

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 11, 2017

17-0060

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

PRESENT: [15] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Arnold, Callahan, Young, Clayton, McGough, Kleinman (*9:09 a.m.), Greyson (*9:13 a.m.), Gates, Kingston

ABSENT: [0]

The meeting was called to order at 9:08 a.m. with a quorum of the city council present.

The invocation was given by Bishop J. Lee Slater, Senior Pastor of New Millennium Bible Fellowship Praise Center.

Councilmember Clayton 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 2:50 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, JANUARY 11, 2017

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 11, 2017

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0061

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: Dominique Alexander, 2512 E. Overton Rd.
SUBJECT: State of the City of Dallas
REPRESENTING: Next Generation Action Network

SPEAKER: William Hopkins, 2011 Leath St. (handout provided)
SUBJECT: West Dallas

SPEAKER: Lawrence Brautigan, 9670 Forest Ln.
SUBJECT: Our future

SPEAKER: James Willis, 2425 S. Cesar Chavez Blvd. (handout provided)
SUBJECT: HIV in Dallas

SPEAKER: David Marquis, 3110 W. Kiest Blvd.
SUBJECT: 2017 Bond Program

At the request of Mayor Rawlings, the following individual was allowed to address the city council at the beginning of meeting; there was no objection voiced by the city council.

SPEAKER: Ewing Moseley, 9450 Royal Ln.
SUBJECT: Uber

ADDITIONAL – OPEN MICROPHONE:

There were no speakers under this category.

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Evelia Garfias, 4425 Sycamore St.
SUBJECT: Code Compliance

SPEAKER: Effie Young, 2710 Jeffries St.
SUBJECT: Gateway housing program

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

17-0061

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OPEN MICROPHONE – END OF MEETING: (Continued)

SPEAKER: Pamela Hudson, 2710 Jeffries St.
SUBJECT: Gateway housing program

SPEAKER: Luther Fenton, 2710 Jeffries St.
SUBJECT: Gateway housing program

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0062

Item 1: Approval of Minutes of the December 14, 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. (Clayton absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0063

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-30 and addendum addition consent agenda items 1-9. Consent agenda item 15 was corrected on the addendum. Consent agenda item 22 was deleted on the addendum.

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

The consent agenda, consisting of consent agenda items 2-7, 9-21, 23-30 and addendum addition consent agenda items 1-7 and 9, was presented for consideration. Councilmember Kingston requested addendum addition consent agenda item 8 be placed back on the consent agenda; there was no objection voiced to his request.

Therefore, the modified consent agenda, consisting of consent agenda items 2-7, 9-21, 23-30 and addendum addition consent agenda items 1-9, was presented for consideration.

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

Motion seconded by Councilmember Kingston.

After discussion, Mayor Rawlings called the vote and declared the consent agenda unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0064

Item 2: Authorize a three-year professional services contract for engineering services to review plats and plans related to construction projects - Dal-Tech Engineering, Inc. in the amount of \$6,256,984 and Freese and Nichols, Inc. in the amount of \$2,026,238, most qualified respondents of nine - Total not to exceed \$8,283,222 - Financing: Building Inspection Current Funds (\$8,093,801), and Stormwater Drainage Management Current Funds (\$189,421) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0065

Item 3: Authorize a three-year service contract, with two one-year renewal options, for stagehand, tech labor, and setup labor for the Office of Cultural Affairs - IAPP, Inc., most advantageous proposer of two - Not to exceed \$1,243,167 - Financing: Current Funds (\$1,233,167) and Municipal Radio Current Funds (\$10,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0066

Item 4: Authorize a five-year concession contract for the operation of food and beverage concessions at the Kiest Softball Complex - Elroy Johnson dba Glow Cones, most advantageous proposer of four - Estimated Annual Net Revenue: \$7,250

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0067

Item 5: Authorize a two-year master agreement for butterfly valves and actuators - Municipal Valve & Equipment in the amount of \$601,500, Mueller Co. LLC in the amount of \$55,000, Pumps Valves & Equipment dba The Scruggs Company in the amount of \$34,000, and Rexa, Inc. in the amount of \$11,000, lowest responsible bidders of four - Total not to exceed \$701,500 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0068

Item 6: Authorize a three-year master agreement for automotive, truck, and heavy equipment batteries - Metroplex Battery, Inc., lowest responsible bidder of five - Not to exceed \$1,320,558 - Financing: Current Funds (\$1,136,192), Water Utilities Current Funds (\$69,568), Sanitation Current Funds (\$57,166), Stormwater Drainage Management Current Funds (\$35,072), Convention and Event Services Current Funds (\$12,394), and Aviation Current Funds (\$10,166)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0069

Item 7: Authorize a three-year master agreement for polyaluminum chloride coagulant to be used in the water purification process - Chemtrade Chemicals US, LLC, lowest responsible bidder of five - Not to exceed \$1,935,000 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0070

Item 8: Authorize **(1)** Supplemental Agreement No. 2 to increase the service contract with Lane Staffing, Inc. for citywide temporary clerical and professional services to allow for a transition from the current contractor to the new contractor - Not to exceed \$1,500,000, from \$20,431,973 to \$21,931,973; and **(2)** a three-year service contract for citywide temporary clerical and professional services - Smith Temporaries, Inc. dba CornerStone Staffing in the amount of \$28,657,706, most advantageous proposer of six - Total not to exceed \$30,157,706 - Financing: Current Funds (\$26,243,374), Convention and Event Services Current Funds (\$1,956,231), Water Utilities Current Funds (\$1,562,782), and Aviation Current Funds (\$395,319) (subject to annual appropriations)

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

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

Deputy Mayor Pro Tem Wilson moved to adopt the item.

Motion seconded by Mayor Pro Tem Alonzo.

After discussion ended, Mayor Rawlings called the vote and declared the item adopted on a divided vote with Councilmember Kingston voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0071

Item 9: Authorize Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, information technology security, and related services - Not to exceed \$8,789,987, from \$70,515,898 to \$79,305,885 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0072

Item 10: Authorize settlement of the claim of Timothy Hankins in the lawsuit styled Osrice Stevens et al. v. City of Dallas, Cause No. DC-15-02678-H - Not to exceed \$188,775 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0073

Item 11: Authorize Supplemental Agreement No. 4 to the professional services contract with White & Wiggins, L.L.P. for additional legal services in the lawsuit styled Vickie Cook et al. v. City of Dallas et al., Civil Action No. 3:12-CV-03788-N - Not to exceed \$75,000, from \$280,000 to \$355,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0074

Item 12: Authorize contracts with fully-licensed child care providers pursuant to the Child Care Services Program for the period October 1, 2016 through September 30, 2017 (list attached) and with other fully-licensed child care providers selected by eligible parents during the fiscal year - Not to exceed \$369,356 - Financing: 2016-17 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0075

- Item 13: Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of one unimproved property (list attached) acquired by the taxing authorities from the Sheriff to City Wide Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0076

- Item 14: Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of four unimproved properties (list attached) acquired by the taxing authorities from the Sheriff to South Dallas Fair Park Inncity Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0077

Item 15: Authorize **(1)** approval of revised salary schedules for Fire and Police uniform executive staff, adding a 2% top pay step; **(2)** and eliminating the start step in each executive rank; and **(3)** implementing ~~step~~ pay increases for Police and Fire uniform executive staff, effective October 1, 2016 - Financing: This action no cost consideration to the City

Corrected on the addendum.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0078

Item 16: Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation through a grant from the U. S. Department of Transportation Federal Highway Administration to provide cost reimbursement for material and labor costs incurred by the City for traffic signal improvements at Loop 12 (Buckner Boulevard) and Scyene Road; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in the amount of \$21,346; and **(3)** the establishment of appropriations in the amount of \$21,346 in the Texas Department of Transportation Grant Fund - Not to exceed \$21,346 - Financing: Texas Department of Transportation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0079

Item 17: Authorize a Project Specific Agreement to the Master Agreement with Dallas County for participation in the design, right-of-way acquisition, and construction of paving and drainage improvements for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard - Not to exceed \$6,305,000 - Financing: General Obligation Commercial Paper Funds (\$3,090,498), 2006 Bond Funds (\$2,709,502) and Water Utilities Capital Construction Funds (\$505,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0080

Item 18: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3001; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0081

Item 19: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3004; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0082

Item 20: Authorize Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage design modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 - Not to exceed \$86,040, from \$1,344,610 to \$1,430,650 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0083

Item 21: Authorize **(1)** entering into a Sub-Grant Memorandum of Understanding between the Dallas Parks Foundation (“DPF”) and the City of Dallas, through its Dallas Park and Recreation Department (“City”) to enable reimbursements from the DPF to the City for expenditures made by the City in an amount not to exceed \$44,705 for the purpose of implementing a community outreach outdoor program pursuant to a grant agreement between DPF and Texas Parks and Wildlife Department (“TPWD”) for the program period May 1, 2016 through November 1, 2017; **(2)** receipt and deposit of funds in an amount not to exceed \$44,705 from TPWD through DPF into the City's TPWD Outdoor Adventures at Dallas Grant Fund; **(3)** establishment of appropriations in the TPWD Outdoor Adventures at Dallas Grant Fund in the amount of \$44,705; and **(4)** disbursement of funds in an amount not to exceed \$44,705 from the TPWD Outdoor Adventures at Dallas Grant Fund - Not to exceed \$44,705 - Financing: Texas Parks and Wildlife Department Outdoor Adventures Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0084

Item 22: Authorize a twenty-year license agreement with the Old Lake Highlands Neighborhood Association for approximately 930 square feet of land in Norbuck Park located near the intersection of Classen Drive and Northwest Highway - Revenue: \$10 one-time fee

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0085

Item 23: An ordinance abandoning a portion of a utility easement to HCP DR MCD, LLC, the abutting owner, containing approximately 763 square feet of land, located near the intersection of Dollar Lane and Coit Road - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda

Assigned ORDINANCE NO. 30291

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0086

Item 24: An ordinance amending Ordinance No. 29966, previously approved on January 13, 2016, which abandoned a portion of Hobbs Street, located near the intersection of Haskell and Beeman Avenues to Southern Foods Group, LLC to extend the final replat from one year to 18 months - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda

Assigned ORDINANCE NO. 30292

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0087

Item 25: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Mamie Lee McKnight, et al., Cause No. CC-16-03466-E, pending in Dallas County Court at Law No. 5, to acquire an improved tract of land containing approximately 8,545 square feet located on Barber Avenue at its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$31,000 (\$28,000 plus closing costs and title expenses not to exceed \$3,000; an increase of \$2,102 from the amount Council originally authorized for this acquisition) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0088

Item 26: Authorize acquisition from the County of Dallas, of an improved tract of land containing approximately 2,092 square feet located on North Riverfront Boulevard at its intersection with Commerce Street for the Riverfront Boulevard from Cadiz Street to north of the Union Pacific Rail Road Project - Not to exceed \$48,072 (\$44,572, plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

Note: At the time the consent agenda was presented for approval, Mayor Pro Tem Alonzo clarified locations (Cadiz Street to Pacific) going to District 6 start with District 2.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0089

Item 27: Authorize Supplemental Agreement No. 2 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project - Not to exceed \$32,150, from \$122,950 to \$155,100 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0090

Item 28: Authorize a thirty-year contract with the Town of Flower Mound to continue providing water services, from January 22, 2017 through January 21, 2047 - Estimated Annual Revenue: \$3,396,051

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0091

Item 29: Authorize an increase in the construction contract with Archer Western Construction, LLC for emergency erosion repairs along the bank of White Rock Creek to protect an 84-inch water transmission main - Not to exceed \$226,146, from \$17,668,400 to \$17,894,546 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0092

Item 30: Authorize an increase in the contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant - Not to exceed \$1,777,361, from \$46,464,646 to \$48,242,007 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0093

Item 31: 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.

Deputy Mayor Pro Tem Wilson moved to appoint the following:

- Peter A. Schulte, Vice Chair to the Board of Adjustment.

Motion seconded by Councilmember Medrano and unanimously adopted.

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

17-5050

BOARD OFFICER

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0094

Item 32: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Veterans Land Board of the State of Texas and King E. Rhodes, of an unimproved tract of land containing approximately 65,699 square feet, three slope easements containing a total of approximately 35,859 square feet, and two drainage easements containing a total of approximately 3,693 square feet, located on East Wheatland Road near its intersection with Lancaster Road for the Wheatland Road Improvement Project - Not to exceed \$92,176 (\$88,176 plus closing costs and title expenses not to exceed \$4,000) - Financing: General Obligation Commercial Paper Funds

The city secretary announced agenda item 32 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Veterans Land Board of the State of Texas and King E. Rhodes*, of an unimproved tract of land containing approximately 65,699 square feet, three slope easements containing approximately 35,859 square feet, and two drainage easements containing a total of approximately 3,693 square feet, located on East Wheatland Road near its intersection with Lancaster Road in City of Dallas Block 7609, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Wheatland Road Improvement Project.

The city secretary announced approval of the item would require a record vote.

Councilmember Kleinman moved to adopt the item.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called a record vote on Councilmember Kleinman's motion:

Voting Yes: [12] Rawlings, Alonzo, Wilson, Thomas, Arnold, Callahan,
Young, Clayton, McGough, Kleinman, Greyson, Gates

Voting No: [3] Griggs, Medrano, Kingston

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0095

Item 33: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by C & C Corporation for the construction of houses; **(2)** the sale of 10 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to C & C Corporation; and **(3)** execution of a release of lien for any non-tax liens on the 10 properties that may have been filed by the City - Financing: No cost consideration to the City

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Callahan.

Deputy Mayor Pro Tem Wilson moved a substitute motion to defer the item to the February 8, 2017 voting agenda meeting of the city council.

Substitute motion seconded by Councilmember Young.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Wilson's substitute motion to defer the item to the February 8, 2017 voting agenda meeting of the city council and declared the item deferred on a divided vote with Councilmember Callahan voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0096

Item 34: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Confia Homes, L.L.C. for the construction of houses; (2) the sale of 10 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.; and (3) execution of a release of lien for any non-tax liens on the 10 properties that may have been filed by the City - Financing: No cost consideration to the City

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Kingston.

Deputy Mayor Pro Tem Wilson moved a substitute motion to defer the item to the February 8, 2017 voting agenda meeting of the city council.

Substitute motion seconded by Mayor Pro Tem Alonzo.

Following discussion, Councilmember Kleinman moved a primary friendly amendment to Deputy Mayor Pro Tem Wilson's substitute motion in order to separate the vacant lots in City Council District 5 from deferral.

Deputy Mayor Pro Tem Wilson accepted Councilmember Kleinman's primary friendly amendment.

Mayor Pro Tem Alonzo, who seconded Deputy Mayor Pro Tem Wilson's substitute motion, also accepted Councilmember Kleinman's primary friendly amendment.

Councilmember Young moved a secondary friendly amendment to Deputy Mayor Pro Tem Wilson's substitute motion in order to separate the three vacant lots in City Council District 7 from deferral.

Deputy Mayor Pro Tem Wilson accepted Councilmember Young's secondary friendly amendment.

Mayor Pro Tem Alonzo, who seconded Deputy Mayor Pro Tem Wilson's substitute motion, also accepted Councilmember Young's secondary friendly amendment.

Mayor Rawlings (1) clarified Deputy Mayor Pro Tem Wilson's substitute motion as amended by Councilmember Kleinman and Councilmember Young's friendly amendments provided to defer the item as related to the vacant lots in City Council Districts 2, 6 and 8; (2) called the vote on the amended substitute motion; and (3) declared the amended substitute motion unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

17-0096

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Councilmember Kleinman moved to adopt the item for the remaining vacant lots in City Council Districts 5 and 7.

Motion seconded by Councilmember Young and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0097

Item 35: Authorize a development agreement with GPIWE Limited Partnership, to reimburse TIF eligible project costs for streetscape and redevelopment project improvements for the Factory Six03 Project located at 603 Munger Avenue from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed \$4,657,174 - Financing: City Center TIF District Funds (subject to future appropriations from future tax increments)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0098

The consent zoning docket consisted of agenda items 36-43.

Agenda item 36: Zoning Case Z156-272(SH)
Agenda item 37: Zoning Case Z156-317(JM)
Agenda item 38: Zoning Case Z156-345(PD)
Agenda item 39: Zoning Case Z156-347(LE)
Agenda item 40: Zoning Case Z156-353(SH)
Agenda item 41: Zoning Case Z156-356(JM)
Agenda item 42: Zoning Case Z156-361(JM)
Agenda item 43: Zoning Case Z156-362(JM)

Consent zoning agenda items 38 and 39 were removed from the consent zoning docket to be considered as individual hearings.

Therefore, the consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

Agenda item 36: Zoning Case Z156-272(SH)
Agenda item 37: Zoning Case Z156-317(JM)
Agenda item 40: Zoning Case Z156-353(SH)
Agenda item 41: Zoning Case Z156-356(JM)
Agenda item 42: Zoning Case Z156-361(JM)
Agenda item 43: Zoning Case Z156-362(JM)

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0099

Item 36: Zoning Case Z156-272(SH)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District, north of Forest Lane, east of Abrams Road.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30293

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0100

Item 37: Zoning Case Z156-317(JM)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tattoo studio on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the south line of East Levee Street, between Manufacturing Street and Express Street.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30294

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0101

Item 38: Zoning Case Z156-345(PD)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the south corner of Sam Houston Road and Masters Drive.

Recommendation of Staff and CPC: Approval.

Prior to the item being read into the record, Councilmember Young moved to continue the public hearing and defer the item to the January 25, 2017 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0102

Item 39: Zoning Case Z156-347(LE)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the northwest corner of Haymarket Road and Oakwood Drive.

Recommendation of Staff and CPC: Approval with retention of the D-1 Liquor Control Overlay.

Prior to the item being read into the record, Deputy Mayor Pro Tem Wilson moved to continue the public hearing and defer the item to the February 8, 2017 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0103

Item 40: Zoning Case Z156-353(SH)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for Subdistrict 3A uses and an alcoholic beverage manufacturing use on property zoned Subdistrict 3A within Planned Development District No. 317, the Cedars Area Special Purpose District; southeast of Cadiz Street, between South Austin Street and South Lamar Street.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30295

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0104

Item 41: Zoning Case Z156-356(JM)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 248 for a public school and a public park or playground use on property zoned Planned Development District No. 98 and Planned Development District No. 248, and on the east intersection of North Carroll Avenue and Worth Street.

Recommendation of Staff: Approval, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30296

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0105

Item 42: Zoning Case Z156-361(JM)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the west line of Altaire Avenue, south of East Millett Drive.

Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30297

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0106

Item 43: Zoning Case Z156-362(JM)

The consent zoning docket, consisting of agenda items 36, 37 and 40-43, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District and animal shelter or clinic with outside runs uses on property zoned an MU-3 Mixed Use District on the north line of Dyer Street, west of Greenville Avenue.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30298

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0107

ZONING CASES - INDIVIDUAL

Item 44: Zoning Case Z156-223(SM)

A public hearing to receive comments regarding an application for a new subdistrict for Light Commercial/Office and restaurant with drive-in or drive-through service uses within the Light Commercial/Office Subdistrict of Planned Development District No. 631, the West Davis Special Purpose District and an R-7.5(A) Single Family District on property on the southwest corner of West Davis Street and North Westmoreland Road.

Recommendation of Staff and CPC: Denial.

Prior to the item being read into the record, Councilmember Griggs moved to continue the public hearing and defer the item to the February 8, 2017 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0108

ZONING CASES - INDIVIDUAL

Item 45: Zoning Case Z156-289(JM)

A public hearing to receive comments regarding an application for (1) a CR Community Retail District with deed restrictions volunteered by the applicant, and (2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay, with an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the west corner of South Beltline Road and Garden Grove Drive.

Recommendation of Staff: Approval of a CR Community Retail District with deed restrictions volunteered by the applicant; 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 revised site plan and conditions.

Recommendation of CPC: Approval of a CR Community Retail District with deed restrictions volunteered by the applicant; and denial of a Specific Use Permit.

Prior to the item being read into the record, Deputy Mayor Pro Tem Wilson moved to continue the public hearing and defer the item to the February 8, 2017 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0109

ZONING CASES - INDIVIDUAL

Item 46: Zoning Case Z156-310(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the southwest corner of Great Trinity Forest Way and North Jim Miller Road.

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

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

Prior to the item being read into the record, Deputy Mayor Pro Tem Wilson moved to continue the public hearing and defer the item to the February 8, 2017 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0110

ZONING CASES - INDIVIDUAL

Item 47: Zoning Case Z156-359(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with D-1 Liquor Control Overlay on the south side of Lake June Road, west of Oak Hill Circle.

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

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

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

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

Motion seconded by Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 30299

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0111

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 48: Zoning Case Z156-208(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction of a commercial amusement (inside) use on property zoned Subarea 6 within Planned Development District No. 366-D-1 with a D-1 Liquor Control Overlay, on the east side of South Buckner Boulevard, south of Scyene Circle.

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

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

Note: This item was considered by the City Council at a public hearing on November 9, 2016, and was deferred until January 11, 2017, with the public hearing open.

The following individual appeared in opposition to the city plan commission's recommendation:

Randy Ackerman, 8226 Douglas Ave.

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

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

- The SUP (Specific Use Permit) is approved as to the commercial amusement (inside) for a dance hall only, not for the sale or service of alcohol;
- A peace officer must be present at all events after 8:00 p.m.;

and pass the ordinance.

Motion seconded by Councilmember Callahan and unanimously adopted.

Assigned ORDINANCE NO. 30300

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0112

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 49: Zoning Case Z156-234(JM)

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and North Prairie Creek Road.

Recommendation of Staff and CPC: Approval.

Note: This item was considered by the City Council at public hearings on September 28, 2016 and October 26, 2016, and was deferred until January 11, 2017, with the public hearing open.

Prior to the item being read into the record, Councilmember Young moved to continue the public hearing and defer the item to the January 25, 2017 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0113

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 50: Zoning Case Z156-331(AR)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned IM Industrial Manufacturing District with deed restrictions, on the north side of Mañana Drive, west of Newkirk Street.

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

Note: This item was considered by the City Council at a public hearing on December 14, 2016, and was deferred until January 11, 2017, with the public hearing open.

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

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

Motion seconded by Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 30301

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0114

DESIGNATED ZONING CASES - INDIVIDUAL

Item 51: Zoning Case Z145-358(LE)

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for mixed uses on property zoned Subdistrict A within Planned Development District No. 466 and a portion of Planned Development District No. 466 (not assigned a subdistrict), on property generally bounded by North Hall Street, Flora Street, Watkins Avenue, and Cochran Street.

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

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

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

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

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

Motion seconded by Councilmember Griggs and Councilmember Clayton.

After discussion ended, Mayor Rawlings called the vote and declared the item unanimously adopted.

Assigned ORDINANCE NO. 30302

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0115

DESIGNATED ZONING CASES - INDIVIDUAL

Item 52: Zoning Case Z156-280(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 30 for cemetery burial sites and a maintenance facility, on property zoned an R-7.5(A) Single Family District, on the northwest corner of West Northwest Highway and Boedeker Street.

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

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

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

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

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

Motion seconded by Councilmember Kingston and Councilmember Young and unanimously adopted.

Assigned ORDINANCE NO. 30303

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0116

DESIGNATED ZONING CASES - INDIVIDUAL

Item 53: Zoning Case Z156-299(SH)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multifamily Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and along the northwest line of McKinney Avenue, south of Monticello Avenue.

Recommendation of Staff: Approval, subject to a development plan, landscape plan, and staff's recommended conditions.

Recommendation of CPC: Approval, subject to a development plan, landscape plan, conceptual rendering, and conditions.

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

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

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

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

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

After discussion ended, Mayor Rawlings called the vote and declared the item unanimously adopted.

Assigned ORDINANCE NO. 30304

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0117

DESIGNATED ZONING CASES - INDIVIDUAL

Item 54: Zoning Case Z156-327(SH)

A public hearing to receive comments regarding an application for and an ordinance granting (1) an amendment to and an expansion of the Subdistrict S-1c, South Zone portion on property zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521; and (2) rezone a portion of Subdistrict S-1d, South Zone into Subdistrict S-2a, South Zone on property generally along the east line of Mountain Creek Parkway, north of Camp Wisdom Road.

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

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

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

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

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

- Ellen Taft, 7924 Glenway Dr.
- Santos Martinez, 900 Jackson Blvd.

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

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

After discussion ended, Mayor Rawlings called the vote and declared the item unanimously adopted.

Assigned ORDINANCE NO. 30305

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0118

DESIGNATED ZONING CASES - INDIVIDUAL

Item 55: Zoning Case Z156-333(SH)

A public hearing to receive comments regarding an application for and an ordinance granting a WR-20 Walkable Urban Residential District with a Height Map Overlay and a resolution accepting the deed restrictions volunteered by the applicant on property zoned Subdistrict B-1, West Residential Subzone within Planned Development District No. 305 bounded by Blackburn Street, Cole Avenue, Travis Street, and Lemmon Avenue East.

Recommendation of Staff and CPC: Approval, subject to a height map overlay and deed restrictions volunteered by the applicant.

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

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

The following individuals appeared in opposition to the city plan commission's recommendation:

- Jairo Senise, 3510 Turtle Creek Blvd.
- Cal Donsky, 3510 Turtle Creek Blvd.
- Monica Haver, 3510 Turtle Creek Blvd.

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

- Katy Slade, 3711 Cole Ave.
- Kevin Curley, 6941 Kenwood Ave.
- David Boldrick, 3223 N. Haskell Ave.
- Jim Garrett, 3304 Blackburn St.
- Ryan Garcia, 3901 Travis St.
- Neal Sleeper, 3324 Blackburn St.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

17-0118

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Motion seconded by Councilmember Greyson and Councilmember Callahan.

After discussion ended, Mayor Rawlings called the vote and declared the item unanimously adopted.

Assigned ORDINANCE NO. 30306

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0119

DESIGNATED ZONING CASES - INDIVIDUAL

Item 56: Zoning Case Z156-354(SH)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for nonresidential uses on property zoned an A(A) Agricultural District generally on the south line of Cedardale Road, west of Cleveland Road.

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

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

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

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

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

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

Assigned ORDINANCE NO. 30307

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0120

MISCELLANEOUS HEARINGS

Item 57: A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristic on Pearl Expressway between Pacific Avenue and Live Oak Street from a 5-lane roadway southbound within 85-146 feet of right-of-way to a 2-lane roadway northbound and a 2-lane roadway southbound within 85 feet of right-of-way; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council on the item.

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

Motion seconded by Councilmember Callahan and unanimously adopted. (Thomas, Clayton absent when vote taken)

Assigned ORDINANCE NO. 30308

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0121

MISCELLANEOUS HEARINGS

Item 58: 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 TPUSA - FHCS, Inc., located near the intersection of Connector Drive and Technology Boulevard West and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to 9999 Technology, LP, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval.

The city secretary read the following statement into the record:

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

The following individual addressed the city council on the item:

Valerie Honeycutt, 10410 Markson Rd., registered professional geoscientist

Mayor Pro Tem Alonzo moved to close the public hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 30309

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0122

MISCELLANEOUS HEARINGS

Item Nos. 59 and 60
must be considered collectively.

Item 59: A public hearing (1) to receive comments on the proposed use of a portion of parkland for an open space easement, totaling approximately 879 square feet of land at Federal Plaza located at 1900 Federal Street; and at the close of the public hearing, a resolution authorizing the proposed use of parkland for an open space easement pursuant to Chapter 26 of the Texas Parks and Wildlife Code; and (2) accepting payment for an open space easement - Revenue: \$99,785

No one addressed the city council on the item.

Councilmember Kingston moved to close the public hearing and deny the item with prejudice.

Motion seconded by Councilmember Griggs.

Following discussion, Councilmember Gates requested the following individual address the city council on the item; there was no objection voiced by the city council:

Jonathan Landau, Harwood Center

After discussion ended, Mayor Rawlings called a record vote on Councilmember Kingston's motion to close the public hearing and deny the item with prejudice:

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

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

The city secretary declared the motion failed.

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

Motion seconded by Deputy Mayor Pro Tem Wilson.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

17-0122

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Mayor Rawlings called a record vote on Councilmember Callahan's motion to close the public hearing and adopt the item as presented:

Voting Yes: [11] Rawlings, Alonzo, Wilson, Thomas, Arnold, Callahan,
Young, McGough, Kleinman, Greyson, Gates

Voting No: [4] Griggs, Medrano, Clayton, Kingston

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0123

MISCELLANEOUS HEARINGS

Item Nos. 59 and 60
must be considered collectively.

Item 60: An ordinance abandoning aerial rights over a portion of Wenchell Lane to First Baptist Church of Dallas, Texas, William E. Dalton, Jr., Margaret Shea Powell, David Dalton, Jennifer Davis Sanders, Elizabeth Powell Gallian, Lynn Dalton Lathrop, Jeffery Davis and Pamela Jane Dalton, the abutting owners, containing approximately 1,977 square feet of air space, located near the intersection of St. Paul Street and Wenchell Lane, and authorizing the quitclaim - Revenue: \$276,780, plus the \$20 ordinance publication fee

No one addressed the city council on the item.

Councilmember Kingston moved to close the public hearing and deny the item with prejudice.

Motion seconded by Councilmember Griggs.

Mayor Rawlings called the record vote on Councilmember Kingston's motion to close the public hearing and deny the item with prejudice:

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

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

The city secretary declared the motion failed.

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

Motion seconded by Deputy Mayor Pro Tem Wilson.

Mayor Rawlings called a record vote on Councilmember Callahan's motion to close the public hearing and adopt the item as presented:

Voting Yes: [11] Rawlings, Alonzo, Wilson, Thomas, Arnold, Callahan, Young, McGough, Kleinman, Greyson, Gates

Voting No: [4] Griggs, Medrano, Clayton, Kingston

The city secretary declared the motion adopted.

Assigned ORDINANCE NO. 30310

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0124

Closed Session

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

- Legal issues related to the Dallas Police & Fire Pension System

At 10:00 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.)

- Legal issues related to the Dallas Police & Fire Pension System

Mayor Rawlings reconvened the city council meeting after the closed session at 1:02 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0125

Addendum Addition 1: Authorize the sale of one track loader, one street sweeper, one dump truck, one grader, and one concrete truck through a public auction on December 16, 2016 to Hoerr Machinery in the amount of \$37,500, Club Leasing, Inc. in the amount of \$23,700, Genaro Maldonado in the amount of \$21,100, Fred Hathorn in the amount of \$30,500, and National Stone in the amount of \$25,200, highest bidders - Revenue: \$138,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0126

Addendum Addition 2: Authorize a three-year service contract for background screening services - Quicksius, LLC dba Quick Search through an intergovernmental agreement with the City of Fort Worth - Not to exceed \$2,715,383 - Financing: Current Funds (\$331,883) and Aviation Current Funds (\$2,383,500) (subject to annual appropriations)

Adopted as part of consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0127

Addendum Addition 3: Authorize an amendment to the Chapter 380 Forgivable Loan Agreement to Two Podner's Retail Eateries, LLC, authorized by Resolution No. 14-0316 to: **(1)** decrease square footage of the commercial building located at 1441 Robert B. Cullum Boulevard in Dallas, Texas, from 11,000 square feet to 8,933 square feet; **(2)** increase conventional financing from the original amount of \$1,000,000 to \$2,300,000; and **(3)** subordinate the City's lien position to the primary bank lender - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0128

Addendum Addition 4: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design services of on-street bicycle facilities at various locations (list attached) - Not to exceed \$171,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0129

Addendum Addition 5: Authorize an increase to the contract with Tiseo Paving Company for additional and deductive work associated with installing the proposed 30-inch water main, modification to the traffic signal poles and other associated construction items needed to complete the Cesar Chavez Boulevard / Pearl Expressway project - Not to exceed \$19,079, from \$15,572,876 to \$15,591,955 - Financing: 2012 Bond Funds (-\$235,075), General Obligation Commercial Paper Funds (\$168,380), 2006 Bond Funds (-\$528,226), and Water Utilities Capital Construction Funds (\$614,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0130

Addendum Addition 6: A resolution suspending the effective date of the rate filing made by Oncor Electric Delivery Company LLC on December 16, 2016 for an additional 90 days - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0131

Addendum Addition 7: Authorize **(1)** a fifteen-year concession contract, with one five-year renewal option, with Elm Fork Clay Sports, Incorporated for management, operation and development of the Elm Fork Shooting Range (shotgun area) located at 10751 Luna Road with an Estimated Annual Revenue of \$163,724; and **(2)** a fifteen-year concession contract, with one five-year renewal option, with Elm Fork Rifle and Pistol, Incorporated for management, operation and development of the Elm Fork Shooting Range (rifle and pistol range area) located at 10751 Luna Road with an Estimated Annual Revenue of \$106,276
- Total Estimated Annual Revenue: \$270,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0132

Addendum Addition 8: Authorize a five-year lease agreement with SPCA of Texas, Inc. for the continued use of approximately 6,000 square feet of office space located at 4830 Village Fair Drive, to be used as a low cost spay/neuter and pet wellness clinic for the period January 12, 2017 through January 11, 2022 - Annual Revenue: \$1,992

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0133

Addendum Item 9: An ordinance abandoning a sanitary sewer easement to 2000 Ross Avenue LP, the abutting owner, containing approximately 329 square feet of land, located near the intersection of Ross Avenue and Harwood Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30311

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0134

Addendum Addition 10: Authorize approval of the City of Dallas 401(k) Retirement Savings Plan, as amended and restated, effective January 11, 2017 -
Financing: No cost consideration to the City

Councilmember Gates moved to adopt the item.

Motion seconded by Councilmember Clayton.

After discussion, Mayor Rawlings called the vote and declared the item unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 11, 2017

17-0135

Addendum Addition 11: A resolution designating absences by Councilmember Philip T. Kingston as being for "Official City Business" - Financing: No cost consideration to the City

The city secretary announced Councilmember Kingston had a conflict of interest on the item and would abstain from voting or participating in any discussion. Councilmember Kingston left the city council chamber.

The city secretary informed the city council an amendment to the item was necessary in order to include the January 9, 2017 Quality of Life Committee meeting held earlier in the week.

Councilmember Griggs moved to adopt the item with the amendment noted by the city secretary.

Motion seconded by Councilmember Medrano.

After discussion, Mayor Rawlings called the vote and declared the amended item adopted on a divided vote with Deputy Mayor Pro Tem Wilson and Councilmember Gates voting "No." (Kingston abstain)

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 11, 2017

EXHIBIT C