

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 3, 2016

16-1140

CITY COUNCIL BRIEFING
CITY HALL, ROOM 6ES
MAYOR MICHAEL RAWLINGS, PRESIDING

PRESENT: [15] Rawlings, Alonzo, Griggs (*9:32 a.m.), Medrano, Thomas, Arnold, Callahan, Young, Clayton (*9:15 a.m.), McGough, Kleinman, Greyson (*9:32 a.m.), Gates, Kingston (*9:18 a.m.)

ABSENT: [0]

The meeting was called to order at 9:08 a.m.

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

The invocation was given by Reverend Judith Reedy, Senior Pastor, Grace United Methodist Church.

Deputy Mayor Pro Tem Wilson led the pledge of allegiance.

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 5:41 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, AUGUST 3, 2016

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 3, 2016

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1141

SPECIAL PRESENTATIONS

At the beginning of each briefing meeting of the city council a time is set aside for the mayor and city council to recognize special individuals or groups, to read mayoral proclamations, to confer honorary citizenships, and to make special presentations.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1142

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: Ricky Gonzales, 4283 S. Cresthaven Rd.
SUBJECT: Crime in Northwest Dallas

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

SPEAKER: Linda Newland, 2468 Dorrington Dr. (handout provided)
SUBJECT: Suggestions to save city money

SPEAKER: Fred Allen, 1929 Courtside Dr.
SUBJECT: Homeless being relocated
REPRESENTING: Bella Lagos Homeowners

SPEAKER: Robert Ceccarelli, 1822 Young St.
SUBJECT: Homelessness

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Deloris Phillips, 1050 N. State Highway 360 (handout provided)
SUBJECT: Green Oaks altered video

SPEAKER: John Halsey, 415 E. 9th St. (handout provided)
SUBJECT: Dallas Universal Peace Federation
REPRESENTING: Artwork

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Ashley Rice, 5424 Reiger Ave.
SUBJECT: Unleashed dogs/dog attacks

SPEAKER: Reggie Ruffin, 2703 Exeter Dr.
SUBJECT: Working to resolve issues

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
AUGUST 3, 2016
16-1142

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Eddie Propes, 2639 Exeter Dr.
SUBJECT: Black land in Southern Dallas

SPEAKER: Ty Hardaway, 7505 Neuhoff Dr. (video presentation)
SUBJECT: Dialogs bridging the gap

SPEAKER: David King, 2318 E. Kiest Blvd.
SUBJECT: Homelessness

SPEAKER: Camilla Woods, 1572 N. Galloway Ave., Mesquite, TX
SUBJECT: Maintenance in South Dallas

SPEAKER: B.M. Randolph, Not Provided
SUBJECT: Don't let the devil ride

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-1143

Item 1: Approval of Minutes of the June 8, 2016 City Council Meeting

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1144

Item 2: 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 nominations received for the 2015-2017 board term, ending September 30, 2017, and noted the report indicated all nominees met qualifications for service.

The city secretary announced ballots would be distributed to allow the casting of votes on the appointment of the Vice-Chair to the City Plan and Zoning Commission as 2 nominees were submitted: Matt L. Houston and Jarrod Davis.

Ballots were distributed and collected. In order to allow the City Secretary's Office time to calculate the results, this part of the item was held to later in the meeting.

The city secretary announced, at the request of Councilmember McGough, the appointment of Carol Bell-Walton to the South Dallas/Fair Park Trust Fund Board would be considered under a separate vote; there was no objection voiced by the city council.

Deputy Mayor Pro Tem Wilson moved to appoint the following:

- Walter Kilroy, Registered Architect, and Dale P. Litton, Participation in Community Affairs, to the Building Inspection Advisory, Examining & Appeals Board;
- Stephanie G. Kunkle-Timko, General Public, to the Animal Advisory Commission;
- Elizabeth A. Nelson to the Board of Adjustment;
- Daphna Yoffe, Interested Citizen/Art History, to the Cultural Affairs Commission;
- Myrtl E. Lavallaisaa to the Community Development Commission; and
- Adam McGill, Historic Preservation, to the Landmark Commission.

Motion seconded by Councilmember Medrano and unanimously adopted.

Councilmember Kingston moved to appoint the following:

- Carol Bell-Walton to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Medrano.

After discussion, Mayor Rawlings called for a show of hands on Councilmember Kingston's motion.

By a show of hands, with the majority raised in opposition, Mayor Rawlings declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-1144

Page 2

Later in the meeting, the city secretary announced the following individual received the majority of votes cast and was therefore appointed as Vice-Chair of the City Plan and Zoning Commission by acclamation:

Matt L. Houston

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

16-6453	ASC	ANIMAL ADVISORY COMMISSION
16-6454	BIA	BUILDING INSPECTION ADVISORY, EXAMINING & APPEALS BOARD
16-6455	BOA	BOARD OF ADJUSTMENT
16-6456	CAC	CULTURAL AFFAIRS COMMISSION
16-6457	CDC	COMMUNITY DEVELOPMENT COMMISSION
16-6458	LMC	LANDMARK COMMISSION
16-6460		BOARD OFFICER

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1145

Briefing A: Dallas Employees' Retirement Fund: Proposed Changes to Chapter 40A

The city manager briefed the city council on the item.

*At 12:04 p.m., Mayor Rawlings announced the item would be discussed and subsequently convened to closed session under Attorney Briefings (Sec. 551.071 T.O.M.A.).

Mayor Rawlings reconvened the city council meeting after the closed session at 1:03 p.m.

*** Note: Other items discussed during closed session were as duly posted or announced.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1146

Briefing B: Dallas Commission on Homelessness Interim Report

The following briefed the city council on the item:

- A.C. Gonzalez, City Manager;
- Britton Banowsky, Chair of the Dallas Commission on Homelessness;
- Troy Broussard, Member of Dallas Commission on Homelessness;
- Larry James, Member of Dallas Commission on Homelessness; and
- Cindy Crain, President & CEO of Metro Dallas Homeless Alliance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1147

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 3: A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 4% Low Income Housing Tax Credits for Peoples El Shaddai Village and St. James Manor Apartments, a 200-unit multifamily rehabilitation project, located at 2836 East Overton Road and 3119 Easter Avenue, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize a resolution for no objection to the project for Texas Department of Housing and Community Affairs (TDHCA) 4% Low Income Housing Tax Credit (LIHTC) application and allocation for Peoples El Shaddai Village and St. James Manor Apartments, located at 2836 East Overton Road and 3119 Easter Avenue for the rehabilitation of the proposed 200 units of multifamily residential housing for low income families - 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."

Prior to the item being read into the record and at Councilmember Arnold's request, Mayor Rawlings announced the item would be held to later in the meeting to allow individuals time to arrive and speak on the item; there was no objection voiced by the city council.

Later in the meeting, the item was presented for consideration.

The following individuals addressed the city council on the item:

David Asarch, 6875 E. Evans Ave., Denver, CO

Eliza Lewis, 2836 E. Overton Rd.

Deloris Phillips, 1058 N. State Highway 360, Grand Prairie, TX

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-1147

Page 2

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

1. Creation of a community revitalization plan for the census tract in which the project is located;
2. Direct the city manager to identify funding to create access to opportunity for the residents of the census tract;
3. Acknowledge the substantial, legitimate, non-discriminatory governmental interest served by completion of the project (El Shaddai and St. James); and
4. Confirm our [City's] belief that the government interest could not have been served in a less discriminatory way.

Motion seconded by Councilmember Young and Councilmember Kingston.

At Councilmember Young's request, the following individual re-addressed the city council on this item; there was no objection voiced by the city council.

David Asarch, 6875 E. Evans Ave., Denver, CO

After discussion ended, Mayor Rawlings declared the item unanimously adopted. (Clayton absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1148

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 4: A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 4% Low Income Housing Tax Credits for Silver Gardens Apartments, a 202-unit multifamily rehabilitation project located at 2620 Ruidosa Avenue, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize a resolution for no objection to the project for the Texas Department of Housing and Community Affairs (TDHCA) 4% Low Income Housing Tax Credit (LIHTC) application and allocation for Silver Gardens Apartments, located at 2620 Ruidosa Avenue for the rehabilitation of the proposed 202-unit multifamily residential project for low income seniors - Financing: No cost consideration to the City

Prior to the item being read into the record, Councilmember Clayton moved to defer the item indefinitely. Therefore, no speakers were called on the item.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1149

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 5: A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 4% Low Income Housing tax Credits for Skyline Place Apartments, a 318-unit multifamily rehabilitation project located at 4700 Wimbelton Way, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize a resolution for no objection to the Texas Department of Housing and Community Affairs (TDHCA) 4% Low Income Housing Tax Credit (LIHTC) application and allocation for Skyline Place Apartments, located at 4700 Wimbelton Way for the rehabilitation of the proposed 318-unit multifamily residential housing development for low income families - 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."

The following individual addressed the city council on the item:

Dale Dodson, 5709 Northbrook Drive, Plano, TX

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

1. Creation of a community revitalization plan for the census tract in which the project is located;
2. Direct the city manager to identify funding to create access to opportunity for the residents of the census tract;
3. Acknowledge the substantial, legitimate, non-discriminatory governmental interest served by completion of the project; and
4. The city manager to produce a document to confirm our [City's] belief that the government interest could not have been served in a less discriminatory way.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-1149

Page 2

Motion seconded by Councilmember Young and Councilmember Kingston.

At Councilmember Young's request, the following individual re-addressed the city council on the item; there was no objection voiced by the city council.

Dale Dodson, 5709 Northbrook Drive, Plano, TX

After discussion ended, Councilmember Kleinman presented a friendly amendment to Councilmember Griggs' motion to add "*The developer will cooperate with the City to the extent possible.*"

Councilmember Griggs accepted the friendly amendment.

Councilmember Young and Councilmember Kingston, who seconded Councilmember Griggs' motion, accepted the friendly amendment.

After discussion ended, Mayor Rawlings declared the item adopted on a divided vote with Mayor Pro Tem Alonzo voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 3, 2016

16-1150

Closed Session

6ES

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

- Kenneth E. Albert, et al. v. City of Dallas, Cause No. 199-00697-94; Anthony Arredondo, et al. v. City of Dallas, Cause No. 199-1743-99; David L. Barber, et al. v. City of Dallas, Cause No. 199-624-95; David S. Martin, et al. v. City of Dallas, Cause No. 1-95-506; George G. Parker, et al. v. City of Dallas, Cause No. 1-95-107; Kevin Michael Willis, et al. v. City of Dallas, Cause No. 199-200-95.
- Robert Groden v. City of Dallas, et al., No. 3:10-CV-1280-N; City of Dallas et al. v. Robert Groden, No. 05-15-00033-CV.
- Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, No. 3:15-CV-1944-N.
- Three Expo Events, LLC v. City of Dallas, Texas, et al., No. 3:16-CV-00513-D, as well as any other claim by a person seeking to lease a city facility for an adult entertainment event or sell at or attend such an event.

At 12:04 p.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act). The following items were discussed:

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

- Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, No. 3:15-CV-1944-N.
- Three Expo Events, LLC v. City of Dallas, Texas, et al., No. 3:16-CV-00513-D, as well as any other claim by a person seeking to lease a city facility for an adult entertainment event or sell at or attend such an event.
- Briefing A
Dallas Employees' Retirement Fund: Proposed Changes to Chapter 40A

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-1150

Page 2

Mayor Rawlings reconvened the city council meeting after the closed session at 1:03 p.m. No other matters were discussed during the closed session.

At 2:52 p.m., Mayor Rawlings announced the city council would again convene to closed session to discuss the following:

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

- Kenneth E. Albert, et al. v. City of Dallas, Cause No. 199-00697-94; Anthony Arredondo, et al. v. City of Dallas, Cause No. 199-1743-99; David L. Barber, et al. v. City of Dallas, Cause No. 199-624-95; David S. Martin, et al. v. City of Dallas, Cause No. 1-95-506; George G. Parker, et al. v. City of Dallas, Cause No. 1-95-107; Kevin Michael Willis, et al. v. City of Dallas, Cause No. 199-200-95.
- Robert Groden v. City of Dallas, et al., No. 3:10-CV-1280-N; City of Dallas et al. v. Robert Groden, No. 05-15-00033-CV.

As well as,

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

- Agenda Item #3
A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 4% Low Income Housing Tax Credits for Peoples El Shaddai Village and St. James Manor Apartments, a 200-unit multifamily rehabilitation project, located at 2836 East Overton Road and 3119 Easter Avenue, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize a resolution for no objection to the project for Texas Department of Housing and Community Affairs (TDHCA) 4% Low Income Housing Tax Credit (LIHTC) application and allocation for Peoples El Shaddai Village and St. James Manor Apartments, located at 2836 East Overton Road and 3119 Easter Avenue for the rehabilitation of the proposed 200 units of multifamily residential housing for low income families - Financing: No cost consideration to the City

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-1150

Page 3

- Agenda Item #4

A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 4% Low Income Housing Tax Credits for Silver Gardens Apartments, a 202-unit multifamily rehabilitation project located at 2620 Ruidosa Avenue, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize a resolution for no objection to the project for the Texas Department of Housing and Community Affairs (TDHCA) 4% Low Income Housing Tax Credit (LIHTC) application and allocation for Silver Gardens Apartments, located at 2620 Ruidosa Avenue for the rehabilitation of the proposed 202-unit multifamily residential project for low income seniors - Financing: No cost consideration to the City

- Agenda Item #5

A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 4% Low Income Housing tax Credits for Skyline Place Apartments, a 318-unit multifamily rehabilitation project located at 4700 Wimbelton Way, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize a resolution for no objection to the Texas Department of Housing and Community Affairs (TDHCA) 4% Low Income Housing Tax Credit (LIHTC) application and allocation for Skyline Place Apartments, located at 4700 Wimbelton Way for the rehabilitation of the proposed 318-unit multifamily residential housing development for low income families - Financing: No cost consideration to the City

Mayor Rawlings reconvened to open session at 4:31 p.m. No other matters were discussed in closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 3, 2016

EXHIBIT C