

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

17-1590

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

PRESENT: [14] Rawlings, Caraway, Medrano (*9:19 a.m.), Griggs, Thomas, Callahan, Narvaez, Felder, Atkins, Clayton (*9:19 a.m.), McGough, Kleinman, Greyson (*9:17 a.m.), Gates (*9:14 a.m.), Kingston

ABSENT: [0]

The meeting was called to order at 9:10 a.m. with a quorum of the city council present.

The invocation was given by Pastor Daryl Carter of Carver Heights Baptist Church.

Councilmember Kleinman 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 11:31 a.m. and convened to closed session at 11:41 a.m. which ended at 11:49 a.m. The meeting reconvened to open session at 1:01 p.m. (Medrano [*1:10 p.m.], Griggs [*1:10 p.m.], Thomas [*1:03 p.m.], Callahan [*1:02 p.m.], Narvaez [*1:10 p.m.], McGough [*1:05 p.m.]

After all business properly brought before the city council had been considered, the city council adjourned at 2:00 p.m.

Mayor

ATTEST:

Interim 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
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EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT B

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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: Robert Ceccarelli, 1822 Young St.
SUBJECT: Cottages need to be closed today

SPEAKER: Regina Imburgia, 5423 Goodwin Ave.
SUBJECT: Fluoridation

SPEAKER: Deloris Phillips, 3101 Luxar Way
SUBJECT: Transparency/Green Oaks

SPEAKER: Vincent Castille, 18240 Midway Rd.
REPRESENTING: Extra Krispy not Burnt LLC
SUBJECT: Mobile barber shop permit

SPEAKER: Joe Stokes, 8930 San Benito Way
SUBJECT: Pro fluoridation

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Sandra Perkins, 2426 Ramsey Ave.
SUBJECT: Financial issues in Oak Cliff

SPEAKER: Williams Maddox, 5901 Still Forest Dr.
SUBJECT: Views on City's past actions

SPEAKER: Linda Newland, 2468 Dorrington Dr.
SUBJECT: Fluoride

SPEAKER: Germaine Samuel, (not provided)
SUBJECT: Hurricane Harvey victim/housing

SPEAKER: Celette Scott, (not provided)
SUBJECT: Hurricane Harvey victim/housing

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OPEN MICROPHONE – END OF MEETING:

SPEAKER: William Woods, 4836 Sunnyvale St.
SUBJECT: State Fair

SPEAKER: Leon Holeman, 1818 Corsicana St.
SUBJECT: AutoZone

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Item 1: Approval of Minutes of the September 27, 2017 City Council Meeting

Councilmember Greyson moved to adopt the minutes as presented.

Motion seconded by Councilmember Atkins and unanimously adopted.

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CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-12. There was no addendum addition consent agenda.

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

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

Councilmember Felder requested consent agenda item 8 be considered as an individual item later in the meeting; there was no objection voiced to the request.

Councilmember Atkins requested consent agenda item 11 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 2, 3, 5-7, 9, 10 and 12 was presented for consideration.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Item 2: Authorize Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the Guaranteed Maximum Price for the new Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport - Not to exceed \$6,114,872, from \$556,813 to \$6,671,685 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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17-1595

- Item 3: Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS) through the Federal Emergency Management Agency under the 2016 Assistance to Firefighters - Fire Prevention and Safety (FPS) Grant (Grant No. EMW-2016-FP00475, CFDA No. 97.044) for smoke alarms, mobile fire house and other miscellaneous items for the period August 25, 2017 through August 24, 2018 in the amount of \$197,764; **(2)** establishment of appropriations in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; **(4)** local cash match in the amount of \$9,888; and **(5)** execution of the grant agreement - Total not to exceed \$207,652 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds (\$197,764) and Current Funds (\$9,888)

Adopted as part of the consent agenda.

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Item 4: Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to Gartner, Inc. in the amount of \$120,208, North Central Texas Council of Governments in the amount of \$127,017, Texas Municipal League in the amount of \$55,778, Oncor Cities Steering Committee in the amount of \$158,152, Texas Coalition of Cities for Utility Issues in the amount of \$52,718, North Texas Commission in the amount of \$60,000, Water Research Foundation in the amount of \$292,852, and Water Environment and Reuse Foundation in the amount of \$84,050 - Total not to exceed \$950,775 - Financing: Current Funds (\$573,873) and Water Utilities Current Funds (\$376,902)

Councilmember Kingston and Councilmember Griggs 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 Atkins.

Councilmember Kingston moved a substitute motion to approve the payment of all annual membership fees except for North Texas Commission in the amount of \$60,000.

Substitute motion seconded by Councilmember Griggs.

After discussion, Mayor Rawlings called a record vote on Councilmember Kingston's substitute motion to approve the payment of all annual membership fees except for North Texas Commission in the amount of \$60,000:

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

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

The interim city secretary declared the substitute motion adopted.

After discussion, Mayor Rawlings called the vote on Councilmember Gates' original motion to adopt the item except for North Texas Commission in the amount of \$60,000.

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

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Councilmember Gates moved the following:

- Authorize payment of annual membership fee and continuation of arrangements for providing specialized municipal-related services to North Texas Commission in the amount of \$60,000.

Motion seconded by Councilmember Atkins.

After discussion, Mayor Rawlings called a record vote on Councilmember Gates' motion:

Voting Yes: [10] Rawlings, Caraway, Medrano, Thomas, Callahan, Atkins,
McGough, Kleinman, Greyson, Gates

Voting No: [5] Griggs, Narvaez, Felder, Clayton, Kingston

The interim city secretary declared the motion adopted.

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17-1597

Item 5: Authorize a three-year service contract for repair services and associated parts for the maintenance of heavy-duty truck transmissions and differentials - Industrial Power, LLC in the amount of \$620,877 and Rush Truck Centers of Texas, LP in the amount of \$509,009, lowest responsible bidders of four - Total not to exceed \$1,129,886 - Financing: Current Funds (\$1,106,027), Water Utilities Current Funds (\$16,500), and Aviation Current Funds (\$7,359) (subject to annual appropriations)

Adopted as part of the consent agenda.

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17-1598

Item 6: Authorize **(1)** a five-year service contract for herbicide and algaecide pond treatment - Magnolia Fisheries, Inc. in the amount of \$294,000; and **(2)** a five-year service contract for fountain repair and maintenance - Lone Star Fountains, Inc. in the amount of \$26,900, lowest responsible bidders of three - Total not to exceed \$320,900 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

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17-1599

Item 7: Authorize a three-year master agreement for the purchase of ductile iron pipe for the distribution of potable water - HD Supply Waterworks, LTD in the amount of \$257,895 and Fortiline, Inc. in the amount of \$14,998, lowest responsible bidders of four - Total not to exceed \$272,893 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

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17-1600

Item 8: Authorize a professional services contract with GSR Andrade Architects, Inc. for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$72,100 - Financing: 2003 Bond Funds

Councilmember Felder 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.

Motion seconded by Councilmember Atkins.

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

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17-1601

Item 9: Authorize a construction services contract for tree mitigation at Bachman Lake Park located at 3500 West Northwest Highway - C. Green Scaping, LP, lowest responsible bidder of three - Not to exceed \$203,700 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

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17-1602

Item 10: Authorize acquisition from Freddie Kasper, of approximately 262,824 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$49,000 (\$45,900, plus closing costs and title expenses not to exceed \$3,100) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

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17-1603

Item 11: Authorize **(1)** the quitclaim of 22 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and **(2)** the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Estimated Revenue: \$331,000

Councilmember Atkins 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 Atkins.

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

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17-1604

Item 12: An ordinance abandoning an easement for street purposes to Northwest Overlake, L.L.C., the abutting owner, containing approximately 5,064 square feet of land, located near the intersection of Northwest Highway and Straightway Drive; and authorizing the quitclaim - Revenue: \$26,586, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30664

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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17-1605

Item 13: 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 following individuals addressed the city council on the item:

Carol Bell-Walton, 6705 Velasco Ave.
Jacqueline Espinal, 1200 Main St.
Mark Holmes, 9225 Royal Pine Dr.

The interim city secretary distributed a report showing nominations received and indicated all nominees met qualifications for service with terms for all appointments for the 2017-2019 term.

The interim city secretary announced the chair and vice-chair appointments would be held until after full council, individual and instrumentality appointments; as nominees would need to be duly appointed to the board before being appointed as an officer of the board.

Mayor Pro Tem Caraway moved to appoint the following:

- Nicholas Brooks and Lorlee C. Bartos to the Board of Adjustment Alternate Members;
- Cannon Flowers, Interested Citizen, to the Cultural Affairs Commission (Adjunct Members);
- Flora M. Hernandez to the Civil Service Board;
- Deborah Watkins and Eileen F. Rosenblum to the Ethics Advisory Commission;
- Randy A. Bowman to the Employees' Retirement Fund Board of Trustees;
- James Alvin Armstrong III and Joe L. Carreon to the Housing Finance Corporation Board;
- Alexander Anatole Kosarow, Dallas County Resident, to the Reinvestment Zone Three Board (Oak Cliff Gateway);
- Ed P. Oakley, Dallas County Resident, to the Reinvestment Zone Eight Board (Design District);
- Jim Rogers, Dallas County Resident, to the Reinvestment Zone Twelve Board (Deep Ellum);
- Joseph Ramirez, Debbie Solis and Kyle R. Ward, all Dallas County Residents, to the Reinvestment Zone Fifteen Board (Fort Worth Avenue);
- Jonathan R. Braddick, Dallas County Resident, and Luis Basalo, Collin County Resident, to the Reinvestment Zone Sixteen Board (Davis Garden);
- Amy W. Monier, Dallas County Resident, to the Reinvestment Zone Twenty Board (Mall Area Redevelopment);
- Pat Rodriguez and Teresa Gubbins, both General Public, to the Animal Advisory Commission;

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- Scott R. Hounsel, Ryan Behring, Robert Matt Shouse, and Cheri Gambow to the Board of Adjustment;
- Meghann Bridgeman, Performing Arts Expertise; John P. Batiste, Cultural Institute Management, Michael G. Valderas, Professional Visual Artist and James N. White, Performing Arts Expertise, to the Cultural Affairs Commission;
- Candace M. Thompson and Ann C. Parchem to the Community Development Commission;
- Margot B. Murphy to the City Plan and Zoning Commission;
- Loren Gilbert-Smith and James Gerard Birdsong to the Dallas Citizens Police Review Board;
- Nicole L. Williams and Diren W. Singhe to the Judicial Nominating Commission;
- Rosemary Hinojosa and Adam McGill, both with Historic Preservation, to the Landmark Commission;
- Karen Blumenthal and Kim Kohler to the Municipal Library Board;
- Jessica Galleshaw and Venester J. Haywood to the Martin Luther King Jr. Community Center Board;
- Harrison L. Blair and Rodney Schlosser to the Park and Recreation Board;
- Manuel Tellez, Raymond E. Fuller, Ricardo Medrano and Charles “Chick” N Cowan to the Permit and License Appeal Board;
- Carmen S. Arana, Jearldine McDaniel, Jeri C. Baker and Marlene A. Cohen, all 55+ years of age, to the Senior Affairs Commission;
- Damarcus L. Offord, South Dallas/Fair Park Resident; Angel Saucedo, Business Development; Chequan A. Lewis and Archie D. Nettles, both Active in SDFP Community, to the South Dallas/Fair Park Trust Fund Board;
- Nadya Juliana Villegas, Joseph Maykel Contreras, Molly M. Martinez and Micah Romaner to the Youth Commission; and
- Andrew Quicksall, Conservationist, Pat Priest and Sophia R. Johnson to the Trinity River Corridor Local Government Corporation Board.

Motion seconded by Councilmember Atkins.

Councilmember Griggs moved a substitute motion to separate the vote on the appointment of Sophia R. Johnson to the Trinity River Corridor Local Government Corporation Board.

Substitute motion seconded by Councilmember Kingston.

Mayor Rawlings called a record vote on Councilmember Griggs’ substitute motion:

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

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

The interim city secretary declared the substitute motion adopted.

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Councilmember Kingston moved a substitute motion to separate the vote on the appointment of Pat Priest to the Trinity River Corridor Local Government Corporation Board.

Substitute motion seconded by Councilmember Griggs.

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

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

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

The interim city secretary declared the substitute motion adopted.

Mayor Rawlings called a vote on Mayor Pro Tem Caraway's original motion to appoint all full council, individual and instrumentality appointments, with the exclusion of Sophia R. Johnson and Pat Priest to the Trinity River Corridor Local Government Corporation Board.

Motion seconded by Councilmember Atkins and unanimously adopted.

Councilmember Kleinman moved to appoint Sophia R. Johnson to the Trinity River Corridor Local Government Corporation Board.

Motion seconded by Councilmember Atkins.

During discussion and at the request of Councilmember Kleinman, the interim city secretary announced Sophia R. Johnson was not a registered lobbyist with the City of Dallas.

After discussion, Mayor Rawlings called a record vote on Councilmember Kleinman's motion to appoint Sophia R. Johnson to the Trinity River Corridor Local Government Corporation Board:

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

Voting No: [2] Griggs, Kingston

The interim city secretary declared the motion adopted.

Mayor Pro Tem Caraway moved to appoint Pat Priest to the Trinity River Corridor Local Government Corporation Board.

Motion seconded by Councilmember Atkins.

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Mayor Rawlings called a record vote on Mayor Pro Tem Caraway's motion to appoint Pat Priest to the Trinity River Corridor Local Government Corporation Board.

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

Voting No: [2] Griggs, Kingston

The interim city secretary declared the motion adopted.

Mayor Pro Tem Caraway moved to appoint the following:

- John P. Batiste, Chair, to the Cultural Affairs Commission;
- Michael J. Barrett, Chair, to the Reinvestment Zone Four Board (Cedars Area);
- Larry M. James, Chair, to the Reinvestment Zone Five Board (City Center);
- George J. Robinson, Chair, to the Reinvestment Zone Six Board (Farmers Market);
- Ed P. Oakley, Chair, to the Reinvestment Zone Eight Board (Design District);
- Robert L. Prejean, Chair to the Reinvestment Zone Ten Board (Southwestern Medical);
- Evan L. Beattie, Chair, to the Reinvestment Zone Eleven Board (Downtown Connection);
- Jonathan Hetzel, Chair, Reinvestment Zone Twelve Board (Deep Ellum);
- Jonathan R. Braddick, Chair, to the Reinvestment Zone Sixteen Board (David Garden);
- Neal D. Sleeper, Chair, to the Reinvestment Zone Seventeen Board (Transit-Oriented Development);
- Robert L. Prejean, Chair, to the Reinvestment Zone Eighteen Board (Maple/Mockingbird);
- Chequan A. Lewis, Chair, to the South Dallas/Fair Park Trust Fund Board;
- Mary E. Orsak, Chair, to the Youth Commission;
- Peter A. Schulte, Vice Chair, to the Board of Adjustment Panel A;
- Scott R. Hounsel, Vice Chair, to the Board of Adjustment Panel B;
- Matt L. Houston, Vice Chair, to the City Plan and Zoning Commission;
- Kim Kohler, Vice Chair, to the Municipal Library Board; and
- Robb P. Stewart, Vice Chair, to the Park and Recreation Board.

Motion seconded by Councilmember McGough.

Councilmember Kingston moved a substitute motion to separate the vote on the vice-chair appointment of Robb P. Stewart to the Park and Recreation Board.

Substitute motion seconded by Councilmember Griggs.

Mayor Rawlings called a record vote on Councilmember Kingston's substitute motion to separate the vote on the vice-chair appointment of Robb P. Stewart to the Park and Recreation Board:

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

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

The interim city secretary declared the substitute motion failed.

Mayor Rawlings called a vote on Mayor Pro Tem Caraway's motion to appoint all chair and vice chair nominees:

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

Voting No: [1] Kingston

The interim city secretary declared the motion adopted.

The interim city secretary announced ballots would be distributed to allow the casting of votes on the appointment the Cultural Affairs Commission (Adjunct Members) [Position17] as two (2) nominees were submitted: Jesse Hornbuckle and Paul D. Rich. In order to allow the city secretary's office time to calculate the results of the balloting, the item was held to later in the meeting.

Later in the meeting, the interim city secretary announced the following individual received the majority of votes cast and was therefore appointed to the Cultural Affairs Commission (Adjunct Members) by acclimation:

Jesse Hornbuckle

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

17-6880	ASC	ANIMAL ADVISORY COMMISSION
17-6881	BOA	BOARD OF ADJUSTMENT
17-6882	BOX	BOARD OF ADJUSTMENT ALTERNATE MEMBERS
17-6883	CAC	CULTURAL AFFAIRS COMMISSION
17-6884	CAX	CULTURAL AFFAIRS COMMISSION (ADJUNCT MEMBERS)
17-6885	CDC	COMMUNITY DEVELOPMENT COMMISSION
17-6886	CPC	CITY PLAN AND ZONING COMMISSION
17-6887	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
17-6888	CSB	CIVIL SERVICE BOARD
17-6889	EAC	ETHICS ADVISORY COMMISSION
17-6890	ERF	EMPLOYEES' RETIREMENT FUND BOARD OF TRUSTEES
17-6891	HFC	HOUSING FINANCE CORPORATION BOARD
17-6892	JNC	JUDICIAL NOMINATING COMMISSION

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17-6893	LMC	LANDMARK COMMISSION
17-6894	MLB	MUNICIPAL LIBRARY BOARD
17-6895	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
17-6896	PAR	PARK AND RECREATION BOARD
17-6897	PLA	PERMIT AND LICENSE APPEAL BOARD
17-6898	RZ03	REINVESTMENT ZONE THREE BOARD (OAK CLIFF GATEWAY)
17-6899	RZ08	REINVESTMENT ZONE EIGHT BOARD (DESIGN DISTRICT)
17-6900	RZ11	REINVESTMENT ZONE TWELVE BOARD (DEEP ELLUM
17-6901	RZ15	REINVESTMENT ZONE FIFTEEN BOARD (FORT WORTH AVENUE)
17-6902	RZ16	REINVESTMENT ZONE SIXTEEN BOARD (DAVIS GARDEN)
17-6903	RZ20	REINVESTMENT ZONE TWENTY BOARD (MALL AREA REDEVELOPMENT)
17-6904	SAC	SENIOR AFFAIRS COMMISSION
17-6905	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD
17-6906	YOC	YOUTH COMMISSION
17-6907		TRINITY RIVER CORRIDOR LOCAL GOVERNMENT CORPORATION BOARD
17-6908		BOARD OFFICERS

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17-1606

Item 14: Authorize an amendment to the Water Supply Contract and Conveyance between the City and the Sabine River Authority (“SRA”) for raw water from Lake Fork Reservoir, and authorize settlement of the litigation styled: **(1) Petition of the City of Dallas for Review of a Decision by the Sabine River Authority to Set Water Rates (Lake Fork Reservoir)**, Docket No. 43674 before the Public Utility Commission of Texas (“PUC”); **(2) City of Dallas v. Sabine River Authority**, Cause No. D-1-GN-15-000398 in the 53rd District Court of Travis County, Texas, and all related appeals; and **(3) City of Dallas v. Cary “Mac” Abney, et al. v. Sabine River Authority**, Cause No. D-150045-C in the 260th District Court of Orange County, Texas, and all related appeals - Financing: No cost consideration to the City

Councilmember Thomas moved to adopt the item.

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

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17-1607

Item 15: Authorize a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of 13 episodes of the third season of USA Network's television series "Queen of the South" - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds

Councilmember Atkins moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano.

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

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17-1607

Item 16: A resolution to transfer oversight responsibility for the City's Open Records Request (ORR) function from the City Manager to the City Secretary with final design and implementation of a newly centralized ORR Center to be coordinated with the appointment of the new City Secretary - Financing: No cost consideration to the City

Councilmember Kingston moved to adopt the item.

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

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17-1609

Item 17: An ordinance granting a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: \$200 annually, plus the \$20 ordinance publication fee

Mayor Pro Tem Caraway moved to adopt the item.

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

Assigned ORDINANCE NO. 30665

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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17-1610

Item 18: An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

Assigned ORDINANCE NO. 30666

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17-1611

The consent zoning docket consisted of agenda items 19-21.

Agenda item 19: Zoning Case Z167-306(WE)

Agenda item 20: Zoning Case Z167-337(JM)

Agenda item 21: Zoning Case Z167-341(WE)

No agenda items were removed from the consent zoning docket to be considered as individual hearings.

Therefore, the consent zoning docket, consisting of agenda items 19-21 was presented for consideration.

Agenda item 19: Zoning Case Z167-306(WE)

Agenda item 20: Zoning Case Z167-337(JM)

Agenda item 21: Zoning Case Z167-341(WE)

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. (Medrano, Griggs, Narvaez, McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1612

Item 19: Zoning Case Z167-306(WE) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Cedar Springs Road and Turtle Creek Boulevard

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape 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. 30667

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1613

Item 20: Zoning Case Z167-337(JM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 2211 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southeast corner of Commerce Street and Murray Street

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

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30668

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1614

Item 21: Zoning Case Z167-341(WE) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the north line of Kimsey Drive, northeast of Maple Avenue

Recommendation of Staff and CPC: Approval

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. 30669

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1615

ZONING CASES - INDIVIDUAL

Item 22: Zoning Case Z167-120(SM)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for an R-7.5(A) Single Family District and multifamily uses on property zoned an R-7.5(A) Single Family District on the southwest corner of West 10th Street and South Brighton Avenue

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

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

Councilmember Griggs moved to close the public hearing and hold the item under advisement until October 25, 2017 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1616

ZONING CASES - INDIVIDUAL

Item 23: Zoning Case Z167-240(JM)

A public hearing to receive comments regarding an application for and (1) an ordinance granting an amendment to Tract 1a within Planned Development District No. 486, on the southwest corner of Parry Avenue and Bank Street; and (2) an ordinance granting an amendment to and expansion of Tract 1b on property zoned Tract 1b within Planned Development District No. 486 and a D(A) Duplex District on the northeast corner of Gurley Avenue and Bank Street

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised Tract 1a development plan, revised Tract 1b development plan, and conditions

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:

Ben Leal, 1614 Jensen Ct.

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

Motion seconded by Councilmember Kingston and unanimously adopted.

Assigned ORDINANCE NO. 30670

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1617

ZONING CASES - INDIVIDUAL

Item 24: Zoning Case Z167-303(JM)

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an A(A) Agricultural District, on the south line of Simpson Stuart Road, west of South Central Service Expressway

Recommendation of Staff: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a three-year period, subject to a site plan, a landscape plan, and staff's recommended conditions

Recommendation of CPC: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a four-year period, subject to a site plan, a landscape plan, and conditions

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Atkins moved to defer the item to the October 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. (Medrano, Griggs, Narvaez, McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1618

ZONING CASES - INDIVIDUAL

Item 25: Zoning Case Z167-342(WE)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta Overlay District on the north line of Alta Avenue, west of Greenville Avenue

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

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

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

Motion seconded by Councilmember Greyson and unanimously adopted. (Medrano, Griggs, Narvaez absent when vote taken)

Assigned ORDINANCE NO. 30671

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1619

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 26: Zoning Case Z156-277(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the northeast corner of North Prairie Creek Road and Scyene Road

Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z156-277(WE)

Note: This item was considered by the City Council at a public hearing on April 12, 2017, and was deferred until October 11, 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:

Kent Carter, 8344 E. R.L. Thornton Frwy.

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

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

Assigned ORDINANCE NO. 30672

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1620

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 27: Zoning Case Z156-323(JM)

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

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z156-323(JM)

Note: This item was considered by the City Council at public hearings on April 12, 2017, May 24, 2017, June 28, 2017 and August 23, 2017, and was deferred until October 11, 2017, with the public hearing open

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Atkins moved to defer the item to the December 13, 2017 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

Motion seconded by Councilmember Clayton and unanimously deferred. (Medrano, Griggs, Narvaez, McGough absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1621

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 28: Zoning Case Z156-335(WE)

A public hearing to receive comments regarding an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the northwest line of Pennsylvania Avenue, southwest of J.B. Jackson Jr. Boulevard

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

Recommendation of CPC: Denial without prejudice
Z156-335(WE)

Note: This item was considered by the City Council at public hearings on January 25, 2017, February 22, 2017, April 26, 2017 and June 28, 2017, and was held under advisement until October 11, 2017, with the public hearing open

Neva Dean, Assistant Director of Sustainable Development and Construction, stated the item required a favorable vote of three-fourths for adoption.

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

Suzan Kedron, 2323 Ross Ave., represents SBA 2012 TC Assets, LLC

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

Councilmember Felder moved to close the public hearing, adopt the Specific Use Permit (SUP) as requested by the applicant, with the ordinance to return with a revised site plan on a future city council agenda.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1622

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 29: Zoning Case Z167-212(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road

Recommendation of Staff: Denial

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

Z167-212(OTH)

Note: This item was considered by the City Council at public hearings on June 28, 2017, August 23, 2017, and September 13, 2017, and was deferred until October 11, 2017, with the public hearing open

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

Councilmember Atkins moved to deny the item without prejudice.

Motion seconded by Councilmember Kingston and unanimously denied without prejudice.

OCTOBER 11, 2017

17-1623

MISCELLANEOUS HEARINGS

Item 30: A public hearing to receive comments on the proposed use of a portion of the Kleberg Trail, totaling approximately 126,625 square feet of land, by Dallas Water Utilities for the construction of a 21-inch wastewater main and a 120-inch water transmission pipeline; 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 Atkins moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Callahan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1624

Closed Session

The following item was posted for discussion in closed session:

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

- The Inclusive Communities Project, Inc. v. Governor Greg Abbott et al. Civil Action No. 3:17-CV-0440-D

At 11:31 a.m., the city council convened to closed session authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- The Inclusive Communities Project, Inc. v. Governor Greg Abbott et al. Civil Action No. 3:17-CV-0440-D

The closed session ended at 11:49 a.m. Mayor Rawlings reconvened to open session at 1:01 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 11, 2017

17-1625

ZONING CASES - INDIVIDUAL

Addendum 1: Zoning Case Z167-132(JM)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict and private school uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Cole Avenue and Oliver Street, on both sides of the alley on the southwest side of Oliver Street

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z167-132(JM)

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:

Dallas Cothrum, 900 Jackson St., representing Chapel of the Cross

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

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 30673

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

EXHIBIT C