

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2017

17-0820

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

PRESENT: [15] Rawlings, Alonzo, Wilson, Griggs, Medrano (*9:19 a.m.), Thomas, Arnold (*9:21 a.m.), Callahan, Young, Clayton (*9:15 a.m.), McGough, Kleinman, Greyson, Gates, Kingston

ABSENT: [0]

The meeting was called to order at 9:09 a.m. with a quorum of the city council present.

The invocation was given by Pastor Adam Griffin, The Village Church.

Councilmember Gates led the pledge of allegiance.

The meeting recessed at 12:00 p.m. and convened to closed session at 1:02 p.m. (Clayton [*1:04 p.m.], Greyson [*1:04 p.m.]) which ended at 1:04 p.m. The meeting reconvened to open session at 1:07 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 3:58 p.m.

Mayor

ATTEST:

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, MAY 24, 2017

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2017

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0821

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: Sandy Rollins, 1851 Fuller Dr.
SUBJECT: HMK Tenants
REPRESENTING: Texas Tenant Union

SPEAKER: Pearline Harper, 3634 Morris St.
SUBJECT: Fight to stay in West Dallas
REPRESENTING: Texas Organizing Project

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

SPEAKER: Esther Perez, 3359 Conroe St.
SUBJECT: Housing

SPEAKER: David Villalobos, 1551 Oak Lawn Ave.
SUBJECT: Fight to stay in West Dallas
REPRESENTING: Texas Organizing Project

ADDITIONAL – OPEN MICROPHONE:

There were no speakers under this category.

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Nathaniel White, 4715 W. Red Bird Ln. (video presentation)
SUBJECT: GrowSouth

SPEAKER: Seth Hulett, 2944 Etta Dr.
SUBJECT: Policing/improve education

SPEAKER: Mike Patel, 2380 W. Northwest Hwy. (video presentation)
SUBJECT: Homeless
REPRESENTING: Baymont Inn & Suites

SPEAKER: Hansu Shemar, 2370 W. Northwest Hwy. (video presentation)
SUBJECT: Homeless issues

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OPEN MICROPHONE – END OF MEETING: (Continued)

SPEAKER: B.M. Randolph, Not Provided (handout provided)
SUBJECT: Mine eyes have seen ...

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0822

Item 1: Approval of Minutes of the May 10, 2017 City Council Meeting

Councilmember Griggs moved to adopt the minutes as presented.

Motion seconded by Mayor Pro Tem Alonzo and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0823

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-37. There was no addendum addition consent agenda to consider. Consent agenda items 18-20 were deleted on the addendum. Consent agenda item 27 was corrected on the addendum.

Councilmember Griggs requested consent agenda items 2, 23, 25 and 27 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Young requested consent agenda items 10 and 15 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember McGough requested consent agenda items 15 and 16 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda items 10, 11 and 15 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Gates requested consent agenda items 15 and 27 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Kingston requested consent agenda items 13, 15, 17, 23, 25 and 27 be considered as individual items later in the meeting; there was no objection voiced to his request.

Therefore, the consent agenda, consisting of consent agenda items 3-9, 12, 14, 21, 22, 24, 26 and 28-37, was presented for consideration.

Mayor Pro Tem Alonzo moved to adopt all items on the consent agenda.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0824

Item 2: Authorize **(1)** a three-year service contract, with two one-year renewal options, for legal advertising with a locally published newspaper of mass distribution with major circulation - The Dallas Morning News, Inc. in the amount of \$1,328,612, sole source; and **(2)** a three-year service contract, with two one-year renewal options, for non-legal advertising with a locally published newspaper of mass distribution with major circulation - The Dallas Morning News, Inc. in the amount of \$1,898,751, exempt from bidding per Texas Local Government Code Sec. 252.022 - Total not to exceed \$3,227,363 - Financing: Current Funds (subject to annual appropriations)

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 presented for consideration.

Councilmember Gates 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 Councilmembers Medrano, Arnold, Clayton and Kingston voting "No." (Callahan absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0825

Item 3: Authorize a five-year service contract, with two one-year renewal options, for a web-based environmental, quality, and safety management information software system - BSI Service & Solutions (West), Inc. dba BSI EHS Services and Solutions, most advantageous proposer of six - Not to exceed \$437,350 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0826

Item 4: Authorize a three-year collection contract, with two one-year renewal options, for the billing, collection, and reporting of emergency ambulance fees with Digitech Computer, Inc. through an Interlocal Purchasing Agreement with the City of Pearland, Texas - Estimated Net Annual Revenue: \$23,900,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0827

Item 5: Authorize the purchase of **(1)** 28 pieces of fleet vehicles and equipment with Metro Fire Apparatus Specialists in the amount of \$5,779,817, Daco Fire Equipment in the amount of \$1,663,124, Hudson Bus Sales, LLC in the amount of \$1,534,608, Rush Truck Centers of Texas, LP in the amount of \$319,062, Silsbee Ford, Inc. in the amount of \$316,938, Cues, Inc. in the amount of \$169,500, Johnston North America, Inc. in the amount of \$140,600, and Houston Freightliner, Inc. in the amount of \$51,717, through the Houston Galveston Area Council of Governments; **(2)** 8 pieces of fleet and equipment with Bond Equipment in the amount of \$1,000,560, Austin Truck & Equipment, Ltd. dba Freightliner of Austin in the amount of \$148,532, RDO Equipment in the amount of \$111,750, Chastang Ford in the amount of \$83,879, and Briggs Equipment in the amount of \$59,874, through the Texas Association of School Boards; and **(3)** 32 pieces of fleet and equipment with Sam Pack's Five Star Ford in the amount of \$1,280,051, through Texas SmartBuy - Total amount not to exceed \$12,660,012 - Financing: Current Funds (\$1,214,337), Municipal Lease Agreement Funds (\$6,869,271), Aviation Current Funds (\$1,734,330), Water Utilities Current Funds (\$1,091,879), Sanitation Current Funds (\$1,000,560), Urban Area Security Initiative Grant Funds (\$689,634), and Auto Theft Auction Revenue Funds (\$60,001)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0828

Item 6: Authorize the purchase of ballistic shields for the Dallas Police Department with Galls, LLC through the Texas Association of School Boards - Not to exceed \$311,975 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0829

Item 7: Authorize a three-year master agreement for the purchase of rifles for the Dallas Police Department - GT Distributors, Inc., lowest responsible bidder of five - Not to exceed \$457,641 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0830

Item 8: Authorize a three-year master agreement for motor fuel - Martin Eagle Oil Company, Inc., lowest responsible bidder of five - Not to exceed \$7,505,345 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0831

Item 9: Authorize **(1)** the acceptance of funding from the U.S. Bureau of Justice Statistics (BJS), provided through the Research Triangle Institute (RTI) International for the National Crime Statistics Exchange project (NCS-X) for the period May 24, 2017 through May 23, 2019 to facilitate the Dallas Police Department's (DPD) participation in reporting their crime incident data to their state Uniformed Crime Report/National Incident Based Reporting System (NIBRS) program to the Federal Bureau of Investigation in an amount not to exceed \$135,300; **(2)** the receipt and deposit of funds in the FY12 National Crime Statistics Exchange Project Fund in an amount not to exceed \$135,300; **(3)** the establishment of appropriations in an amount not to exceed \$135,300 in the FY12 National Crime Statistics Exchange Project Fund; **(4)** a Memorandum of Understanding (MOU) between the City of Dallas-DPD and RTI International to describe DPD's participation in the NCS-X; **(5)** execution of the MOU with RTI International; and **(6)** Supplemental Agreement No. 1 to increase the service contract with Intergraph Corporation dba Hexagon Safety and Infrastructure, LLC for the implementation, maintenance, and support of the NIBRS in an amount not to exceed \$135,300 - Not to exceed \$135,300, from \$3,301,195 to \$3,436,495 - Financing: U.S. Department of Justice, Bureau of Justice Statistics Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0832

Item 10: Authorize Supplemental Agreement No. 8 to increase the service contract with Motorola Solutions, Inc. for maintenance and support of the Citizen Request Management System and extend the term from July 1, 2017 to September 30, 2018 - Not to exceed \$260,463, from \$2,034,103 to \$2,294,566 - Financing: Current Funds (subject to annual appropriations)

Councilmembers Young and Greyson requested the item be considered as an individual item later in the meeting; there was no objection voiced to their request.

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

Councilmember Gates moved to adopt the item.

Motion seconded by Councilmember Callahan.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0833

Item 11: Authorize settlement in lieu of proceeding further with the condemnation lawsuit styled Tarrant Regional Water District, the City of Dallas v. Lazy W District No. 1 aka Lazy W Conservation District, East Texas Ranch L.P. and Beverly Wilson Smith, Civil Action No. 2014C-0144 pending in the 3rd Judicial District Court, Henderson County, Texas - 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 presented for consideration.

Councilmember Callahan moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson.

Following discussion, Mayor Rawlings called the vote and declared the item unanimously adopted. (Arnold absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0834

Item 12: Authorize Supplemental Agreement No. 3 to the professional services contract with Pierce & O'Neill, LLP, for additional legal services in the lawsuit styled City of Dallas v. Cary "Mac" Abney, et al., v. Sabine River Authority of Texas, No. D-150045-C - Not to exceed \$65,000, from \$250,000 to \$315,000 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0835

Item 13: Authorize the **(1)** City Manager to accept fees consistent with the fee schedule included in the scope of work as approved by Resolution No. 16-0722 for the City of Dallas Property Assessed Clean Energy Program (“Dallas PACE Program”); and **(2)** Chief Financial Officer to receive and deposit fees generated through the Dallas PACE Program and collected by the Texas Property Assessed Clean Energy Authority dba Texas PACE Authority - Financing: No cost consideration to the City

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.

Councilmember Callahan moved to adopt the item.

Motion seconded by Councilmember Kingston.

Following discussion, Mayor Rawlings called the vote and declared the item unanimously adopted. (Arnold absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0836

Item 14: Authorize the **(1)** acceptance of a sub-grant award from the Meadows Mental Health Policy Institute for Texas (MMHPI) funded by W.W. Caruth Jr. Foundation at Communities Foundation of Texas in the amount of \$2,257,464 for the development of Rapid Integrated Group Healthcare Team (RIGHT Care) Pilot Program for the period of June 1, 2017 through May 31, 2020; **(2)** required cash match contributions up to \$757,045 as applicable, for the success of the program and eligible for reimbursement by the grantor after funding contingencies have been met; **(3)** in-kind contributions up to \$319,499 as applicable, for the success of the program; **(4)** receipt and deposit of grant funds in an amount not to exceed \$2,257,464 in the MMHPI-Rapid Integrated Group Healthcare Team Care Grant Fund; **(5)** establishment of appropriations in an amount not to exceed \$2,257,464 in the MMHPI-Rapid Integrated Group Healthcare Team Care Grant Fund; **(6)** creation of four civilian positions and two police officer positions to be used for the development and implementation of an innovative program to persons requiring behavioral health emergency response; and **(7)** execution of the sub-grant agreement with Meadows Mental Health Policy Institute for Dallas Fire-Rescue and Police Departments - Total not to exceed \$3,334,008 - Financing: Meadows Mental Health Policy Institute Grant Funds (\$2,257,464), Current Funds (\$757,045) (subject to annual appropriations) and In-Kind Contributions (\$319,499)

Adopted as part of consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0837

Item 15: Authorize a six-month service contract, with one six-month renewal option contingent upon available funding, to provide day labor and individualized case management services for panhandlers in the city of Dallas for the period June 1, 2017 through November 30, 2017 - The Way Back House, Inc., most advantageous proposer of two - Not to exceed \$100,000 - Financing: Current Funds (subject to appropriations)

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

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

Councilmember Medrano moved to remand the item to the Public Safety City Council Committee.

Motion seconded by Councilmember Kingston.

Following discussion, Councilmember Medrano amended his motion to reject the bid and remand the item to the City Manager's Office.

Amended motion seconded by Councilmember McGough.

After discussion ended, Mayor Rawlings called the vote and declared the item unanimously rejected and remanded to the City Manager's Office.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0838

Item 16: Authorize **(1)** an amendment to the grant agreement (Grant No. TX0236L6T001507) between the City of Dallas and the U.S. Department of Housing and Urban Development (HUD) to add The Vineyards at Forest Edge Apartments and The Vineyards at the Ranch Apartments as project sites to the grant agreement; **(2)** two Memorandums of Understanding (MOUs) between the City of Dallas and the two apartment property owners, Indigo JV LLC, herein referred to as Forest Edge, and Stone Ranch Owner LLC, herein referred to as The Ranch, to provide project-based affordable housing to the Gateway to Permanent Supportive Housing Program, contingent upon approval of the amendment by HUD in Subject Number 1 for the term March 1, 2017 through December 31, 2017, with two twelve-month renewal options; and **(3)** execution of the amendment to the grant agreement and of the MOUs - Financing: No cost consideration to the City

Councilmember McGough 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.

Councilmember McGough moved to adopt the item.

Motion seconded by Councilmember Kingston.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0839

Item 17: Authorize an amendment to the Interlocal Agreement with Texas A&M University Health Science Center dba Texas A&M University College of Dentistry (formerly Texas A&M University System) for the Clinical Dental Care Services Program, previously approved on September 28, 2016 by Resolution No. 16-1564 to increase the contract in an amount not to exceed \$236,000 to provide dental health services to low/moderate-income seniors aged 60 and older residing within the city of Dallas - Not to exceed \$236,000, from \$64,000 to \$300,000 - Financing: Current Funds (subject to 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.

Councilmember Griggs moved to adopt the item.

Motion seconded by Mayor Pro Tem Alonzo.

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

Paul Hoffman, 3302 Gaston Ave., representing Texas A&M University College of Dentistry

Daniel Jones, 9904 Winding Ridge Dr., representing Texas A&M University College of Dentistry

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

MAY 24, 2017

17-0840

**Authorize Project Specific Agreements with
Dallas County for Three Projects**

Note: Item Nos. 18, 19 and 20
must be considered collectively.

Item 18: Authorize a Project Specific Agreement with Dallas County for the design and construction of paving and drainage improvements on Merrifield Road from east of Mountain Creek Parkway to Grady Niblo Road - Financing: No cost consideration to the City

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0841

**Authorize Project Specific Agreements with
Dallas County for Three Projects**

Note: Item Nos. 18, 19 and 20
must be considered collectively.

Item 19: Authorize **(1)** an amendment to Resolution No. 05-0130, previously approved by City Council on January 12, 2005, to release encumbered funds and to designate the City as the lead agency for the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway project; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$700,000; and **(3)** an increase in appropriations in an amount not to exceed \$700,000 in the Capital Project Reimbursement Fund - Not to exceed \$700,000 - Financing: Capital Projects Reimbursement Funds

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0842

**Authorize Project Specific Agreements with
Dallas County for Three Projects**

Note: Item Nos. 18, 19 and 20
must be considered collectively.

Item 20: Authorize **(1)** a Project Specific Agreement with Dallas County for the design and construction of paving and drainage improvements on Camp Wisdom Road from Carrier Parkway to Farm-to-Market (FM) 1382; **(2)** reprogramming of available funds from Merrifield Road from east of Mountain Creek Parkway to the Grady Niblo Road project (\$250,000) and the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway project (\$1,050,000) for Camp Wisdom Road from Carrier Parkway to FM 1382 project; and **(3)** payment to Dallas County for the City's share of design and construction costs - Not to exceed \$1,300,000 - Financing: 2006 Bond Funds (\$600,000) and Capital Projects Reimbursement Funds (\$700,000)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0843

Item 21: Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation for street maintenance and repairs performed by city forces and city contractors at 13 locations within the city of Dallas (list attached); **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$2,102,818 for the County's share of the construction cost; and **(3)** an increase in appropriations in an amount not to exceed \$2,102,818 - Not to exceed \$2,102,818 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0844

Item 22: Authorize a two-year construction services contract with Viking Construction, Inc., lowest responsible bidder of two, to provide micro-surfacing and slurry seal application services - Not to exceed \$10,291,605 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0845

Item 23: Authorize **(1)** one or more agreements with the Dallas Center for the Performing Arts Foundation, Inc., and the Moody Foundation granting naming rights for Dallas City Performance Hall site to The Moody Foundation and for the design and installation of new signage for the Dallas City Performance Hall; and **(2)** specific findings that: (i) the Moody Foundation's charitable grant to the Dallas Center for the Performing Arts in the amount of \$22 million is a benefit to the City and accomplishes the public purpose of promotion and improvement of the arts; and (ii) the structure of the Moody Foundation's endowment to the Center, and the Governance, Grants and Investment Policy will sufficiently protect and ensure that the public purpose is met in return for the granting of naming rights to the Moody Foundation during the useful life of the performance hall - Financing: No cost consideration to the City

Councilmembers Griggs and Kingston requested the item be considered as an individual item later in the meeting; there was no objection voiced to their request.

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

Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Councilmember Callahan.

During discussion, Mayor Pro Tem Alonzo requested a record vote on the item.

After discussion ended, Mayor Rawlings called the record vote on Mayor Pro Tem Alonzo's motion to adopt the item:

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

Voting No: [1] Kingston

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0846

Item 24: Authorize **(1)** the restoration of banners at the Majestic Theatre for the exterior enhancement project in an amount not to exceed \$17,290, of which up to \$8,000 may be reimbursed to the City in the form of a grant from Dallas CBD Enterprises, Inc. (DCBDE); **(2)** the acceptance of a grant in an amount not to exceed \$8,000 from DCBDE for reimbursement of costs associated with the exterior enhancement project at the Majestic Theatre under the Downtown Dallas Inc.'s 2017 Matching Grant Program for the Downtown Improvement District (DID) for the period May 24, 2017 through November 15, 2017; **(3)** a local match in the amount of \$9,290; **(4)** the receipt and deposit of grant funds in an amount not to exceed \$8,000 in the DID Matching Grant-DCBDE Majestic Theatre Banners Project Fund; **(5)** the establishment of appropriations in an amount not to exceed \$8,000 in the DID Matching Grant-DCBDE Majestic Theatre Banners Project Fund; and **(6)** execution of the grant agreement - Total not to exceed \$17,290 - Financing: Current Funds (subject to appropriations) (\$8,000 to be partially reimbursed by the DID Matching Grant-DCBDE Majestic Theatre Banners Project Fund)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0847

Item 25: Authorize a one-year consultant contract for the development of a 10-year cultural plan and updated cultural policy - Lord Cultural Resources Planning and Management, Inc., most advantageous proposer of three - Not to exceed \$539,900 - Financing: Current Funds (subject to appropriations)

Councilmembers Griggs and Kingston requested the item be considered as an individual item later in the meeting; there was no objection voiced to their request.

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

Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0848

Item 26: Authorize **(1)** preliminary adoption of the FY 2017-18 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$26,536,718 for the following programs and estimated amounts: (a) Community Development Block Grant in the amount of \$13,258,321; (b) HOME Investment Partnerships Program in the amount of \$4,135,931; (c) Emergency Solutions Grant in the amount of \$1,211,466; (d) Housing Opportunities for Persons with AIDS in the amount of \$5,766,000; and (e) estimated Program Income in the amount of \$2,165,000; and **(2)** a public hearing to be held on June 14, 2017 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0849

Item 27: An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos), and authorizing different rates to be charged by Atmos based on an analysis of the data provided pursuant to its January 13, 2017 Dallas Annual Rate Review filing - Financing: No cost consideration to the City

Corrected on the addendum.

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

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

Councilmember Gates moved to adopt the item with the following change:

- An ordinance (1) denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos), (2) authorizing rates for Atmos granting an increase of \$5 million in base revenues as recommended by the Budget, Finance, and Audit Committee instead of the rates requested by Atmos that would have increased base revenues by \$10.7 million or the rates negotiated by Atmos and City staff that would have increased base revenues by \$7.8 million, and (3) directing the City Manager to take appropriate action to initiate a proceeding to “show cause” why Atmos rates should not be reduced.

Motion seconded by Councilmember Clayton.

Councilmember Arnold requested a record vote.

After discussion ended, Mayor Rawlings called the record vote on Councilmember Gates’ amended motion:

Voting Yes: [9] Rawlings, Alonzo, Wilson, Thomas, Clayton, McGough, Kleinman, Greyson, Gates

Voting No: [6] Griggs, Medrano, Arnold, Callahan, Young, Kingston

The city secretary declared the amended item adopted.

Assigned ORDINANCE NO. 30466

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0850

Item 28: Authorize **(1)** an application for the Commercial Auto Theft Interdiction Squad/25 Grant from the Texas Automobile Burglary and Theft Prevention Authority in an amount not to exceed \$662,605, to provide a specialized proactive automobile theft program, for the period September 1, 2017 through August 31, 2018 (a local match in the amount of \$143,389 and an in-kind contribution in the amount of \$552,946 will be provided if grant is awarded); and **(2)** an application for the continuation or modification of the grant for subsequent years - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0851

Item 29: Authorize moving expense and replacement housing payments for Caroline Arriaga in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1027 Pontiac Avenue for City service and maintenance facilities - Not to exceed \$77,100 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0852

Item 30: An ordinance granting **(1)** a TH-2(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an LI Light Industrial District and an R-7.5(A) Single Family District on the northern portion of the request area; and **(2)** a resolution terminating existing deed restrictions on property zoned an LI Light Industrial District, on the east line of North Prairie Creek Road, north of Cedar Run Drive - Z167-114 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30467

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0853

Item 31: 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 east side of South Bagley Street, south of West Jefferson Boulevard - Z167-175 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30468

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0854

Item 32: An ordinance granting a private license to South Tollway 3920, L.P. for the use of approximately 226 square feet of land to install, maintain and utilize a monument sign on a portion of Maple Avenue right-of-way located near its intersection with Oak Lawn Avenue - Revenue: \$100 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30469

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0855

Item 33: An ordinance abandoning a portion of Seale Street to Seale-Willomet Land, LP, the abutting owner, containing approximately 35,722 square feet of land, located near the intersection of Seale Street and Willomet Avenue, and authorizing the quitclaim - Revenue: \$294,707, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30470

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0856

Item 34: An ordinance amending Ordinance No. 30289, previously approved on December 14, 2016, which abandoned a portion of an alley, located near the intersection of Hester and Cole Avenues to Travis Cole Apartments 2012, LP, to extend the final replat from 180 days to 18 months - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30471

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0857

Item 35: Authorize an Interlocal Agreement with the City of Balch Springs to allow the City of Dallas to construct, own, and operate a 120-inch diameter water transmission main within the corporate limits of Balch Springs - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0858

Item 36: Authorize a Utility Joint Use Acknowledgement Agreement with the State of Texas, acting through the Texas Department of Transportation, for existing water and wastewater mains along Interstate Highway 35E (Stemmons Freeway) from north of Royal Lane to State Highway 190 (President George Bush Turnpike) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0859

Item 37: Ratify an emergency purchase of one liquid oxygen evaporator for the East Side Water Treatment Plant with Cryoquip, LLC - Not to exceed \$70,000 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0860

Item 38: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing 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 Position 01 to the Housing Finance Corporation Board as 2 nominees were submitted: Nicholas Brooks and Michael Harling.

Following the casting of votes, the item was held to later in the meeting to allow the City Secretary's Office time to calculate the balloting results.

Later in the meeting, the city secretary announced the following individual received the majority of ballot votes cast and was therefore appointed to the Housing Finance Corporation Board by acclamation:

Michael Harling

Note: In accordance with Section 12A-19(a)(1)(A) of the Dallas City Code, the city secretary announced the following names of the board members who had failed to submit their financial disclosure reports:

Williams Harris, Reinvestment Zone 17 Board (Transit-Oriented Dev.)

Arman Rupani, Reinvestment Zone 7 Board (Sports Arena)

Dustin Thibodeaux, Reinvestment Zone 15 (Ft. Worth Avenue)

Michael Mendoza, Reinvestment Zone 3 (Oak Cliff Gateway)

Thomas Goodale, Reinvestment Zone 14 (Skillman Corridor)

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

17-6104 HFC HOUSING FINANCE CORPORATION BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0861

Item 39: A resolution designating absence by Councilmember B. Adam McGough as being for "Official City Business" - Financing: No cost consideration to the City

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

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (McGough abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0862

Item 40: An ordinance amending the Dallas City Code, Chapter 12B, "Convenience Stores," providing new and updated definitions to include tobacco products and paraphernalia as convenience goods, notice to be given via electronic mail; deleting the form of business requirement on the application; deleting the provision that requires the posting of the trespass affidavit; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

The city secretary announced the item would be held and considered collectively with agenda item 56 (Development Code Case DCA156-004); there was no objection voiced by the city council.

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

Councilmember Medrano moved to close the public hearing on agenda item 56 and approve code amendments as recommended by the Public Safety Committee and the City Plan Commission, respectively, with the following changes to both agenda items:

- In Chapters 51 and 51A, a paraphernalia shop may not be located within 1,000 feet of a college, university, or seminary, a child-care facility, or a church;
- In Chapter 12B, operation of a cigar bar or tobacco shop is a defense to prosecution;
- The chief of police and the chief of the fire department are unauthorized to enforce the registration requirement under Section 12B-6;
- A paraphernalia shop is defined as an establishment that displays or offers for sale any "illegal smoking paraphernalia" as that term is defined in Chapter 31 of the Dallas City Code or any other smoking paraphernalia that is commonly used, or commonly known to be used, for the inhalation of tobacco or illegal substances. For purposes of this definition, rolling papers, tobacco cigarettes, and tobacco cigars are not considered paraphernalia."

and pass the ordinances.

Motion seconded by Councilmember Callahan.

Following discussion, Councilmember McGough moved a friendly amendment to add the [underscored] language to the following amendment to both agenda items:

- The chief of police, the fire department and the department of code compliance are authorized to enforce the registration requirement under Section 12-6.

Councilmember Medrano accepted Councilmember McGough's friendly amendment.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

17-0862

Page 2

Councilmember Callahan, who seconded Councilmember Medrano's amending motion, also accepted Councilmember McGough's friendly amendment.

After discussion ended, Mayor Rawlings called the vote and declared the agenda items 40 and 56 amended on a divided vote with Councilmembers Griggs, Arnold and Kingston voting "No."

Assigned ORDINANCE NO. 30472 (Agenda Item 40)

Assigned ORDINANCE NO. 30477 (Agenda Item 56)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0863

Item 41: Authorize a Chapter 380 Special Economic Development Grant Agreement with In The City For Good, Inc. in an amount not to exceed \$200,000, to partially underwrite the cost of training and development of community residents for early childhood teacher certifications and other positions at the South Park YMCA Early Childhood Development Center located at 3901 Latimer Street, Dallas, Texas 75215 - Not to exceed \$200,000 - Financing: South Dallas/Fair Park Trust 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."

The following individuals addressed the city council on the item:

Terry Kittleson, 7051 Orchid Ln.
Rodrigua Ross, 6239 Parkstone Way

Councilmember Callahan moved to adopt the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0864

Item 42: Authorize a Chapter 380 Special Economic Development Grant Agreement with The Dallas Foundation through the South Dallas/Fair Park Trust Fund in an amount not to exceed \$100,000 to partially underwrite the cost of The Market at Bonton Farms project located at 6905 Bexar Street, Dallas, Texas 75215 - Not to exceed \$100,000 - Financing: South Dallas/Fair Park Trust 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."

The following registered individual addressed the city council on the item:

Daron Babcock, 2612 Valentine St.

Councilmember Callahan moved to adopt the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0865

Item 43: Authorize **(1)** a Chapter 380 Economic Development Grant Agreement with South Dallas Fair Park/Innercity Community Development Corporation in the amount of \$131,231; and **(2)** a loan from the South Dallas/Fair Park Trust Fund to South Dallas Fair Park/Innercity Community Development Corporation in the amount of \$131,231, for the purpose of making major repairs and improvements to the Grand Plaza Shopping Center located at 3101 Al Lipscomb Way, Dallas, Texas 75215 - Total not to exceed \$262,462 - Financing: South Dallas/Fair Park Trust Funds (\$131,231) and Public/Private Partnership Funds (\$131,231)

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 Callahan moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0866

Note: Item Nos. 44 and 45 must be considered collectively.

Item 44: Authorize an ordinance to (1) amend Tax Increment Financing Reinvestment Zone Number Seven's (Sports Arena TIF District) Project and Reinvestment Zone Financing Plans and Grant Program to include workforce training programs as an eligible TIF Grant project; and (2) make corresponding modifications to the Sports Arena TIF District's Project and Reinvestment Zone Financing Plans and Grant Program, consistent with the requirements and limitations of the Act - 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 agenda item 45:

Deborah Moore, 3607 Pueblo St.

Councilmember Callahan moved to adopt agenda items 44 and 45.

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

Mayor Pro Tem Alonzo requested a record vote.

After discussion ended, Mayor Rawlings called a record vote on Councilmember Callahan's motion to adopt agenda items 44 and 45:

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

Voting No: [2] Griggs, Kingston

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 30473

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0867

Note: Item Nos. 44 and 45 must be considered collectively.

Item 45: Authorize a TIF Grant to Dallas Independent School District in an amount not to exceed \$50,000 to fund the Workforce Ready Program at L.G. Pinkston High School from increment accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) West Dallas Sub-district - Not to exceed \$50,000 - Financing: Sports Arena TIF District Funds (subject to future appropriations from future tax increments)

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:

Deborah Moore, 3607 Pueblo St.

Councilmember Callahan moved to adopt agenda items 44 and 45.

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

Mayor Pro Tem Alonzo requested a record vote.

After discussion ended, Mayor Rawlings called a record vote on Councilmember Callahan's motion to adopt agenda items 44 and 45:

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

Voting No: [2] Griggs, Kingston

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0868

Item 46: Authorize an amendment to Resolution No. 17-0417, previously approved on February 22, 2017, to change the awarded reconstruction contractor of one home located at 3811 Hamilton Avenue from Miko Trucking Inc. to Torres Construction - Not to exceed \$103,000 - Financing: 2015-16 Community Development Block Grant 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 Deputy Mayor Pro Tem Wilson and Councilmember Young.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0869

Item 47: Authorize an amendment to Resolution No. 17-0419, previously approved on February 22, 2017, to change the awarded reconstruction contractor of one home located at 2612 Stephenson Street from Miko Trucking Inc. to Weldon Harris DBA Weldon's Interprises - Not to exceed \$103,000 - Financing: 2015-16 Community Development Block Grant 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 Young and Councilmember Kingston and unanimously adopted. (Wilson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0870

The consent zoning docket consisted of agenda item 48.

Agenda item 48: Zoning Case Z167-173(SM)

Prior to presentation of the consent zoning docket, consent zoning agenda item 48 was removed for deferral.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0871

Item 48: Zoning Case Z167-173(SM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and (1) an ordinance repealing a portion of Specific Use Permit No. 98 for a quarry; (2) an ordinance granting a CR Community Retail District on the southeastern quadrant of the area of request; and (3) an ordinance granting a Planned Development District for CR Community Retail District uses on the remainder of the area of request on property zoned an NO(A) Neighborhood Office District and an IR Industrial Research District on the east side of North Westmoreland Drive, south of Interstate Highway 30.

Recommendation of Staff and CPC: Approval to repeal a portion of Specific Use Permit No. 98, approval of a CR Community Retail District; and approval of a Planned Development District, subject to a development plan, landscape plan, and conditions.

Prior to presentation of the consent zoning docket and item being read into the record, Councilmember Griggs moved to continue the public hearing and defer the item to the June 28, 2017 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Councilmember Greyson and unanimously deferred.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0872

ZONING CASES - INDIVIDUAL

Item 49: Zoning Case Z167-119(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Oak Lawn Avenue and Congress Avenue.

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

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

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

Motion seconded by Councilmember Clayton.

Mayor Rawlings called the vote and declared the item unanimously adopted.

Assigned ORDINANCE NO. 30474

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0873

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 50: Zoning Case Z156-301(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a P(A) Parking District on property zoned an R-5(A) Single Family District on the north side of Life Avenue, east of Puget Street.

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

Note: This item was considered by the City Council at a public hearing on May 10, 2017, and was deferred until May 24, 2017, with the public hearing open.

Prior to presentation of the consent zoning docket and item being read into the record, Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item to the June 28, 2017 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Councilmember Kingston and unanimously deferred.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0874

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 51: 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.

Note: This item was considered by the City Council at public hearings on January 11, 2017, February 8, 2017, February 22, 2017 and March 22, 2017, and was held under advisement until May 24, 2017, with the public hearing open.

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

Deputy Mayor Pro Tem Wilson moved to continue the public hearing and hold the item under advisement until the June 28, 2017 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston.

After discussion ended, Mayor Rawlings called the vote and declared the item unanimously held under advisement. (Alonzo absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0875

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 52: Zoning Case Z156-323(JM)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road.

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

Note: This item was considered by the City Council at public hearing on April 12, 2017, and was deferred until May 24, 2017, with the public hearing open.

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 June 14, 2017 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Mayor Pro Tem Alonzo and unanimously deferred.

Later in the meeting, Deputy Mayor Pro Tem Wilson clarified for the record the deferral of the item was to the June 28, 2017 voting agenda meeting of the city council; there was no objection voiced by the city council or city attorney.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0876

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 53: Zoning Case Z167-123(JM)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private school or an open-enrollment charter school on property zoned an A(A) Agricultural District on the north line of Grady Niblo Road, between the termini of Old Settlers Way and Founders Court.

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

Note: This item was considered by the City Council at public hearing on April 12, 2017, and was deferred until May 24, 2017, with the public hearing open.

The city secretary announced agenda item 53 would require a three-fourths vote of the city council for adoption.

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

Richard Sheridan, 3817 Vanetta Ln.

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

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

Motion seconded by Councilmember Kingston.

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

Assigned ORDINANCE NO. 30475

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0877

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 54: Zoning Case Z167-165(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the south side of CF Hawn Freeway, southeast of South Belt Line Road.

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

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

Note: This item was considered by the City Council at public hearing on May 10, 2017, and was deferred until May 24, 2017, with the public hearing open.

The following individual addressed the city council on the item:

Bebb Francis, 112 E. Pecan St.

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

Deputy Mayor Pro Tem Wilson moved to continue the public hearing and hold the item under advisement until the June 14, 2017 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston and item unanimously held under advisement.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0878

DESIGNATED ZONING CASES - INDIVIDUAL

Item 55: Zoning Case Z156-155(SH)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 750 for certain mixed uses on property generally located on the northwest corner of North Central Expressway and Walnut Hill Lane.

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised development plan and revised landscape plan for Tract A, new street plan and corresponding street sections, revised site plan, mixed use development parking chart, Conceptual Walnut Hill Traffic and Pedestrian Improvements street section, Central Expressway street section, Stone Canyon at Meadow Park Drive street section, 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:

Jerry Jackson, 5510 Merrimac Ave.

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

Motion seconded by Councilmember Gates and Councilmember Kingston.

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

Assigned ORDINANCE NO. 30476

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0879

DEVELOPMENT CODE AMENDMENTS - UNDER ADVISEMENT - INDIVIDUAL

Item 56: DCA 156-004

A public hearing to receive comments regarding amendments to Chapter 51 and Chapter 51A of the Dallas Development Code, Section 51-4.211 Retail Uses and Section 51A-4.210 Retail and Personal Service Uses, to define a new use, called “Paraphernalia Shop,” and related regulations and an ordinance granting the amendments.

Recommendation of Staff and CPC: Approval.

Note: This item was considered by the City Council at public hearing on May 10, 2017, and was deferred until May 24, 2017, with the public hearing open.

The city secretary announced the item would be held and considered collectively with agenda item 40; there was no objection voiced by the city council.

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

Councilmember Medrano moved to close the public hearing on agenda item 56 and approve code amendments as recommended by the Public Safety Committee and the City Plan Commission, respectively, with the following changes to both agenda items:

- In Chapters 51 and 51A, a paraphernalia shop may not be located within 1,000 feet of a college, university, or seminary, a child-care facility, or a church;
- In Chapter 12B, operation of a cigar bar or tobacco shop is a defense to prosecution;
- The chief of police and the chief of the fire department are unauthorized to enforce the registration requirement under Section 12B-6;
- A paraphernalia shop is defined as an establishment that displays or offers for sale any “illegal smoking paraphernalia” as that term is defined in Chapter 31 of the Dallas City Code or any other smoking paraphernalia that is commonly used, or commonly known to be used, for the inhalation of tobacco or illegal substances. For purposes of this definition, rolling papers, tobacco cigarettes, and tobacco cigars are not considered paraphernalia.”

and pass the ordinances.

Motion seconded by Councilmember Callahan.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

17-0879

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Following discussion, Councilmember McGough moved a friendly amendment to add the [underscored] language to the following amendment to both agenda items:

- The chief of police, the fire department and the department of code compliance are authorized to enforce the registration requirement under Section 12-6.

Councilmember Medrano accepted Councilmember McGough's friendly amendment.

Councilmember Callahan, who seconded Councilmember Medrano's amending motion, also accepted Councilmember McGough's friendly amendment.

After discussion ended, Mayor Rawlings called the vote and declared the agenda items 40 and 56 amended on a divided vote with Councilmembers Griggs, Arnold and Kingston voting "No."

Assigned ORDINANCE NO. 30472 (Agenda Item 40)

Assigned ORDINANCE NO. 30477 (Agenda Item 56)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0880

BENEFIT ASSESSMENT HEARINGS

Item 57: A benefit assessment hearing to receive comments on alley paving, water and wastewater main improvements, for Alley Group 12-1126; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of seven - Not to exceed \$672,664 - Financing: 2012 Bond Funds (\$221,696), General Obligation Commercial Paper Funds (\$168,639), and Water Utilities Capital Construction Funds (\$282,329)

No one addressed the city council on the item.

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

Motion seconded by Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 30478

Note: There are two resolutions with this item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0881

BENEFIT ASSESSMENT HEARINGS

Item 58: A benefit assessment hearing to receive comments on street paving and water main improvements for North Adams Avenue from Tenth Street to Davis Street; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Texas Standard Construction, Ltd., lowest responsible bidder of eight - Not to exceed \$1,068,127 - Financing: General Obligation Commercial Paper Funds (\$802,987) and Water Utilities Capital Construction Funds (\$265,140)

No one addressed the city council on the item.

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

Motion seconded by Councilmember Griggs and unanimously adopted.

Assigned ORDINANCE NO. 30479

Note: There are two resolutions with this item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0882

MISCELLANEOUS HEARINGS

Item 59: A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to South Dallas Fair Park Inncity Community Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property (list attached) to South Dallas Fair Park Inncity Community Development Corporation, under the House Bill 110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment together with post-judgment non-tax liens, if any - Revenue: \$1,000

The city secretary announced the item would not be considered as it was not properly noticed; there was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0883

MISCELLANEOUS HEARINGS

Item 60: A public hearing to receive comments on and consideration of authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 145, Planned Development District No. 708, and a CA-1(A) Central Area District in an area generally bounded by Woodall Rodgers Freeway, North Central Expressway, San Jacinto Street, and St. Paul Street with consideration given to appropriate amendments to Planned Development District No. 145 and Planned Development District No. 708 and the expansion of Planned Development District No. 708 to include the property zoned CA-1(A) Central Area District, to include but not limited to use, development standards, and other appropriate regulations, enhancing pedestrian amenities, and providing for public art - Financing: No cost consideration to the City (via Councilmembers Kingston, Medrano, Gates, Deputy Mayor Pro Tem Wilson, and Mayor Pro Tem Alonzo)

No one addressed the city council on the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0884

MISCELLANEOUS HEARINGS

Item 61: 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 Westdale Properties America I Ltd and 2713 Canton Ltd located near the intersection of Commerce and Henry Streets and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Westdale Properties America I Ltd and 2713 Canton Ltd 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:

Robert Schoenewe, 3200 St. Cloud Ln., Richardson, TX, registered professional geoscientist
Deborah Moore, 3607 Pueblo St.
Susan Rainey, 219 Classen Dr.

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

Motion seconded by Councilmember Greyson.

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

Assigned ORDINANCE NO. 30480

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0885

MISCELLANEOUS HEARINGS

Item 62: A public hearing to receive comments on the FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Richard Sheridan, 3817 Vanetta Ln., (handout provided)

Linda Ender, 3910 Harry Hines Blvd.

Seth Hulett, 2944 Etta Dr.

Marvin Crenshaw, 5134 Malcolm X Blvd.

Mayor Pro Tem Alonzo moved to close the public hearing.

Motion seconded by Councilmember Kingston and unanimously closed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0886

MISCELLANEOUS HEARINGS

Item 63: A public hearing to receive comments regarding, and approval of, an amendment to Chapter 51A, "Dallas Development Code", Section 51A-5.102, of the Dallas City Code to adopt the Collin County flood insurance study and accompanying flood insurance rate maps, as revised, which become effective on June 7, 2017, as a requirement of the Federal Emergency Management Agency - Financing: No cost consideration to the City

No one addressed the city council on the item.

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

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 30481

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0887

Closed Session

The following items were posted for discussion in closed session:

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

- Legal issues related to the Dallas Police & Fire Pension System.
- Three Expo Events, LLC v. City of Dallas, Civil Action No. 3:16-CV-00513-D.

At 12:00 p.m., Mayor Rawlings recessed the meeting and announced the closed session of the city council, scheduled to start at 1:00 p.m., 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.)

- Three Expo Events, LLC v. City of Dallas, Civil Action No. 3:16-CV-00513-D.

At 1:02 p.m., the city council convened to closed session 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.)

- Three Expo Events, LLC v. City of Dallas, Civil Action No. 3:16-CV-00513-D.

The closed session ended at 1:04 p.m. Mayor Rawlings reconvened to open session at 1:07 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0888

Addendum Addition 1: A resolution in support of HB 3158, regarding the Dallas Police & Fire Pension Fund, as it was amended by the Senate and sent to City staff from Senator West's office on May 16, 2017

The city secretary read the item into the record.

At the request of Mayor Rawlings, consideration of the item was held to allow Deputy Mayor Pro Tem Wilson time to arrive; there was no objection voiced by the city council.

Later in the meeting, Deputy Mayor Pro Tem Wilson moved to table the item indefinitely.

Motion seconded by Councilmember Kingston and unanimously tabled indefinitely.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0889

Addendum Addition 2: A resolution authorizing an increase in the joint elections agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a runoff election to be held Saturday, June 10, 2017 - Not to exceed \$329,598, from \$816,531 to \$1,146,129 - Financing: Contingency Reserve Funds

Councilmember Greyson moved to adopt the item

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 24, 2017

17-0890

Addendum Addition 3: A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the Saturday, June 10, 2017 runoff election, and submit a canvass report to the full City Council on Monday, June 19, 2017 - Financing: No cost consideration to the City

Councilmember Medrano moved to adopt the item

Motion seconded by Councilmember Kingston and unanimously adopted.

The city secretary announced the Ad Hoc City Council Canvassing Committee being appointed by Mayor Rawlings were as follows:

Councilmember Sandy Greyson - Chair
Councilmember B. Adam McGough
Councilmember Jennifer S. Gates
Councilmember Casey Thomas, II
Councilmember Rickey D. Callahan - Alternate

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2017

EXHIBIT C