Section 2 of the resolution for agenda item 53 state "The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause."

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Callahan. (Thomas absent when vote taken)

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-2243

Page 2

Later in the meeting, Deputy Mayor Pro Tem Wilson moved to reconsider agenda items 51-53 to allow for an additional amendment.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Wilson's motion to reconsider the items and declared the reconsideration adopted.

Deputy Mayor Pro Tem Wilson moved to adopt agenda items 51-53 with the following amendments:

- The second paragraph of the background information for agenda items 51-53, which read "approximately 46.8 acres," to read "61.699 acres."
- The last sentence on Section 2 of the resolution for agenda item 53 state "The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause."
- The existing Exhibit A of the resolution be replaced with the updated Exhibit A [for agenda items 51-53].

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Callahan.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2244

DPF TX I Bonnie View, L.L.C.

Note: Item Nos. 51, 52 and 53
must be considered collectively.

Item 52: Authorize a real property tax abatement agreement with DPF TX I Bonnie View, L.L.C., for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property for development of a proposed new commercial distribution facility located east of Bonnie View Road, south of Telephone Road and north of Wintergreen Road in southern Dallas within the International Inland Port of Dallas in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$15,143; ten-year revenue estimated at \$151,430 (Estimated revenue forgone for the ten-year real property abatement estimated at \$1,362,870)

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

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

Deputy Mayor Pro Tem Wilson moved to adopt agenda items 51-53 with the following amendments:

- The second paragraph of the background information for agenda items 51-53, which read "approximately 46.8 acres," to read "61.699 acres;" and
- The last sentence on Section 2 of the resolution for agenda item 53 state "The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause."

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Callahan. (Thomas absent when vote taken)

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-2244

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Later in the meeting, Deputy Mayor Pro Tem Wilson moved to reconsider agenda items 51-53 to allow for an additional amendment.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Wilson's motion to reconsider the items and declared the reconsideration adopted.

Deputy Mayor Pro Tem Wilson moved to adopt agenda items 51-53 with the following amendments:

- The second paragraph of the background information for agenda items 51-53, which read "approximately 46.8 acres," to read "61.699 acres."
- The last sentence on Section 2 of the resolution for agenda item 53 state "The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause."
- The existing Exhibit A of the resolution be replaced with the updated Exhibit A [for agenda items 51-53].

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Callahan.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2245

DPF TX I Bonnie View, L.L.C.

Note: Item Nos. 51, 52 and 53
must be considered collectively.

Item 53: Authorize a Chapter 380 economic development grant agreement with DPF TX I Bonnie View, L.L.C., for necessary assistance with public infrastructure and other land development costs for a proposed new commercial distribution development located east of Bonnie View Road, south of Telephone Road and north of Wintergreen Road in southern Dallas within the International Inland Port of Dallas in accordance with the City's Public/Private partnership Program - Not to exceed \$1,300,000 - Financing: 2012 Bond Funds

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

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

Deputy Mayor Pro Tem Wilson moved to adopt agenda items 51-53 with the following amendments:

- The second paragraph of the background information for agenda items 51-53, which read "approximately 46.8 acres," to read "61.699 acres;" and
- The last sentence on Section 2 of the resolution for agenda item 53 state "The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause."

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Callahan. (Thomas absent when vote taken)

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-2245

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Later in the meeting, Deputy Mayor Pro Tem Wilson moved to reconsider agenda items 51-53 to allow for an additional amendment.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Wilson's motion to reconsider the items and declared the reconsideration adopted.

Deputy Mayor Pro Tem Wilson moved to adopt agenda items 51-53 with the following amendments:

- The second paragraph of the background information for agenda items 51-53, which read "approximately 46.8 acres," to read "61.699 acres."
- The last sentence on Section 2 of the resolution for agenda item 53 state "The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause."
- The existing Exhibit A of the resolution be replaced with the updated Exhibit A [for agenda items 51-53].

Motion seconded by Mayor Pro Tem Alonzo and Councilmember Callahan.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2246

Item 54: Authorize an amendment to the TIF development agreement with Bishop Arts LLC, previously approved on December 10, 2014, by Resolution No. 14-2180, as amended to **(1)** increase the Bishop Arts Phase I development agreement by \$25,000 for additional project costs that benefit the Oak Cliff Gateway TIF District to be used towards the cost of a parking consultant study to ensure that adequate parking will be available to support the economic activity in the area and will be payable upon completion of the study and any related conditions; and **(2)** extend project deadlines for Phase I by six months - Not to exceed \$25,000 - Financing: Oak Cliff Gateway TIF District Funds

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2247

Item 55: Authorize an amendment to Resolution No. 15-1586, previously approved on August 26, 2015, to change the awarded reconstruction contractor of one home located at 3602 Gallagher Street from Nickerson Construction Company to Torres Construction - Total not to exceed \$103,000 - Financing: 2012-13 Community Development Block Grant Reprogramming Funds (\$94,389) and 2013-14 Community Development Block Grant Funds (\$8,611)

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

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

Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and Councilmember Clayton and unanimously adopted. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2248

The consent zoning docket consisted of agenda items 56-61.

Agenda item 56: Zoning Case Z145-334(SM)
Agenda item 57: Zoning Case Z145-338(WE)
Agenda item 58: Zoning Case Z145-345(AF)
Agenda item 59: Zoning Case Z145-348(AF)
Agenda item 60: Zoning Case Z145-349(AF)
Agenda item 61: Zoning Case Z145-354(SM)

Consent zoning agenda item 59 was removed from the consent zoning docket to be considered as an individual hearing.

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

Agenda item 56: Zoning Case Z145-334(SM)
Agenda item 57: Zoning Case Z145-338(WE)
Agenda item 58: Zoning Case Z145-345(AF)
Agenda item 60: Zoning Case Z145-349(AF)
Agenda item 61: Zoning Case Z145-354(SM)

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.

Mayor Pro Tem Alonzo 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 Deputy Mayor Pro Tem Wilson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2249

Item 56: Zoning Case 145-334(SM)

The consent zoning docket, consisting of consent zoning agenda items 56-58, 60 and 61, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a vehicle display, sales and service on property zoned a CA-1(A) Central Area District with a Core Pedestrian Overlay on the west corner of Olive Street and Live Oak Street.

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 recommendations.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29954

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2250

Item 57: Zoning Case 145-338(WE)

The consent zoning docket, consisting of consent zoning agenda items 56-58, 60 and 61, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bail bond office on property zoned Mixmaster Riverfront Subarea, Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the southwest corner of Rock Island Street and South Riverfront Boulevard.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29955

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2251

Item 58: Zoning Case 145-345(AF)

The consent zoning docket, consisting of consent zoning agenda items 56-58, 60 and 61, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an R-10(A) Single Family District on property zoned an A(A) Agricultural District, southwest of the intersection of South St. Augustine Road and Middlefield Road.

Recommendation of Staff and CPC: Approval.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29956

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2252

Item 59: Zoning Case 145-348(AF)

The consent zoning docket, consisting of consent zoning agenda items 56-58, 60 and 61, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an animal shelter or clinic with outside runs on property zoned an IR Industrial Research District along the north line of West Commerce Street, west of Chappell Street.

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

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 January 13, 2016 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. (Arnold absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2253

Item 60: Zoning Case 145-349(AF)

The consent zoning docket, consisting of consent zoning agenda items 56-58, 60 and 61, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District on the southwest line of Monitor Street, west of Wycliff Avenue.

Recommendation of Staff and CPC: Approval.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29957

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2254

Item 61: Zoning Case 145-354(SM)

The consent zoning docket, consisting of consent zoning agenda items 56-58, 60 and 61, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an adult day care facility and an ordinance granting the repeal of Specific Use Permit No. 1161 for a community service center on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 105 for an institutional use on the southwest corner of Samuell Boulevard and Hunnicut Road.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 29958 AND 29959

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2255

Item 62: Zoning Case 145-346(DL)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, on the northeast side of C.F. Hawn Freeway, west of North Jim Miller Road.

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

Note: This item was considered by the City Council at a public hearing on October 28, 2015, and was deferred until December 9, 2015.

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

Councilmember Callahan 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 unanimously adopted.

Assigned ORDINANCE NO. 29960

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2256

Item 63: Zoning Case 145-346(DL)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to a development plan on property zoned Subarea 1 of Planned Development District No. 883 on property at the terminus of Jeane Street, west of Pemberton Hill Road, and north of Great Trinity Forest Way.

Recommendation of Staff and CPC: Approval.

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 recommendations.

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

Motion seconded by Councilmember Medrano and Councilmember Callahan.

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

Assigned ORDINANCE NO. 29961

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2257

Item 64: Zoning Case 145-247(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.

Note: This item was considered by the City Council at public hearings on October 14, 2015 and November 10, 2015, and was deferred until December 9, 2015.

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:

Michael Davis, 2807 Allen St.

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

- Subject to the revised Tract IV development/landscape plan reflecting the updated floor areas;
- Maximum number of stories for Tract IV is seven;

and pass the ordinance.

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

Assigned ORDINANCE NO. 29962

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2258

Item 65: Zoning Case 145-325(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting the removal of the D-1 Liquor Control Overlay on property zoned an RR Regional Retail District with consideration being given to 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 the northeast corner of Samuell Boulevard and South Buckner Boulevard.

Recommendation of Staff: Denial 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.

Recommendation of CPC: Approval of a D-1 Liquor Control Overlay; and denial of a Specific Use Permit.

Note: This item was considered by the City Council at a public hearing on November 10, 2015, and was deferred until December 9, 2015.

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."

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 the city plan commission's recommendation.

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

Jake Petras, 1120 N. Industrial Blvd., Euless, TX

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-2258

Page 2

Councilmember Young moved to close the public hearing, accept the recommendation of staff and pass the ordinance.

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

Assigned ORDINANCE NO. 29963

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2259

Item 66: A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately .37 acres of the current 1.33 acres of land, located at 4133 Shorecrest Drive within the floodplain of Bachman Branch, Fill Permit 15-04 - Financing: No cost consideration to the City

No one addressed the city council on the item.

Councilmember Gates 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

DECEMBER 9, 2015

15-2260

Item 67: A public hearing to receive comments on the proposed sale of four 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 four 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: \$4,000

No one addressed the city council on the item.

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

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2261

Item 68: 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 Jones-Blair Company, LLC, located near the intersection of Denton Drive and Empire Central and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Jones-Blair Company, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval.

The city secretary read the following statement into the record:

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

The following individuals addressed the city council on the item:

Lance Crabtree, 8901 Carpenter Fwy., professional geoscientist
Susan Rainey, 2200 Ross Ave., representing the applicant

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

Motion seconded by Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 29964

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2262

Item 69: A public hearing to receive comments on the reinstatement of the Dallas juvenile curfew ordinance, which provides daytime and nighttime curfew hours for minors
- Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Richard Sheridan, 11301 Dennis Rd.
Dominique Alexander, 2512 Overton Rd.

Councilmember Thomas moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2263

Item 70: A public hearing to receive comments on **(1)** Substantial Amendment No. 4 to the Neighborhood Stabilization Program Plan to receive and deposit program income in the amount of \$350,000; **(2)** adoption of Substantial Amendment No. 4; and **(3)** an increase in appropriations in the amount of \$350,000, from \$4,000,000 to \$4,350,000 to be used for similar eligible activities - Financing: No cost consideration to the City

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

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

No one addressed the city council on the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2264

Closed Session

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

- Personnel matter involving City Attorney Warren Ernst

At 10:03 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- Personnel matter involving City Attorney Warren Ernst

Addition:

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

- Board and Commission Appointments
 - Michael Lugo, Martin Luther King Jr. Community Center Board
 - Maurice A. West, Community Development Commission

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

- Legal Matters relating to Agenda Item 49 (Chapter 380 economic development grant agreement with OneSource Virtual, Inc.)

Mayor Rawlings reconvened to open session after the closed session at 1:17 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2265

Addendum Addition 1: Authorize a three-year service contract and policy, with two one-year renewal options, to provide **(1)** City paid basic life insurance for \$1.75 per employee per month - Estimated cost \$777,924; and **(2)** elective employee paid supplemental group term life, elective dependent life and accidental death and dismemberment insurance coverage - Estimated cost \$7,712,915 (to be fully reimbursed by participating employees) - Standard Insurance Company, most advantageous proposer of three - Total not to exceed \$8,490,839 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2266

Addendum Addition 2: Authorize a six-year service contract for elevator and escalator maintenance and repair at various city facilities - Southwest Elevator Company dba Oracle Elevator Company of Texas, lowest responsible bidder of five - Not to exceed \$4,242,931 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2267

Addendum Addition 3: Authorize settlement of a claim filed by Steven Piano, Claim No. 15475033 - Not to exceed \$29,369 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2268

Addendum Addition 4: An ordinance authorizing an amendment to Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code to provide construction workers with a ten-minute rest break for every four hours; providing for signs explaining rest break requirements on construction sites; providing a criminal penalty; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Diana Ramirez, 1603 Thomaswood Ln.
Erica Cole, 9246 Forest Hills Blvd.
Emily Timm, 7648 Loma Vista Dr.
Jasmine Granillo, Private
Bethany Boggess, 1415 Braes Ridge Dr.

Councilmember Clayton moved to adopt the item.

Motion seconded by Councilmember Griggs.

Councilmember Kleinman distributed a new resolution, for city council consideration, as an alternative to the item presented.

After discussion, Councilmember Kleinman called the question.

Call seconded by Councilmember Callahan.

Mayor Rawlings called for a show of hands on Councilmember Kleinman calling the question.

By a show of hands, with the majority raised in favor, Mayor Rawlings declared the call adopted.

Mayor Rawlings called a record vote on Councilmember Clayton's motion to adopt the item as presented.

Voting Yes: [10] Alonzo, Wilson, Griggs, Medrano, Thomas, Arnold, Young,
Clayton, Greyson, Kingston

Voting No: [5] Rawlings, Callahan, McGough, Kleinman, Gates

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29965

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2269

Addendum Addition 5: Authorize approval by the City of Dallas of the proposed tax abatement agreement between American Airlines and Tarrant County for construction of American Airline's new corporate headquarters and related uses on DFW Airport property -
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2270

Addendum Addition 6: Authorize application for an Environmental Solutions for Communities Grant in the amount of \$50,000 from Wells Fargo and the National Fish and Wildlife Foundation for the Dam Safety and Shoreline Erosion Control project at Kidd Springs Park - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2271

Addendum Addition 7: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design through construction administration services of the Phase I Aquatics Master Plan - 2015 Update to include six aquatic facilities to be constructed at: Crawford Memorial Park located at 8700 Elam Road, Fretz Park located at 6994 Beltline Road, Kidd Springs Park located at 700 West Canty Street, Lake Highlands North Park located at 9344 Church Road, Samuell-Grand Park located at 6200 East Grand Avenue, and Tietze Park located at 2700 Skillman Street - Not to exceed \$3,307,500 - Financing: Elgin B. Robertson Land Sale Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2272

**State of Texas Energy Conservation
Office LoanSTAR Fund**

Note: Addendum Item Nos. 8 and 9
must be considered collectively.

Addendum Addition 8: Authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office LoanSTAR Fund in the amount of \$5,723,363, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in the amount of \$5,723,363 in the State Energy Conservation Office LoanSTAR III Fund; **(3)** Supplemental Agreement No. 1 to the contract with Metco Engineering for **(a)** construction of energy conservation related projects at 28 City facilities in an amount not to exceed \$5,723,363 (list attached) and **(b)** measurement and verification of the guaranteed savings for a period not to exceed ten years, in an amount not to exceed \$150,000 to be paid from electric and natural gas savings; and **(4)** the acceptance and deposit of rebates from Oncor Electric Delivery in the Oncor Rebate Fund - Total not to exceed \$5,873,363 - Financing: State of Texas Energy Conservation Office LoanSTAR Funds (\$5,723,363) and Current Funds (\$150,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2273

**State of Texas Energy Conservation
Office LoanSTAR Fund**

Note: Addendum Item Nos. 8 and 9
must be considered collectively.

Addendum Addition 9: Authorize repayment of the loan, in the amount of \$5,723,363 over a ten year period, plus interest in the amount of \$480,000, from the State of Texas Energy Conservation Office Loan Repayment Fund using savings in the City's annual electricity and natural gas budgets - Not to exceed \$6,203,363 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2274

Addendum Addition 10: Authorize a net increase in the contract with Tiseo Paving Company for additional and deductive work associated with the excavation of trash and debris in abandoned basement structures discovered during construction along Cesar Chavez Boulevard between Commerce Street and Pacific Avenue and replacement with select fill material suitable for a roadway base - Not to exceed \$290,206, from \$15,282,670 to \$15,572,876 - Financing: 2012 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 9, 2015

15-2275

Addendum Addition 11: An ordinance amending Chapter 43, Article VIII of the Dallas City Code, relating to improvements in public right-of-way by (1) amending registration requirements; (2) modifying the permit application requirements; (3) amending trench and backfill requirements; (4) providing additional signage requirements for vehicles and equipment in the right-of-way; (5) providing additional notification requirements; and (6) making conforming changes - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson.

Councilmember Greyson presented a friendly amendment to Mayor Pro Tem Alonzo's motion to include a 48-hour notification requirement to residents and/or business owners under Section (5) of the ordinance.

Deputy Mayor Pro Tem Wilson, who seconded Mayor Pro Tem Alonzo's motion, accepted the friendly amendment.

Following discussion, Councilmember Kingston moved a substitute motion to hold the item until the January 27, 2016 voting agenda meeting of the city council.

Motion seconded by Councilmember Griggs.

Mayor Rawlings called for a show of hands on Councilmember Kingston's substitute motion to hold the item until the January 27, 2016 voting agenda meeting of the city council.

By a show of hands, with the majority raised in favor, Mayor Rawlings declared the substitute motion adopted.

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

EXHIBIT C