

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 9, 2017

17-1150

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

PRESENT: [15] Rawlings, Caraway, Medrano, Griggs, Thomas, Callahan, Narvaez, Felder, Atkins, Clayton (\*9:31 a.m.), McGough, Kleinman, Greyson, Gates, Kingston (\*9:20 a.m.)

ABSENT: [0]

The meeting was called to order at 9:12 a.m. with a quorum of the city council present.

The invocation was given by Reverend Mark Davis, Park Cities Presbyterian Church.

Councilmember Gates led the pledge of allegiance.

The meeting agenda, posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

The meeting recessed at 12:12 p.m. and reconvened to open session at 1:05 p.m. (Medrano [\*1:06 p.m.], Greyson [\*1:06 p.m.]). The meeting recessed to closed session at 2:54 p.m. which ended at 3:03 p.m. The meeting reconvened to open session at 3:13 p.m.

After all business properly brought before the city council had been considered, the city council adjourned at 6:44 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, AUGUST 9, 2017

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 9, 2017

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1151

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: Richard Sheridan, 3817 Vanette Ln. (handout provided)  
SUBJECT: Bury tollway, no bond election

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

SPEAKER: Yolanda Williams, Private  
SUBJECT: Bond/Pleasant Grove

SPEAKER: Clinton Haley, 6787 Inverness Ln.  
SUBJECT: Thanks for skate park in bond

SPEAKER: Eric Williams, 7315 Wilcox Dr.  
SUBJECT: Grand Inn/crime infestation

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Sandra Crenshaw, 6230 N. Central Expy.  
SUBJECT: Down with DART

SPEAKER: Billy MacLeod, 3373 Dorado Beach Dr., Farmers Branch, TX (video presentation)  
SUBJECT: City resource prioritization  
REPRESENTING: Badge of Honor Memorial Foundation

SPEAKER: Tamiko Jones, 811 Skillman St.  
SUBJECT: Intimidation on the job

SPEAKER: Lakolya London, 700 W. Center St., Duncanville, TX  
SUBJECT: South Dallas/City Hall

SPEAKER: B.M. Randolph, Not Provided (handout provided)  
SUBJECT: My Country, 'Tis of Thee

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1152

Item 1: Approval of Minutes of the June 19, 2017 Special and Inauguration Meetings and June 28, 2017 City Council Meeting

Deputy Mayor Pro Tem Medrano moved to adopt the minutes as presented.

Motion seconded by Councilmember Felder and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1234

CONSENT AGENDA

Prior to presentation of the consent agenda, Councilmember Kleinman moved the Economic Development and Housing Committee be discharged from further consideration of consent agenda item 10 and for the item to remain on the consent agenda.

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

The consent agenda consisted of consent agenda items 2-42. There was no addendum addition consent agenda to consider.

Councilmember Kingston requested consent agenda items 2, 4, 16, 23 and 25 be considered as individual items later in the meeting; there was no objection voiced to the request.

Councilmember McGough requested consent agenda item 9 be considered as an individual item later in the meeting; there was no objection voiced to the request.

Councilmember Gates requested consent agenda item 18 be considered as an individual item later in the meeting; there was no objection voiced to the request.

Councilmember Greyson requested consent agenda item 20 be considered as an individual item later in the meeting; there was no objection voiced to the request.

Therefore, the consent agenda, consisting of consent agenda items 3, 5-8, 10-15, 17, 19, 21, 22, 24 and 26-42, was presented for consideration.

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

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1153

Item 2: Authorize a one-year professional engineering services contract for construction code engineering analysis services - AECOM Technical Services, Inc., most qualified respondent of two - Not to exceed \$120,570 - Financing: Building Inspection 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 the request.

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

Councilmember Kingston moved to adopt the item.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1154

Item 3: Authorize a three-year service contract for on-site service and repair of hydraulic hoses for City vehicles and equipment - JBL Hose Service, LLC dba Pirtek Love Field, most advantageous proposer of two - Not to exceed \$811,967 - Financing: Current Funds (\$478,534), Water Utilities Current Funds (\$186,113), and Sanitation Current Funds (\$147,320) (subject to annual appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1155

Item 4: Authorize a five-year service contract for food establishment inspections - A+ Food Industry Inspections, Inc., most advantageous proposer of two - Not to exceed \$768,000 - Financing: Current Funds (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 the request.

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

Councilmember Gates moved to adopt the item.

Motion seconded by Councilmember McGough.

After discussion ended, Mayor Rawlings called the vote and declared the item adopted on a divided vote with Councilmember Kingston voting "No." (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1156

Item 5: Authorize a two-year master agreement for cast iron fittings - HD Supply Waterworks, LTD, lowest responsible bidder of three - Not to exceed \$370,000 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1157

Item 6: Authorize a three-year master agreement for bulk Portland Cement Type 1 - LafargeHolcim US, lowest responsible bidder of two - Not to exceed \$655,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1158

Item 7: Authorize settlement of the lawsuit styled Farmers Texas County Mutual Insurance Company et al. v. The City of Dallas, Cause No. CC-15-03917-B - Not to exceed \$110,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1159

Item 8: Authorize an increase to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the final reconciliation and closeout for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed \$267,689, from \$13,690,013 to \$13,957,702 - Financing: Public/Private Partnership Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1160

Item 9: Authorize a two-year Interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2017 through August 31, 2019 - Revenue: \$375,188

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 Deputy Mayor Pro Tem Medrano and unanimously adopted. (McGough abstain; Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1161

Item 10: Authorize an amendment to Resolution No. 16-1095, previously approved on June 22, 2016, for the conditional grant agreement with Jubilee Park & Community Center Corporation to extend the completion date from June 30, 2017 to December 31, 2018 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Financing: No cost consideration to the City

Prior to presentation of the consent agenda, Councilmember Kleinman moved the Economic Development and Housing Committee be discharged from further consideration of consent agenda item 10 and for the item to remain on the consent agenda.

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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1162

Item 11: Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Association of Persons Affected by Addiction to decrease the contract amount from \$250,000 to \$150,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed (\$100,000), from \$250,000 to \$150,000 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1163

Item 12: Authorize Supplemental Agreement No. 2 to the grant agreement with CitySquare to decrease the contract amount from \$857,725 to \$757,725 to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed (\$100,000), from \$857,725 to \$757,725 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1164

Item 13: Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Shelter Street Ministries of Dallas dba Austin Street Center to increase funding in the amount of \$200,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed \$200,000, from \$654,383 to \$854,383 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1165

Item 14: Authorize an agreement with Union Pacific Railroad Company for the construction, maintenance, and use of a new grade-separated overpass structure within the Union Pacific Railroad right-of-way for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1166

Item 15: Authorize a contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of four, for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue - Not to exceed \$617,989 - Financing: 2012 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1167

Item 16: Authorize **(1)** the rejection of all bids for the reconstruction of street paving, storm drainage, landscaping, irrigation, traffic control and signals, water and wastewater main improvements for the Lamar Street Project to include the Omni Hotel and Convention Center Dallas Area Rapid Transit Station from Young Street to Ross Avenue, Phase I Project; and **(2)** the re-advertisement for new bids - 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 the request.

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

Councilmember Kleinman moved to adopt the item.

Motion seconded by Councilmember Kingston.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1168

Item 17: Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project for the City's share of additional construction costs for water main improvements and to clarify the maintenance and funding responsibilities between agencies; and **(2)** payment to Dallas County for the City's share of additional construction costs for water main improvements - Not to exceed \$700,000 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1169

Item 18: Authorize Supplemental Agreement No. 4 to the professional services contract for (1) assignment of the contract from URS Corporation to AECOM Technical Services, Inc.; and (2) additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II - Not to exceed \$3,417,963, from \$623,823 to \$4,041,786 - Financing: 2012 Bond Funds (\$925,692), General Obligation Commercial Paper Funds (\$2,286,266), Water Utilities Capital Improvement Funds (\$123,600) and Water Utilities Capital Construction Funds (\$82,405)

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

Councilmember Kleinman moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Gates abstain; Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1170

Item 19: An ordinance denying rates as requested by Oncor Electric Delivery Company LLC in its application to change rates filed with the City on March 17, 2017 -  
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30545



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1171

Item 20: Authorize final adoption of the FY 2017-18 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds in an estimated amount of \$29,249,287 for the following programs and amounts: (a) Community Development Block Grant in the amount of \$13,373,031; (b) HOME Investment Partnerships Program in the amount of \$4,123,371; (c) Emergency Solutions Grant in the amount of \$3,117,540; (d) Housing Opportunities for Persons with AIDS in the amount of \$6,470,345; and (e) Program Income in an estimated amount of \$2,165,000 - 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 the request.

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

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

- DECREASE the Public Facilities and Improvements budget line by \$17,206 [from \$2,114,710 to \$2,097,504]; and
- INCREASE the Senior Services Program budget line by \$17,206 [from \$203,143 to \$220,349] with staff recommending funds to be used for senior employment.

Motion seconded by Councilmember Kingston.

Mayor Rawlings called the vote and declared the amended item adopted on a divided vote with Councilmember Kleinman voting “No.” (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1172

Item 21: Authorize a public hearing to be held on August 23, 2017 to receive comments on the FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1173

Item 22: Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1174

Item 23: Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP for the development, operation and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue - 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 the request.

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

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember McGough and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1175

Item 24: Authorize **(1)** an application for and acceptance of the State of Texas Internet Crimes Against Children Grant in the amount of \$254,293 from the Office of the Governor, Criminal Justice Division to provide for one-year funding for the salaries and fringe benefits of two detectives and one police research specialist, to fund training, direct operating expenses and use of overtime to address the growing problem of technology-facilitated child abuse and exploitation for the period October 1, 2016 through September 30, 2017; **(2)** the receipt and deposit of grant funds in an amount not to exceed \$254,293 in the State Internet Crimes Against Children Grant Fund; **(3)** the establishment of appropriations in an amount not to exceed \$254,293 in the State Internet Crimes Against Children Grant Fund; and **(4)** execution of the grant agreement - Not to exceed \$254,293 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1176

Item 25: Authorize the **(1)** acceptance of a grant award from the W.W. Caruth Jr. Foundation at Communities Foundation of Texas in the amount of \$250,000 for the development of a staffing efficiency study for the Dallas Police Department for the period September 1, 2017 through December 31, 2018; **(2)** required cash match contributions up to \$250,000 as applicable, from Confiscated Monies-Federal Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed \$250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; **(4)** establishment of appropriations in an amount not to exceed \$250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; and **(5)** execution of the grant agreement - Not to exceed \$500,000 - Financing: W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Funds (\$250,000) and Confiscated Monies Funds (\$250,000)

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

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

Councilmember McGough moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1177

Item 26: Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with the Richardson Independent School District (RISD) for the provision of police services by the City of Dallas (City) in the RISD's Lake Highlands High School and junior high schools within the limits of both the City and RISD - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1178

Item 27: Authorize **(1)** Supplemental Agreement No. 5 to the professional engineering contract with Biggs & Mathews Environmental, Inc. to exercise the third of three, 12-month renewal options for environmental, hydrogeology and groundwater monitoring services and additional landfill engineering tasks for engineering, design, procurement consulting services, and construction management for landfill infrastructure improvements, including construction of waste cells 6B2 & Area 2; **(2)** to extend the third optional year contract term by an additional 12-months, from June 30, 2018 to June 30, 2019 to complete additional engineering and construction tasks; and **(3)** an increase in appropriations in the amount of \$444,900 in the Sanitation Capital Improvement Funds - Not to exceed \$636,473, from \$1,148,969 to \$1,785,442 - Financing: Sanitation Capital Improvement Funds (\$444,900) and Sanitation Current Funds (\$191,573) (subject to appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1179

Item 28: Authorize moving expense and rental assistance payments for Betty Taylor as a result of an official written offer of just compensation to purchase real property at 5420 Barber Avenue for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$24,432 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1180

Item 29: A resolution authorizing the conveyance of a storm sewer easement containing approximately 2,281 square feet to the City of Garland for the construction, maintenance and use of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike - Revenue: \$5,360

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1181

Item 30:       A resolution authorizing the conveyance of a temporary construction easement for two tracts containing a total of approximately 155,182 square feet to the Trinity River Authority of Texas for the rehabilitation of the existing sewer interceptor across City-owned park land at Elm Fork Shooting Sports and Luna Vista Golf Course located near the intersection of Northwest Highway and Royal Lane - Revenue: \$7,366

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1182

Item 31: An ordinance granting a private license to RBP Adolphus LLC for the use of approximately 1,074 square feet of aerial space to install, maintain and utilize a canopy with premise sign over a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: \$1,000 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30546

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1183

Item 32: An ordinance granting a revocable license to Southwest Airlines Co. for the use of approximately 1,500 square feet of aerial space to occupy, maintain, and utilize a pedestrian bridge above and over a portion of Denton Drive right-of-way, located near its intersection with Wyman Street - Revenue: \$1,000 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30547

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1184

Item 33: An ordinance abandoning a portion of Bedford Street to Singleton Trinity Groves, LP, the abutting owner, containing approximately 5,665 square feet of land located near the intersection of Singleton Boulevard and Borger Street; and authorizing the quitclaim - Revenue: \$67,980, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30548

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1185

Item 34: An ordinance abandoning a portion of Griffin Street to Jahan Sebastian Enterprises, LLC, the abutting owner, containing approximately 2,995 square feet of land, located near the intersection of Griffin and Peters Streets; and authorizing the quitclaim - Revenue: \$59,900, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30549

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1186

Item 35: An ordinance abandoning portions of two alleys to Congregation Shaare Tefilla and Dallas International School, the abutting owners, containing a total of approximately 5,620 square feet of land, located near the intersection of Whitley Lane and Churchill Way; authorizing the quitclaim; and providing for the dedication of approximately 5,437 square feet of land needed for a wastewater easement - Revenue: \$115,834, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30550



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1187

Item 36: An ordinance abandoning a floodway easement to Dagmawi Asseged Yemenu and Addisalem W. Kassa, the abutting owners, containing approximately 1,540 square feet of land located near the intersection of Goforth Circle and Goforth Road - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30551

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1188

Item 37: An ordinance abandoning a water easement to JBGL Chateau, LLC, the abutting owner, containing approximately 300 square feet of land, located near the intersection of Haskell and Swiss Avenues - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30552

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1189

Item 38: An ordinance amending Ordinance No. 23183, previously approved on June 11, 1997, which abandoned a portion of Taylor Street, located near its intersection with Marilla Street, to eliminate reverter provisions - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30553

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1190

Item 39: Authorize settlement in lieu of proceeding with condemnation of a total of six subsurface easements located under a total of approximately 87,360 square feet of land and one drainage easement containing approximately 4,818 square feet of land from Dallas Area Rapid Transit for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$189,150 (\$178,650, plus closing costs and title expenses not to exceed \$10,500); an increase of \$20,000 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

AUGUST 9, 2017

17-1191

Item 40: Authorize **(1)** a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 35E (Stemmons Freeway) from Interstate Highway 30 (R.L. Thornton Freeway) to Oak Lawn Avenue; and **(2)** the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of project management and construction inspection costs for the project - Revenue: \$100,688

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1192

Item 41: Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water main relocations and appurtenance adjustments in Parkdale Drive at White Rock Creek Tributary - Not to exceed \$101,000 - Financing: Water Utilities Capital Construction Funds (\$3,000) and Water Utilities Capital Improvement Funds (\$98,000).

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1193

Item 42: Authorize a contract for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of three - Not to exceed \$15,154,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1194

Item 43: 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 with terms as noted below and indicated all nominees met qualifications for service.

Councilmember McGough moved to appoint the following:

- Philip John Sahuc to the Board of Adjustment Alternate Members; term ending September 30, 2017 (2015-2017 term);
- Robert Christopher Culak, General Public, to the Citizen Homeless Commission, term ending September 20, 2019; and
- Glynn E. Newman to the Civil Service Board Adjunct Members, terms ending September 30, 2017 (2015-2017 term) and September 30, 2019 (2017-2019 term).

Motion seconded by Councilmember Kleinman and unanimously adopted.

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

<b>17-6451</b>	<b>BOX</b>	<b>BOARD OF ADJUSTMENT ALTERNATE MEMBERS</b>
<b>17-6452</b>	<b>CHC</b>	<b>CITIZEN HOMELESS COMMISSION</b>
<b>17-6453</b>	<b>CSX</b>	<b>CIVIL SERVICE BOARD ADJUNCT MEMBERS</b>



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1195

Item 44: A resolution authorizing the reinstatement of the Texas State Library and Archives Commission (TSL) required retention period for specific records series maintained by the City Secretary's Office - Financing: No cost consideration to the City

Councilmember Greyson moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1196

Item 45: An ordinance ordering a bond election to be held in the city of Dallas on November 7, 2017, for the purpose of authorizing general obligation bonds by the qualified voters of the city of Dallas - Financing: No cost consideration to the City.

Mayor Pro Tem Caraway moved to adopt the bond election order ordinance.

Motion seconded by Councilmember Atkins.

Councilmember Felder moved a friendly amendment to amend the order of the propositions so that Fair Park [Proposition J] becomes Proposition A and other propositions move down one level, ending with the Homeless Facilities as the new Proposition J:

- Proposition A (Fair Park Improvements)
- Proposition B (Street and Transportation Improvements)
- Proposition C (Parks and Recreation Facilities and Improvements)
- Proposition D (Flood Protection and Storm Drainage Improvements)
- Proposition E (Library Facilities and Improvements)
- Proposition F (Cultural and Performing Arts Facilities and Improvements)
- Proposition G (Public Safety Facilities and Improvements)
- Proposition H (Repairs and Improvements to City Hall and to Various City Service and Administrative Facilities)
- Proposition I (City's Economic Development Program)
- Proposition J (Permanent, Supportive and Transitional Housing Facilities)

Amending motion seconded by Deputy Mayor Pro Tem Medrano.

At Councilmember Kleinman's request, the city attorney's office clarified for the city council that Councilmember Felder's friendly amendment to amend the order of the propositions was in order.

Mayor Rawlings called the vote and declared the item unanimously amended. (Callahan absent when vote taken)

Councilmember Thomas moved a [friendly] amendment as follows:

- Transfer \$1,000,000 from District 3 Discretionary Funds to Parks and Recreation Facilities and Improvements [Proposition C, reordered]. [Friendly Amendment No. 1]

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As a result of the city attorney's office clarification that the presiding officer could dispense with acknowledgement of friendly amendments, Mayor Rawlings stated each amendment would be considered as a friendly amendment to Mayor Pro Tem Caraway's motion; there was no objection voiced by the city council.

Councilmember Atkins moved a friendly amendment as follows:

- Transfer \$1,000,000 from District 8 discretionary funds Parks and Recreation Facilities and Improvements. [Friendly Amendment No. 2]

Deputy Mayor Pro Tem Medrano moved friendly amendments as follows:

- That Southwestern Medical District Urban Streetscape Initiative (Phase 1) Project in Proposition A ["B" reordered] (Street and Transportation Improvements) authorize the City to issue bonds which is \$16,000,000 more than the current proposed amount. [Friendly Amendment No. 3]

and

- That Dallas Water Gardens in Proposition B ["C" reordered] (Parks and Recreation Facilities and Improvements) authorize the City to issue bonds which is \$10,000,000 more than the current proposed amount. [Friendly Amendment No. 4]

During discussion and as a result of the city attorney's office clarification on the presiding officer's ability to determine the method of addressing friendly amendments, Mayor Rawlings stated each amendment would be voted on individually, after which adopted changes would be incorporated within the bond election order to be approved en masse later in the meeting.

Deputy Mayor Pro Tem Medrano moved the following amendment:

- That Southwestern Medical District Urban Streetscape Initiative (Phase 1) Project in Proposition A ["B" reordered] (Street and Transportation Improvements) authorize the City to issue bonds which is \$16,000,000 more than the current proposed amount. [Friendly Amendment No. 3]

Amending motion seconded by Councilmember Atkins.

Councilmember Kingston moved that Mayor Rawlings ask the city council to vote on each non-transportation city-wide project amendments at the time they are presented, following the vote on Deputy Mayor Pro Tem Medrano's previously presented amendment [Southwestern Medical District Urban Streetscape Initiative (Phase 1) project].

Motion seconded by Deputy Mayor Pro Tem Medrano.

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At staff's request, the following individual addressed the city council; there was no objection voiced by the city council:

Janette Monear, 5445 Caruth Haven Ln., representing Texas Trees Foundation, on matching funds for the Southwestern Medical District Urban Streetscape Initiative (Phase 1) project

Mayor Rawlings announced a procedural change that would provide for all proposed amendments to be brought forward first; there was no objection by the city council.

Councilmember Kingston moved a friendly amendment as follows:

- Add \$20,000,000 to the Klyde Warren Park Expansion Project in the Park Proposition ["C" reordered]. [Friendly Amendment No. 5]

Councilmember Kleinman moved the following friendly amendments as follows:

- Add \$6,000,000 to the Southern Pacific (SoPAC) Trail in the Park Proposition ["C" reordered]. [Friendly Amendment No. 6]

and

- Add \$9,000,000 to the Dallas Zoo (Parking Garage/Customer Entrance) in the Park Proposition ["C" reordered]. [Friendly Amendment No. 7]

Councilmember Callahan moved the following friendly amendment:

- Add \$40,000,000 for the building of a Senior Citizens Center in the Parks Proposition ["C" reordered]. [Friendly Amendment No. 8]

Councilmember Narvaez moved the following friendly amendment:

- Move \$1,000,000 of District 6 Discretionary Funds from the City's Economic Development Program Proposition ["I" reordered] to the Parks Proposition ["C" reordered]. [Friendly Amendment No. 9]

Councilmember Thomas clarified his friendly amendment presented earlier in the meeting was as follows:

- Move \$1,000,000 of District 3 Discretionary Funds from the City's Economic Development Program Proposition ["I" reordered] to the Parks Proposition ["C" reordered]. [Friendly Amendment No. 1]

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Councilmember Atkins clarified his friendly amendment presented earlier in the meeting was as follows:

- Move \$1,000,000 of District 8 Discretionary Funds from the City's Economic Development Program Proposition ["T" [reordered] to the Parks Proposition ["C" reordered]. [Friendly Amendment No. 2]

Mayor Rawlings presented Councilmember Kingston's previously presented motion, seconded by Deputy Mayor Pro Tem Medrano, that the city council individually vote on each non-transportation city-wide project amendments.

Following discussion, Mayor Rawlings called the vote on Councilmember Kingston's motion that the city council individually vote on each non-transportation city-wide projects amendments:

Voting Yes: [6] Medrano, Griggs, Narvaez, Felder, Greyson, Kingston

Voting No: [9] Rawlings, Caraway, Thomas, Callahan, Atkins, Clayton, McGough, Kleinman, Gates

The city secretary declared the motion failed.

At Mayor Rawlings' request, the following individual addressed the city council; there was no objection voiced by the city council:

David Marquis, 3110 W. Kiest Blvd., on matching funds for the Dallas Water Gardens Project

At 2:54 p.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.)

- Agenda Item 45: An ordinance ordering a bond election to be held in the city of Dallas on November 7, 2017, for the purpose of authorizing general obligation bonds by the qualified voters of the city of Dallas.

Mayor Rawlings reconvened the city council meeting after the closed session at 3:13 p.m. No other matters were discussed during the closed session.

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Deputy Mayor Pro Tem Medrano moved the following friendly amendments, replacing those presented earlier in the meeting:

- Add \$8,000,000 to the Dallas Water Gardens [Proposition C, reordered]. [Friendly Amendment No. 4, replaced]
- Add \$8,000,000 to the Southwestern Medical District Urban Streetscape Initiative (Phase 1) Project [Proposition B reordered]. [Friendly Amendment No. 3, replaced]
- Add \$8,000,000 to the Klyde Warren Park Expansion Project [Proposition C reordered]. [Friendly Amendment No. 5, replaced]

Motion seconded by Councilmember Kingston.

During discussion, Councilmember Kleinman moved a substitute motion to deny all proposed friendly amendments.

Substitute motion seconded by Councilmember Gates.

Mayor Rawlings called for a parliamentary ruling on Councilmember Kleinman's substitute motion to deny and questioned if the substitute motion was deleterious. The city attorney's office clarified the substitute motion to deny was deleterious and not allowable; therefore, Deputy Mayor Pro Tem Medrano's amended motion was still on the floor for consideration.

At Councilmember Narvaez' request, the following individuals addressed the city council; there was no objection voiced by the city council:

- Rob Walters, 3916 Southwestern Blvd., on behalf of Klyde Warren Park Expansion Project, on the project continuing at a lower funding level
- Janette Monear, 5445 Caruth Haven Ln., on behalf of Southwestern Medical District Urban Streetscape Initiative (Phase 1) Project, on the project continuing at a lower funding level
- David Marquis, 3110 W. Kiest Blvd., on behalf of Dallas Water Gardens Project, with the project continuing at a lower funding level

At Councilmember Greyson and Councilmember Gates' request, the following individual addressed the city council:

- Rob Walters, 3916 Southwestern Blvd., on behalf of Klyde Warren Park Expansion Project, on parking for and traffic management around the project

At Councilmember Kleinman's request, Mayor Rawlings announced language would be included in the bond election order ordinance that for those identified projects requiring matching funds must be in place with the timeframe to have those matching funds in place is to be before the next bond election; there was no objection voiced by the city council.

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Mayor Rawlings moved the following friendly amendments to Deputy Mayor Pro Tem Medrano's friendly amendment:

- Add \$10,000,000 to the Klyde Warren Park Expansion Project [Proposition C reordered]. [Friendly Amendment No. 5, replaced]
- Add \$7,500,000 to the Dallas Water Gardens [Proposition C, reordered]. [Friendly Amendment No. 4, replaced]
- Add \$7,500,000 to the Southwestern Medical District Urban Streetscape Initiative (Phase 1) Project [Proposition B reordered]. [Friendly Amendment No. 3, replaced]

Deputy Mayor Pro Tem Medrano accepted Mayor Rawlings' friendly amendment, and Councilmember Kingston, who seconded the motion, accepted the friendly amendment.

After discussion, Mayor Rawlings called a record vote on the proposed friendly amendments:

Voting Yes: [11] Rawlings, Caraway, Medrano, Griggs, Thomas, Callahan, Narvaez, Felder, Atkins, McGough, Kingston

Voting No: [4] Clayton, Kleinman, Greyson, Gates

The city secretary declared the amended motion adopted.

The item was held to later in the meeting to allow the city attorney's office time to compile the amendments.

Later in the meeting, the city attorney's office distributed the revised bond election order including the amendments relating to the three projects totaling \$25,000,000 including the list of additional projects which required the conditional language on matching funds being required in order to issue bond funds.

Councilmember Kleinman moved the following amendments:

- Section 3 [Bond Election Order Ordinance]: replace all words that state "grants or other non-city funds" with "private grants and donations";
- Addition of the following projects (Private Matching):
  - Proposition C [reordered]
    - Downtown Parks – \$35.0M
    - Circuit Trail (The Loop) – \$10.0M
    - Midtown Park – \$6.0M
    - White Rock Stone Tables – \$0.28M

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- Dallas Zoo – \$3.5M
  - Dallas Arboretum – \$1.0M
  - Flag Pole Hill Playground – \$0.165M
  - Dallas Water Gardens – \$7.5M
  - Klyde Warren Park – \$10.0M
- (Total of \$73.445M)**
- Proposition B [reordered]
    - Southwestern Medical District Urban Streetscape Initiative (Phase 1) Project – \$7.5M

Amending motion seconded by Councilmember Atkins and unanimously amended.

Councilmember Atkins moved the following amendments:

- Increase Proposition C [reordered] by \$3,000,000 with a new Principal Amount of \$261,807,000 and new Repayment Amount of \$355,610,250; and
- Decrease Proposition I [reordered] by \$3,000,000 with a new Principal Amount of \$55,400,000 and new Repayment Amount of \$75,109,500;

Amending motion seconded by Deputy Mayor Pro Tem Medrano and unanimously amended.

Councilmember Greyson moved to reconsider Councilmember Felder’s previous adopted motion that reordered the propositions as follows:

- Proposition A (Fair Park Improvements)
- Proposition B (Street and Transportation Improvements)
- Proposition C (Parks and Recreation Facilities and Improvements)
- Proposition D (Flood Protection and Storm Drainage Improvements)
- Proposition E (Library Facilities and Improvements)
- Proposition F (Cultural and Performing Arts Facilities and Improvements)
- Proposition G (Public Safety Facilities and Improvements)
- Proposition H (Repairs and Improvements to City Hall and to Various City Service and Administrative Facilities)
- Proposition I (City’s Economic Development Program)
- Proposition J (Permanent, Supportive and Transitional Housing Facilities)

Motion to reconsider seconded by Councilmember Kingston.

Mayor Rawlings called a record vote on Councilmember Greyson’s motion to reconsider Councilmember Felder’s previous adopted motion that reordered the propositions:

Voting Yes: [11] Rawlings, Caraway, Thomas, Callahan, Atkins, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [4] Medrano, Griggs, Narvaez, Felder

The city secretary declared the motion to reconsider adopted.



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Councilmember Felder moved to amend the order of the propositions so that Fair Park [Proposition J] becomes Proposition A and other propositions move down one level, ending with the Homeless Facilities as the new Proposition J:

- Proposition A (Fair Park Improvements)
- Proposition B (Street and Transportation Improvements)
- Proposition C (Parks and Recreation Facilities and Improvements)
- Proposition D (Flood Protection and Storm Drainage Improvements)
- Proposition E (Library Facilities and Improvements)
- Proposition F (Cultural and Performing Arts Facilities and Improvements)
- Proposition G (Public Safety Facilities and Improvements)
- Proposition H (Repairs and Improvements to City Hall and to Various City Service and Administrative Facilities)
- Proposition I (City's Economic Development Program)
- Proposition J (Permanent, Supportive and Transitional Housing Facilities)

Motion seconded by Councilmember McGough.

Councilmember Greyson moved a substitute motion to amend the order of the propositions as follows:

- Proposition A (Street and Transportation Improvements)
- Proposition B (Parks and Recreation Facilities and Improvements)
- Proposition C (Fair Park Improvements)
- Proposition D (Flood Protection and Storm Drainage Improvements)
- Proposition E (Library Facilities and Improvements)
- Proposition F (Cultural and Performing Arts Facilities and Improvements)
- Proposition G (Public Safety Facilities and Improvements)
- Proposition H (Repairs and Improvements to City Hall and to Various City Service and Administrative Facilities)
- Proposition I (City's Economic Development Program)
- Proposition J (Permanent, Supportive and Transitional Housing Facilities)

Substitute motion seconded by Mayor Pro Tem Caraway.

Mayor Rawlings called a record vote on Councilmember Greyson's substitute motion to amend the order of the propositions as follows:

- Proposition A (Street and Transportation Improvements)
- Proposition B (Parks and Recreation Facilities and Improvements)
- Proposition C (Fair Park Improvements)
- Proposition D (Flood Protection and Storm Drainage Improvements)
- Proposition E (Library Facilities and Improvements)

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- Proposition F (Cultural and Performing Arts Facilities and Improvements)
- Proposition G (Public Safety Facilities and Improvements)
- Proposition H (Repairs and Improvements to City Hall and to Various City Service and Administrative Facilities)
- Proposition I (City's Economic Development Program)
- Proposition J (Permanent, Supportive and Transitional Housing Facilities)

Voting Yes: [9] Rawlings, Caraway, Medrano, Thomas, Callahan, Clayton, Kleinman, Greyson, Gates

Voting No: [6] Griggs, Narvaez, Felder, Atkins, McGough, Kingston

The city secretary declared the substitute motion adopted.

Mayor Pro Tem Caraway moved to adopt the bond election order ordinance as amended by the previously adopted amendments.

Motion seconded by Councilmember Callahan and unanimously adopted.

Assigned ORDINANCE NO. 30554

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1197

Item 46: An ordinance amending Chapter 8, "Boards and Commissions," of the Dallas City Code amending Sections 8-1, 8-1.1, 8-1.2, 8-1.4, 8-1.5, 8-2, 8-4, 8-6, 8-8, 8-9, 8-20.1, and 8-21; **(1)** clarifying and adding definitions; **(2)** providing that each board approve and provide its annual report to the city manager; **(3)** clarifying and adding items to be included in a board's annual report; **(4)** providing clarification on residency requirements; **(5)** providing term limits for elected trustees of the employees' retirement fund; **(6)** requiring department directors to inform the city secretary's office of the board's regular meeting schedule; **(7)** providing that a board may call a special meeting if a quorum does not exist 30 minutes after the meeting was called; **(8)** providing that absence from a special meeting does not affect a board member's attendance in regards to the attendance policy; **(9)** providing that the minutes of meetings to be submitted to the city secretary must be signed by the presiding officer; **(10)** providing that the mayor shall appoint the chair for each board subject to confirmation by a majority of the city council; **(11)** providing that the term of appointment of chair or vice-chair will run concurrently with the term of appointment to the board; **(12)** providing that the chair or vice-chair may be removed from the position of chair or vice-chair for any cause with a public hearing before city council on charges publicly made; **(13)** providing for an exception to the special attendance requirements; **(14)** providing that a member will be counted absent from a meeting if that member is absent for more than 50 percent of that meeting; **(15)** making certain other structural, grammatical, and clarifying changes; **(16)** providing a saving clause; **(17)** providing a severability clause; and **(18)** providing an effective date - Financing: No cost consideration to the City

Councilmember Greyson moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 30555

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1198

Item 47: Execute the casting of lots to identify the recommended vendor resulting from tie bids on groups 1, 2, 4, 5, 6, 10, 11, 15, 17, 18, and 19 for bid BK1713 for a three-year service contract for heating, ventilation, and air conditioning system parts, supplies, and repair services - The Brandt Companies, LLC and Trane U.S., Inc. - Financing: No cost consideration to the City

The city secretary was notified by the city manager there were bids that resulted in identical bid amounts. In accordance with Section 271.901 of the Texas Local Government Code, the municipality must select one of those bidders by casting lots. The casting of lots must be in a manner prescribed by the mayor of the municipality and must be conducted in the presence of the governing body of the municipality.

The city secretary announced the tying bidders for Groups 1, 2, 4, 5, 6, 10, 11, 15, 17, 18 and 19 had been placed in separate plain envelopes for Mayor Rawlings to select one sealed envelope for each group. Mayor Rawlings selected one sealed envelope for each group and announced the selection as follows:

- Group 1 – The Brandt Companies, LLC
- Group 2 – Trane U.S., Inc.
- Group 4 – Trane U.S., Inc.
- Group 5 – Trane U.S., Inc.
- Group 6 – Trane U.S., Inc.
- Group 10 – The Brandt Companies, LLC
- Group 11 – The Brandt Companies, LLC
- Group 15 – Trane U.S., Inc.
- Group 17 – The Brandt Companies, LLC
- Group 18 – The Brandt Companies, LLC
- Group 19 – The Brandt Companies, LLC

Councilmember Greyson moved to adopt the item with all groups awarded as selected by Mayor Rawlings.

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

**Note:** On August 7, 2017, the city secretary, assistant city secretary, Theresa Mackey, Carmen Esquivel and Doug Shelton with Business Development and Procurement Services, met and sealed the envelopes, all ensuring each sealed envelope contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1199

Item 48: Authorize a resolution honoring the achievements of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council; and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Atkins, Greyson)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1200

Item 49: Authorize a resolution rejecting the Trinity Parkway Alternative 3C as the City's locally preferred alternative for the Trinity Parkway - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Greyson, Kingston)

Councilmember Griggs moved to adopt the item.

Motion seconded by Mayor Pro Tem Caraway.

After discussion ended, Mayor Rawlings called a record vote on Councilmember Griggs' motion to adopt the item:

Voting Yes: [13] Rawlings, Caraway, Medrano, Griggs, Narvaez, Felder, Atkins, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [2] Thomas, Callahan

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1201

Item 50: A resolution amending Resolution No. 17-1123, previously approved on June 28, 2017, supporting a November 2017 Capital Bond Program, including allocations for various categories, in the approximate amount of \$1,025,000,000 - Financing: This action has no cost consideration to the City

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

A resolution amending Resolution No. 17-1123, previously approved on June 28, 2017, supporting a November 2017 Capital Bond Program, including allocations for various categories, in the approximate amount of ~~\$1,025,000,000~~ \$1,050,000,000.

Amending motion seconded by Mayor Pro Tem Caraway.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1202

Item 51: 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 two 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 two properties that may have been filed by the City - Financing: No cost consideration to the City

Councilmember Narvaez moved to deny the item.

Motion seconded by Councilmember Kingston and unanimously denied. (Griggs absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1203

The consent zoning docket consisted of agenda items 52-68.

Agenda item 52: Zoning Case Z156-344(OTH)  
Agenda item 53: Zoning Case Z167-113(WE)  
Agenda item 54: Zoning Case Z167-195(KK)  
Agenda item 55: Zoning Case Z167-258(SM)  
Agenda item 56: Zoning Case Z167-261(OTH)  
Agenda item 57: Zoning Case Z167-262(SM)  
Agenda item 58: Zoning Case Z167-264(PD)  
Agenda item 59: Zoning Case Z167-265(OTH)  
Agenda item 60: Zoning Case Z167-268(WE)  
Agenda item 61: Zoning Case Z167-272(OTH)  
Agenda item 62: Zoning Case Z167-274(PD)  
Agenda item 63: Zoning Case Z167-275(WE)  
Agenda item 64: Zoning Case Z167-277(JM)  
Agenda item 65: Zoning Case Z167-278(WE)  
Agenda item 66: Zoning Case Z167-282(JM)  
Agenda item 67: Zoning Case Z167-283(PD)  
Agenda item 68: Zoning Case Z167-285(PD)

Consent zoning agenda items 53, 61, and 62 were removed from the consent zoning docket to be considered as individual hearings.

Therefore, the consent zoning docket, consisting of agenda items 52, 54-60 and 63-68, was presented for consideration.

Agenda item 52: Zoning Case Z156-344(OTH)  
Agenda item 54: Zoning Case Z167-195(KK)  
Agenda item 55: Zoning Case Z167-258(SM)  
Agenda item 56: Zoning Case Z167-261(OTH)  
Agenda item 57: Zoning Case Z167-262(SM)  
Agenda item 58: Zoning Case Z167-264(PD)  
Agenda item 59: Zoning Case Z167-265(OTH)  
Agenda item 60: Zoning Case Z167-268(WE)  
Agenda item 63: Zoning Case Z167-275(WE)  
Agenda item 64: Zoning Case Z167-277(JM)  
Agenda item 65: Zoning Case Z167-278(WE)  
Agenda item 66: Zoning Case Z167-282(JM)  
Agenda item 67: Zoning Case Z167-283(PD)  
Agenda item 68: Zoning Case Z167-285(PD)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

17-1203

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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 Atkins 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 Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1204

Item 52: Zoning Case Z156-344(OTH) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a TH-2(A) Townhouse District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; **(2)** an ordinance granting an MF-2(A) Multifamily District on property zoned Planned Development District No. 624; **(3)** an ordinance granting a CR Community Retail District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; **(4)** an ordinance granting an MF-3(A) Multifamily District on property zoned Planned Development District No. 624, an R-7.5(A) Single Family District, and a CR Community Retail District; **(5)** an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; **(6)** an ordinance granting an MF-3(A) Multifamily District on property zoned an R-7.5(A) Single Family District; **(7)** an ordinance granting an MF-2(A) Multifamily District on property zoned an R-7.5(A) Single Family District and a TH-2(A) Townhouse District; **(8)** an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; **(9)** an ordinance granting a UC-2 Urban Corridor District on property zoned an R-7.5(A) Single Family District, an MF-2(A) Multifamily District, and an LO-1 Limited Office District; **(10)** an ordinance granting a CR Community Retail District on property zoned an LO-1 Limited Office District; **(11)** an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District, a TH-2(A) Townhouse District, and an MF-2(A) Multifamily District; **(12)** an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District; **(13)** an ordinance granting an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and an LO-1 Limited Office District; **(14)** an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; **(15)** an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; **(16)** an ordinance granting a revised conceptual plan for the remainder of Planned Development District No. 624; and **(17)** a resolution granting the termination of deed restrictions on property west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan for the remainder of Planned Development District No. 624

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 NOS. 30556, 30557, 30558, 30559, 30560, 30561, 30562, 30563, 30564, 30565, 30566, 30567, 30568, 30569, 30570 AND 30571

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1205

Item 53: Zoning Case Z167-113(WE) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive

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

Councilmember Greyson requested the item be removed from the consent zoning docket to be considered as an individual hearing later in the meeting; there was no objection voiced to the request.

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

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

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

- New deed restrictions to include listing of prohibited uses

and pass the ordinance.

Motion seconded by Councilmember Griggs and unanimously adopted as amended.

Assigned ORDINANCE NO. 30572

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1206

Item 54: Zoning Case Z167-195(KK) [Consent Zoning Docket]

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 Planned Development District No. 612 for residential and institutional uses, north of Grady Niblo Road, east of Spur 408

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, 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. 30573

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1207

Item 55: Zoning Case Z167-258(SM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development for TH-1(A) Townhouse District, single family, and private street or alley uses on property zoned an R-1ac(A) Single Family District, on the southeast line of Keller Springs Road, west of Preston Road

Recommendation of Staff and CPC: Approval, subject to a 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. 30574

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1208

Item 56: Zoning Case Z167-261(OTH) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall on property within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the west corner of South Riverfront Boulevard and Dearborn Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30575

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1209

Item 57: Zoning Case Z167-262(SM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict 4 in Planned Development District No. 357, the Farmers Market Special Purpose District and the Harwood Historic District No. 48 on a portion, on the northeast corner of South Harwood Street and Jackson 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. 30576



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1210

Item 58: Zoning Case Z167-264(PD) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2004 for the sale of alcoholic beverages in conjunction with a liquor store on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest side of Peavy Road, northwest of Garland Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30577

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1211

Item 59: Zoning Case Z167-265(OTH) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-1/2(A) Single Family District on the east side of South St. Augustine Road, south of Haymarket Road

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. 30578

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1212

Item 60: Zoning Case Z167-268(WE) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District, on the southwest side of C.F. Hawn Freeway, east of Murdock Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30579

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1213

Item 61: Zoning Case Z167-272(OTH) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials on property zoned an IM Industrial Manufacturing District, on the northwest side of Hickory Street, northeast of Malcolm X Boulevard

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

Prior to presentation of the consent zoning docket and item being read into the record, Councilmember Felder moved to continue the public hearing and defer the item to the September 13, 2017 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Mayor Pro Tem Caraway and unanimously deferred.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1214

Item 62: Zoning Case Z167-274(PD) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Main Street, west of North Crowdus Street

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

Deputy Mayor Pro Tem Medrano requested the item be removed from the consent zoning docket to be considered as an individual hearing later in the meeting; there was no objection voiced to the request.

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

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

Deputy Mayor Pro Tem Medrano moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- Hours of operation for Sundays are 12 noon until 2:00 a.m.

and pass the ordinance.

Motion seconded by Councilmember Kingston and unanimously adopted as amended.

Assigned ORDINANCE NO. 30580

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1215

Item 63: Zoning Case Z167-275(WE) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowds Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30581

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1216

Item 64: Zoning Case Z167-277(JM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Elm Street, west of North Crowdus Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30582

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1217

Item 65: Zoning Case Z167-278(WE) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea 2 and Subarea 3 in Planned Development District No. 787, on the south line of West Northwest Highway, west of Midway Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30583



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1218

Item 66: Zoning Case Z167-282(JM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 790 to increase the allowable square footage within Area C on the west corner of Royal Lane and Greenville Avenue

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30584

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1219

Item 67: Zoning Case Z167-283(PD) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the east side of Hall Street fronting on Elm Street and Main Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30585

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1220

Item 68: Zoning Case Z167-285(PD) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than an open-enrollment charter school uses on property zoned an R-10(A) Single Family District on property bounded by Park Lane, Dale Crest Drive, Kinkaid Drive and Harwich Drive

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30586

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1221

ZONING CASES - INDIVIDUAL

Item 69: Zoning Case Z156-183(JEM)

A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 366, with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations in Planned Development District No. 366, generally along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east and an ordinance granting the amendments to Planned Development District No. 366

Recommendation of Staff and CPC: Approval

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:

Yolanda Williams, Private

Councilmember Felder moved to continue the public hearing and hold the item under advisement until the September 13, 2017 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston.

Following discussion, Mayor Rawlings called a record vote on Councilmember Felder's motion to continue the public hearing and hold the item under advisement until the September 13, 2017 voting agenda meeting of the city council:

Voting Yes: [6] Medrano, Griggs, Narvaez, Felder, Greyson, Kingston

Voting No: [9] Rawlings, Caraway, Thomas, Callahan, Atkins, Clayton, McGough, Kleinman, Gates

The city secretary declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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

Motion seconded by Councilmember Thomas.

Mayor Rawlings called a record vote on Councilmember Callahan's motion to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance:

Voting Yes: [14] Rawlings, Caraway, Medrano, Griggs, Thomas, Callahan,  
Narvaez, Atkins, Clayton, McGough, Kleinman Greyson,  
Gates, Kingston

Voting No: [1] Felder

The city secretary declared the motion adopted.

Assigned ORDINANCE NO. 30587

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1222

ZONING CASES - INDIVIDUAL

Item 70: Zoning Case Z156-281(OTH)

A public hearing to receive comments regarding an application for (1) and an ordinance granting a CR Community Retail District; and (2) and an ordinance granting a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1 D Light Office District with a D Liquor Control Overlay, on the northwest side of Garland Road, southwest of Buckner Boulevard

Recommendation of Staff: Approval of a CR Community Retail District; and denial of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road

Recommendation of CPC: Approval of a CR Community Retail District; and approval of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road

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

Councilmember Clayton moved to remand the item to the city plan and zoning commission.

Motion seconded by Councilmember Kingston and unanimously remanded.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1223

ZONING CASES - INDIVIDUAL

Item 71: Zoning Case Z167-236(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of, and an amendment to, Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District and Planned Development District No. 838, on the northwest corner of South Marsalis Avenue and Garza Avenue

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

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

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

Motion seconded by Councilmember Griggs and unanimously adopted.

Assigned ORDINANCE NO. 30588

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1224

ZONING CASES - INDIVIDUAL

Item 72: Zoning Case Z167-247(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1863 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 on the north side of Scyene Road, west of 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 a revised site plan and staff's recommended conditions

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

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

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

- Remove Condition No. 6 regarding screening along the northern boundary of the property

and pass the ordinance.

Motion seconded by Mayor Pro Tem Caraway and unanimously amended. (Felder absent when vote taken)

Assigned ORDINANCE 30589



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1225

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 73: Zoning Case Z167-121(SM)

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an MF-1(A) Multifamily District on the southwest corner of East Lovers Lane and Matilda Street

Recommendation of Staff and CPC: Approval

Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 9, 2017, with the public hearing open

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:

Jonathan Vinson, 2323 Ross Ave., representing Lincoln Property (client)

Councilmember Kingston moved to continue the public hearing and hold the item under advisement indefinitely.

Motion seconded by Councilmember Griggs.

During discussion and at Councilmember Gates' request, the following individual addressed the city council; there was no objection to the request:

Angela Hunt, 500 N. Akard St., representing HEB (client)

During discussion, the city attorney's office informed the city council that, under Roberts Rules of Order, an actual date of deferral has to be provided.

Following the city attorney's office clarification, Councilmember Kingston moved to hold the item under advisement until 30 days [September 13, 2017 voting agenda meeting of the city council].

Clarified motion seconded by Councilmember Griggs and unanimously held under advisement.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1226

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 74: Zoning Case Z167-171(WE)

An ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the north line of West Kiest Boulevard, east of South Walton Walker Boulevard

Recommendation of Staff: Denial

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

Note: This item was considered by City Council at a public hearing on June 14, 2017, and was denied, with the public hearing closed. This item was reconsidered on June 28, 2017, to be heard on August 9, 2017, with the public hearing closed

The city secretary announced the item was not a public hearing.

Councilmember Thomas moved the following:

- Approve the zoning change and volunteered deed restrictions as recommended by the city plan commission with the revised Exhibit B to the deed restrictions showing the location of the contractor's maintenance yard and outside storage submitted by the applicant

and pass the ordinance.

Motion seconded by Councilmember Griggs.

During discussion and at Councilmember Thomas' request, the following individual addressed the city council; there was no objection voiced to the request:

Eddie Hernandez, 5447 McCommas Blvd, applicant

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

Assigned ORDINANCE NO. 30590

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1227

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 75: Zoning Case Z167-173(SM)

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

Note: This item was considered by the City Council at public hearings on May 24, 2017 and June 28, 2017, and was deferred until August 9, 2017, with the public hearing open

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

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

Motion seconded by Councilmember Kingston.

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

Assigned ORDINANCE NOS. 30591, 30592 AND 30593

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1228

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 76: Zoning Case Z167-184(KK)

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 an R-7.5(A) Single Family District and an NS(A)-D Neighborhood Service District with a D Liquor Control Overlay on the southeast side of South Westmoreland Road, south of Irwindell Boulevard

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

Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was deferred until August 9, 2017, with the public hearing open

The city council was informed the item required a favorable vote of three-fourths for adoption.

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

Councilmember Griggs moved to deny the item without prejudice.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously denied without prejudice. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1229

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 77: Zoning Case Z167-210(JM)

A public hearing to receive comments regarding an application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street

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

Recommendation of CPC: Denial without prejudice

Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 9, 2017, with the public hearing open

The city council was informed the item required a favorable vote of three-fourths for adoption.

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

Councilmember Kingston moved to deny the item without prejudice as recommended by the city plan and zoning commission.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously denied without prejudice.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1230

MISCELLANEOUS HEARINGS

Item 78: A public hearing to receive comments on the Substantial Amendment No. 2 to the FY 2016-17 Action Plan to (1) add a new HOME Investment Partnerships Program (HOME) Tenant Based Rental Assistance (TBRA) Program activity and the proposed use of HOME funds for the TBRA Program; (2) adopt the Substantial Amendment No. 2 to the FY 2016-17 Action Plan for HOME and to allocate \$1,038,500 of HOME funds, resulting from unanticipated program income, to the new activity; and (3) approve the TBRA Program Statement to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Pearline Harper, 3643 Morris St.  
Stephanie Hanson, 3757 Falls Bluff Dr.  
David Villalobos, 1551 Oak Lawn Ave.  
Lakolya London, 700 W. Center St., Duncanville, TX

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

Motion seconded by Councilmember Kingston.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1231

MISCELLANEOUS HEARINGS

Item 79: A public hearing to receive comments on the proposed use of a portion of Elm Fork Shooting Sports and the Luna Vista Golf Course in the Elm Fork Greenbelt, totaling approximately 155,182 square feet of land, by the Trinity River Authority of Texas for the sewer interceptor rehabilitation project; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

No one addressed the city council on the item.

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

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2017

17-1232

MISCELLANEOUS HEARINGS - PUBLIC SUBSIDY MATTERS

Item 80: A public hearing to receive comments concerning the creation of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code ("the Act"), for the specified area of the North Lake Highlands Public Improvement District area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing authorize (1) approval of a resolution creating the North Lake Highlands Public Improvement District for a period of seven years; (2) approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Lake Highlands Improvement District Corporation (LHIDC), a non-profit corporation as the management entity for the North Lake Highlands Public Improvement District - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Kathy Stewart, 7935 Square Dr.  
Dawn M. Waye, 8111 LBJ Frwy.  
Kathy Carlton, 226 Phoenix Dr., Roanoke, TX

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

Motion seconded by Councilmember Kingston.

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



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Addendum Addition 1: Authorize **(1)** the establishment of the Trinity River Corridor Local Government Corporation (the “Corporation”), for the purpose of the development of recreational areas in the Dallas Floodway (the “Project”); **(2)** approval of the Corporation’s Certificate of Formation and Bylaws; **(3)** appointment of the Corporation’s initial Board of Directors; and **(4)** the City Manager to negotiate and enter into a Master Development and Use Agreement with the Corporation subject to the attached Term Sheet - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Erica Cole, 9246 Forest Hill Blvd.  
Robert Witte, 3208 Coventry Ln., Plano, TX

Mayor Pro Tem Caraway moved to amend the item and add the following as noted:

- Bylaws and Certificate of Formation
  1. It is understood by the LGC that the City of Dallas shall retain all ownership of the floodway.
  2. The LGC has no eminent domain authority.
  3. No elected official shall serve as a Director.
  4. A Director shall forfeit his or her seat upon filing for candidacy for public office.
  5. The Mayor shall nominate four additional Directors no later than January 1, 2018.
- Bylaws
  1. Directors may be removed by a majority vote of the City Council.
  2. The City Auditor shall oversee the LGC’s audit every two years.
- Term Sheet
  1. Recreational area facilities include improvements such as, but not limited to, lakes, trails, athletic fields, playgrounds, green space, landscaped areas, and required utilities and infrastructure arising from the approved design. This will be clarified in the Master Development and Use Agreement.
  2. The City of Dallas shall have the right to enforce all rights and obligations of the LGC in all third-party agreements to which the LGC is a party if the LGC elects not to enforce its rights.

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3. The city manager, or the LGC at the request of the city manager, shall brief the final design of the Harold Simmons Park to the Mobility Solutions, Infrastructure & Sustainability Committee before commencing construction.
4. All design and construction outside of the landside toes of the levees shall be subject to the city manager's approval and any design and construction shall not include public access to non-city fee-owned property. In addition, instruct the city manager that he shall work with new developers to ensure that no new development is hindered by LGC's decisions.

Amending motion seconded by Councilmember Atkins.

Councilmember Griggs moved to divide discussion and vote on Mayor Pro Tem Caraway's proposed amendment on Item 4 of the Term Sheet.

Motion to divide seconded by Councilmember Kingston.

Following discussion, Mayor Rawlings called a record vote on Councilmember Griggs' motion to divide discussion and vote on Mayor Pro Tem Caraway's proposed amendment on Item 4 of the Term Sheet:

Voting Yes: [8] Medrano, Griggs, Callahan, Narvaez, Felder, Clayton, Greyson, Kingston

Voting No: [7] Rawlings, Caraway, Thomas, Atkins, McGough, Kleinman, Gates

The city secretary declared the motion to divide adopted.

Councilmember Griggs moved a substitute motion that the definition of the property be amended as follows:

- The portion also known as the Dallas Floodway located on Elm and West forks through the main stem of the Trinity River through Dallas, Texas and ending at the ATSF Bridge including city fee-owned property inside and within the outside boundaries of the landside toes of the levees.

Substitute motion seconded by Councilmember Kingston.

During discussion, the consensus was to put Councilmember Griggs' substitution motion in writing, with discussion to continue in the intervening period.

During discussion and at Mayor Rawlings' request, the following individual addressed the city council on the item; there was no objection voiced to the request.

- Michael Ablon, 5908 Azalea Ln.

Councilmember Kleinman moved an amendment to Councilmember Griggs' substitute motion to provide that any design and construction shall not include public access to non-city fee-owned property, without express consent of the property owner.

Amending motion seconded by Councilmember Gates.

During discussion, Councilmember Griggs' substitution motion was distributed to the city council which read as follows. However, Councilmember Griggs announced the language shown to be stricken (in error) was in fact part of his motion.

- Design and construction by the LGC is limited to city fee-owned property excluding public right of way and all other forms of property. ~~All design and construction outside of the landside toes of the levees shall be subject to city manager approval and any design and construction shall not include public access to non-city fee-owned property.~~ In addition, the Dallas City Council instructs the city manager that he shall work with new developers to ensure that no new development is hindered by LGC decisions and the city manager shall keep the Dallas City Council informed on all design and construction decisions by the LGC outside of the levees.

During discussion and at Councilmember Gates' request, the following individual addressed the city council regarding the LGC non-use of public right of way; there was no objection voiced to the request.

- Michael Ablon, 5908 Azalea Ln.

Councilmember Greyson moved a friendly amendment to Councilmember Griggs' substitute motion to add language to clarify design and construction is limited to egress and ingress.

Councilmember Griggs accepted Councilmember Greyson's friendly amendment. However, during discussion, Councilmember Greyson withdrew the friendly amendment. The withdrawal was accepted by Councilmember Griggs.

Councilmember Griggs read his substitute motion as follows, which included Councilmember Kleinman's amending motion, which was being accepted as a friendly amendment:

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- Design and construction by the LGC is limited to city fee-owned property excluding public right of way and all other forms of property. All design and construction outside of the landside toes of the levees shall be subject to city manager approval and any design and construction shall not include public access to non-city fee-owned property without express consent of the property owner. In addition, the Dallas City Council instructs the city manager that he shall work with new developers to ensure that no new development is hindered by LGC decisions and the city manager shall keep the Dallas City Council informed on all design and construction decisions by the LGC outside of the levees.

Councilmember Kingston, who had seconded Councilmember Griggs' substitute motion, and Councilmember Gates, who had seconded Councilmember Kleinman's amending motion, accepted the incorporation of Councilmember Kleinman's amending motion as a friendly amendment to Councilmember Griggs' substitute motion.

Councilmember Gates moved a friendly amendment to Councilmember Griggs' substitute motion as amended by Councilmember Kleinman's friendly amendment, to clarify the gender reference within the motion as a "he or she" when referencing the city manager position.

Councilmember Griggs accepted Councilmember Gates' friendly amendment.

Councilmember Kingston, who had seconded Councilmember Griggs' substitute motion as amended by Councilmember Kleinman's friendly amendment, accepted Councilmember Gates' friendly amendment.

Mayor Rawlings called a record vote on Councilmember Griggs' substitute motion, as amended by both Councilmember Kleinman and Councilmember Gates' friendly amendments, that:

- Design and construction by the LGC is limited to city fee-owned property excluding public right of way and all other forms of property. All design and construction outside of the landside toes of the levees shall be subject to city manager approval and any design and construction shall not include public access to non-city fee-owned property without express consent of the property owner. In addition, the Dallas City Council instructs the city manager that he or she shall work with new developers to ensure that no new development is hindered by LGC decisions and the city manager shall keep the Dallas City Council informed on all design and construction decisions by the LGC outside of the levees.

Voting Yes: [14] Rawlings, Caraway, Medrano, Griggs, Thomas, Narvaez, Felder, Atkins, Clayton, McGough, Kleinman, Greyson, Gates, Kingston

Voting No: [1] Callahan

The city secretary declared the amended substitute motion adopted.

Councilmember Griggs moved the following additions to Mayor Pro Tem Caraway's amending motion:

- Bylaws and Certificate of Formation
  - The LGC shall have no authority to request a record of decision or final environmental impact statement supplement from any federal agency. [Amendment No. 1]

Mayor Pro Tem Caraway accepted Councilmember Griggs' proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the proposed change as a friendly amendment.

- (1) Delete any reference to the power to issue bonds; and (2) add the following language in § 4: The LGC shall not have taxing authority or Tax Increment Reinvestment Zone creation authority. [Amendment No 2]

Mayor Pro Tem Caraway accepted Councilmember Griggs' proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the proposed change as a friendly amendment.

- Two Directors must be 'conservationists,' including, but not limited to, a naturalist, ecologist, biologist, botanist, or archaeologist. [Amendment No. 7, Subsection 2]

Mayor Pro Tem Caraway accepted Councilmember Griggs' proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the motion as a friendly amendment.

During discussion, Councilmember Kleinman moved to divide the vote.

Motion to divide seconded by Councilmember Callahan.

During discussion, Councilmember Griggs amended his proposed change as follows:

One ~~Two~~ Directors must be a ‘conservationist,’ including, but not limited to, a naturalist, ecologist, biologist, botanist, or archaeologist, once the full Board is seated.  
[Amendment No. 7, Subsection 2 modified]

Mayor Pro Tem Caraway accepted Councilmember Griggs’ amended proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway’s amending motion, also accepted the amended proposed change as a friendly amendment.

- All LGC Board meetings and any LGC committee or subcommittee meetings must be recorded with audio and video equipment and permanently archived for public access on a publicly available website. [Amendment No. 12, second sentence]

Mayor Pro Tem Caraway accepted Councilmember Griggs’ proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway’s amending motion, also accepted the proposed change as a friendly amendment.

- Each Director shall serve a term of two years and have four, 2-year term limit. [Amendment No. 9]

During discussion, Councilmember Griggs amended his proposed change as follows:

Each Director shall serve a term of three years, and have three, three-year term limits with staggered initial terms, with the initial three Directors having three year terms, and

the balance of the Board having an initial two-year term; thereafter, all Directors shall have three year terms and all Directors are limited to three consecutive terms.  
[Amendment No. 9, modified]

Mayor Pro Tem Caraway accepted Councilmember Griggs’ amended proposed change as a friendly amendment.

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Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the amended proposed change as a friendly amendment.

Councilmember Kingston proposed a friendly amendment to Mayor Pro Tem Caraway's amending motion as follows:

- Certificate of Formation  
The City Council may at any time terminate at will the LGC by a simple majority vote. [Amendment No. 19]

Mayor Pro Tem Caraway did not accept Councilmember Kingston's proposed change as a friendly amendment.

Following discussion, Councilmember Kingston moved to divide discussion and vote on Mayor Pro Tem Caraway's proposed amendment on Item 1 of the Bylaws addressing the removal of Directors by a majority vote of the City Council.

Motion to divide seconded by Councilmember Griggs.

Mayor Rawlings called a record vote on Councilmember Kingston's motion to divide discussion and vote on Mayor Pro Tem Caraway's proposed amendment on Item 1 of the Bylaws addressing the removal of Directors by a majority vote of the City Council:

Voting Yes: [7] Medrano, Griggs, Narvaez, Felder, Clayton, Greyson, Kingston

Voting No: [8] Rawlings, Caraway, Thomas, Callahan, Atkins, McGough, Kleinman, Gates

The city secretary declared the motion to divide failed.

Councilmember Griggs moved the following additions to Mayor Pro Tem Caraway's amending motion:

- Bylaws and Certificate of Formation
  - The LGC shall have no authority to request a record of decision or final environmental impact statement supplement from any federal agency. [Amendment No. 1]

Mayor Pro Tem Caraway accepted Councilmember Griggs' proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the proposed change as a friendly amendment.

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- No former city manager, former assistant city manager, or former director of the City of Dallas may serve as a Director. [Amendment No. 8, Subsection 2]

Mayor Pro Tem Caraway accepted Councilmember Griggs' proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the proposed change as a friendly amendment.

- Bylaws
  - The LGC shall submit its budget and compensation schedule annually as part of its annual operating budget for approval by the City Council. [Amendment No. 15]

Mayor Pro Tem Caraway accepted Councilmember Griggs' proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the proposed change as a friendly amendment.

- Bylaws and Certificate of Formation
  - The Directors and the Chief Executive Officer have a fiduciary duty to the LGC. [Amendment No. 18]

During discussion, Councilmember Griggs amended his proposed change as follows:

The Directors and the Chief Executive Officer have a fiduciary duty to the City of Dallas ~~LGC~~. [Amendment No. 18, modified]

Mayor Pro Tem Caraway accepted Councilmember Griggs' amended proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the amended proposed change as a friendly amendment.



- Term Sheet
  - The City Council shall approve the final design of the Harold Simmons Park. [Amendment No. 22]

Mayor Pro Tem Caraway did not accept Councilmember Griggs' proposed change as a friendly amendment.

Following discussion, Councilmember Kingston moved to divide discussion and vote on Councilmember Griggs' proposed change for City Council to approve the final design of the Harold Simmons Park.

Motion to divide seconded by Councilmember Griggs.

Mayor Rawlings called a record vote on Councilmember Kingston's motion to divide discussion and vote on Councilmember Griggs' proposed change for City Council to approve the final design of the Harold Simmons Park:

Voting Yes: [6] Medrano, Griggs, Narvaez, Felder,  
Clayton, Kingston

Voting No: [9] Rawlings, Caraway, Thomas, Callahan,  
Atkins, McGough, Kleinman, Greyson,  
Gates

The city secretary declared the dividing motion failed.

- The term and extension of the Master Development and Use Agreement is 10 years, with 10-year renewals subject to the approval of the City Council. [Amendment No. 26]

Mayor Pro Tem Caraway did not accept Councilmember Griggs' proposed change as a friendly amendment.

Following discussion, Councilmember Griggs moved to divide discussion and vote on term and extension of the Master Development and Use Agreement to 10 years, with 10-year renewals subject to the approval of the City Council.

Motion to divide seconded by Councilmember Kingston.

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Following discussion, Mayor Rawlings called a record vote on Councilmember Griggs' motion to divide discussion and vote on term and extension of the Master Development and Use Agreement to 10 years, with 10-year renewals subject to the approval of the City Council:

Voting Yes: [5] Medrano, Griggs, Narvaez, Felder, Kingston

Voting No: [10] Rawlings, Caraway, Thomas, Callahan, Atkins, Clayton, McGough, Kleinman, Greyson, Gates

The city secretary declared the dividing motion failed.

- o No restrictions on public access; no entry fees. [Amendment No. 27]

During discussion, Councilmember Griggs amended his proposed change as follows:

Floodway conditions permitting, no restrictions on public access and no entry fees except for special events.  
[Amendment No. 27, modified]

Mayor Pro Tem Caraway accepted Councilmember Griggs' amended proposed change as a friendly amendment.

Councilmember Atkins, who had seconded Mayor Pro Tem Caraway's amending motion, also accepted the amended proposed change as a friendly amendment.

Mayor Rawlings recessed the meeting at 12:12 p.m. and reconvened at 1:05 p.m.

The city attorney's office provided the city council a written recap of the amendments/proposed changes.

Discussion continued on Councilmember Griggs' amended proposed change earlier presented as follows:

- Term Sheet
  - o Floodway conditions permitting, no restrictions on public access and no entry fees except for special events. [Amendment No. 27, modified]

During discussion, Mayor Rawlings presented the proposed change developed by the city attorney's office, following discussions with Councilmember Kingston, as follows:

No special events or activities will be allowed until a plan is approved by the City Council. [Amendment No. 27, rewritten from the previously proposed amendment]

Councilmember Griggs accepted the rewritten proposed change.

Mayor Pro Tem Caraway who had accepted Councilmember Griggs' amended proposed change as a friendly amendment, and Councilmember Atkins who had seconded Mayor Pro Tem Caraway's amending motion also accepted the rewritten proposed change. [Amendment No. 27, modified]:

- Any agreement or amendments thereto between the LGC and the Trinity River Park Conservancy, f/k/a Trinity Trust Foundation, is subject to the approval of the City Council. [Amendment No. 28]

Mayor Pro Tem Caraway did not accept Councilmember Griggs' proposed change as a friendly amendment.

Following discussion, Councilmember Griggs moved that any agreement or amendments thereto between the LGC and the Trinity River Park Conservancy, f/k/a Trinity Trust Foundation, is subject to the approval of the City Council.

Motion seconded by Councilmember Kingston.

Following discussion, Mayor Rawlings called a record vote on Councilmember Griggs' motion that any agreement or amendments thereto between the LGC and the Trinity River Park Conservancy, f/k/a Trinity Trust Foundation, is subject to the approval of the City Council:

Voting Yes: [6] Medrano, Griggs, Narvaez, Felder, Clayton, Kingston

Voting No: [9] Rawlings, Caraway, Thomas, Callahan, Atkins, McGough, Kleinman, Greyson, Gates

The city secretary declared the motion failed.

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- Bylaws and Certificate of Formation
  - The LGC shall have a 7-member Board of Directors. The Mayor shall nominate 3 initial Directors, including the chair, and the City Council members shall nominate 4 Directors. Thereafter, the City Council members shall nominate the Directors, subject to the approval of the City Council. [Amendment No. 6, Subsection 3]

Mayor Pro Tem Caraway did not accept Councilmember Griggs' proposed change as a friendly amendment.

Following discussion, Councilmember Griggs moved the LGC shall have a 7-member Board of Directors. The Mayor shall nominate 3 initial Directors, including the chair, and the City Council members shall nominate 4 Directors. Thereafter, the City Council members shall nominate the Directors, subject to the approval of the City Council. [Amendment No. 6, Subsection 3]

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Caraway called the question.

Mayor Rawlings called a record vote on Mayor Pro Tem Caraway calling the question, with 10 votes required to pass:

Voting Yes: [8] Rawlings, Caraway, Callahan, Felder,  
Atkins, McGough, Kleinman, Gates

Voting No: [7] Medrano, Griggs, Thomas, Narvaez,  
Clayton, Greyson, Kingston

The city secretary declared the question failed.

Following discussion, Mayor Rawlings called a record vote on Councilmember Griggs' motion that "the LGC shall have a 7-member Board of Directors. The Mayor shall nominate 3 initial Directors, including the chair, and the City Council members shall nominate 4 Directors. Thereafter, the City Council members shall nominate the Directors, subject to the approval of the City Council.":

Voting Yes: [6] Medrano, Griggs, Narvaez,  
Felder, Clayton, Kingston

Voting No: [8] Rawlings, Caraway, Callahan,  
Atkins, McGough, Kleinman,  
Greyson, Gates

Absent When Vote Taken: [1] Thomas

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Councilmember Kingston moved a substitute motion to Mayor Pro Tem Caraway's amending motion to remove the park naming rights from the proposal.

Substitute motion seconded by Councilmember Griggs.

Mayor Rawlings called a record vote on Councilmember Kingston's substitute motion to Mayor Pro Tem Caraway's amending motion to remove the park naming rights from the proposal:

Voting Yes: [5] Medrano, Griggs, Narvaez, Felder, Kingston

Voting No: [10] Rawlings, Caraway, Thomas, Callahan, Atkins, Clayton, McGough, Kleinman, Greyson, Gates

The city secretary declared the substitute motion failed.

Councilmember Clayton moved to restrict the size of the LGC to just the land between the bridges to be able to focus on the signature park.

Motion seconded by Councilmember Kingston.

Based on input received from the city attorney's office and discussion by the city council, the motion was not considered.

Councilmember Griggs moved to delay 30 days and hold public hearings throughout the city and receive public input from citizens on this proposal.

Motion seconded by Councilmember Medrano.

Mayor Pro Tem Caraway called the question.

Mayor Rawlings called a record vote on Mayor Pro Tem Caraway calling the question, with 10 votes required to pass:

Voting Yes: [9] Rawlings, Caraway, Thomas, Callahan, Atkins, McGough, Kleinman, Greyson, Gates

Voting No: [6] Medrano, Griggs, Narvaez, Felder, Clayton, Kingston

The city secretary declared the question failed.

Following discussion, Mayor Rawlings called a record vote on Councilmember Griggs' motion to delay 30 days and hold public hearings throughout the city and receive public input from citizens on this proposal:

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Voting Yes: [6] Medrano, Griggs, Narvaez, Felder, Clayton, Kingston

Voting No: [9] Rawlings, Caraway, Thomas, Callahan, Atkins, McGough, Kleinman, Greyson, Gates

The city secretary declared the motion failed.

After discussion ended, Mayor Rawlings called a record vote on Mayor Pro Tem Caraway's amending motion, as further amended by the acceptance of friendly amendments or other amending, adopted motions as follows:

- Bylaws and Certificate of Formation
  1. It is understood by the LGC that the City of Dallas shall retain all ownership of the floodway.
  2. The LGC has no eminent domain authority.
  3. No elected official shall serve as a Director.
  4. A Director shall forfeit his or her seat upon filing for candidacy for public office.
  5. The Mayor shall nominate four additional Directors no later than January 1, 2018.
  6. The LGC shall have no authority to request a record of decision or final environmental impact statement supplement from any federal agency. [Amendment No. 1]
  7. (1) Delete any reference to the power to issue bonds; and (2) Add the following language in § 4: The LGC shall not have taxing authority or Tax Increment Reinvestment Zone creation authority. [Amendment No. 2]
  8. One ~~Two~~ Director must be a 'conservationist,' including, but not limited to, a naturalist, ecologist, biologist, botanist, or archaeologist, once the full Board is seated. [Amendment No. 7, No. 2]
  9. No former city manager, former assistant city manager, or former director of the City of Dallas may serve as a Director. [Amendment No. 8, No. 2]
  10. Each Director shall serve a term of three years, and have three, three-year term limits with staggered initial terms, with the initial three Directors having three year terms, and the balance of the Board having an initial two-year term; thereafter, all Directors shall have three year terms and all Directors are limited to three consecutive terms. [Amendment No. 9]
  11. The Directors and the Chief Executive Officer have a fiduciary duty to the City of Dallas LGC. [Amendment No. 18]

- Bylaws
  1. Directors may be removed by majority vote of the City Council.
  2. The City Auditor shall oversee the LGC's audit every two years.
  3. LGC shall submit its budget and compensation schedule annually as part of its annual operating budget for approval by the City Council.  
[Amendment No. 15]
  
- Bylaws and Term Sheet
  1. All LGC Board meetings and any LGC committee or subcommittee meetings must be recorded with audio and video equipment and permanently archived for public access on a publicly available website.  
[Amendment No. 12, second sentence]
  
- Term Sheet
  1. Recreational area facilities include improvements such as, but not limited to, lakes, trails, athletic fields, playgrounds, green space, landscaped areas, and required utilities and infrastructure arising from the approved design. This will be clarified in the Master Development and Use Agreement.
  2. The City of Dallas shall have the right to enforce all rights and obligations of the LGC in all third-party agreements to which the LGC is a party if the LGC elects not to enforce its rights.
  3. The city manager, or the LGC at the request of the city manager, shall brief the final design of the Harold Simmons Park to the Mobility Solutions, Infrastructure & Sustainability Committee before commencing construction.
  4. The LGC will have the right and obligation to construct, maintain, and operate recreational area facilities developed in all authorized recreation areas. The LGC shall also, if delegated by the City Manager, assume the City's position and obligation under current recreational agreements between the city and third parties presently serving the Dallas Floodway. Upon completion and acceptance by the City of any recreational facilities within authorized areas, such recreation areas will be generally open to public use without a general admission fee, but with the right of the LGC to charge reasonable fees for special events and activities. No special events or activities will be allowed until a plan is approved by city council. ~~[Special events are defined in the Dallas City Code and will be subject to all City of Dallas requirements and other regulatory requisite requirements.]~~ The LGC shall manage and operate all special events so as not to interfere with flood risk management activities and to comply with all applicable City ordinances. The LGC shall not create restricted access to any recreational area facilities. Any parking fee arrangements for access to any recreational area facilities shall be subject to the approval of the City, which shall not be unreasonably withheld. [Amendment No 27 as made by CM Kingston: Addition underlined; deletion stricken]

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Voting Yes: [9] Rawlings, Caraway, Thomas, Callahan, Atkins, McGough,  
Kleinman, Greyson, Gates

Voting No: [6] Medrano, Griggs, Narvaez, Felder, \*Clayton, Kingston

The city secretary announced the amending motion adopted.

\*Note: Following the reading of the record vote, Councilmember Clayton stated his vote be changed as “No.”



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 9, 2017

EXHIBIT C