

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 14, 2018

18-0260

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

PRESENT: [15] Rawlings, Caraway (*9:32 a.m.), Medrano (*9:13 a.m.), Griggs (*9:16 a.m.), Thomas, Callahan, Narvaez, Felder, Atkins, Clayton (*9:14 a.m.), McGough, Kleinman (*9:19 a.m.), Greyson (*9:13 a.m.), Gates, Kingston

ABSENT: [0]

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

The invocation was given by Felicia Hill, Prayer Director, of The Life Church.

Councilmember Kingston 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 10:13 a.m. and reconvened to open session at 1:05 p.m. (Thomas [*1:06 p.m.], Greyson [*1:12 p.m.]).

After all business properly brought before the city council had been considered, the city council adjourned at 2:45 p.m.

ATTEST: _____
Mayor

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
WEDNESDAY, FEBRUARY 14, 2018

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 14, 2018

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0261

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: Brandon Vance, 1819 Dancliff Dr.
REPRESENTING: Dallas County Schools

SPEAKER: Kinney Fields, 4423 Frank St.
SUBJECT: DCS issues/scandal happening at City Hall

SPEAKER: Karen Hawkins, 1906 Somerset Ave.
SUBJECT: Property issues

SPEAKER: Robert Ceccarelli, 1822 Young St.
SUBJECT: Why homeless committees are failures

SPEAKER: Jan Sanders, 12636 Breckenridge Dr.
SUBJECT: Housing

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Jasper Baccus, 3509 Sunnyvale St.
SUBJECT: War on poverty
REPRESENTING: Baccus Foundation

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Travis Harris, 2512 Club Terrance Dr.
SUBJECT: Cab stands

SPEAKER: Arjoon KC, 3301 Conflans Rd., Irving, TX
SUBJECT: Factory studio center

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0262

Item 1: Approval of Minutes of the January 24, 2018 City Council Meeting

The interim city secretary announced a correction to the minutes of the January 24, 2018 City Council Meeting was as follows:

Agenda Item 11 - Councilmember Thomas requested a point of information on the time frame of the deferral. Councilmember Greyson stated it was until the end of February [February ~~24~~ 28, 2018].

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0263

CONSENT AGENDA

Prior to presentation of the consent agenda and the item being read into the record, Deputy Mayor Pro Tem Medrano moved to defer consent agenda item 12 until the February 28, 2018 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston and unanimously adopted. (Caraway absent when vote taken)

The consent agenda consisted of consent agenda items 2-32. There was no addendum addition consent agenda.

Councilmember Greyson requested consent agenda items 2, 16, and 28 be considered as individual items later in the meeting; there was no objection voiced to the request.

Councilmember McGough requested consent agenda item 28 be considered as an individual item later in the meeting; there was no objection voiced to the request.

Councilmember Atkins requested consent agenda item 32 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 3-11, 13-15, 17-27 and 29-31 was presented for consideration.

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

Motion seconded by Councilmember McGough and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0264

Item 2: A resolution appointing one full-time and two associate (part-time) judicial hearing officers to preside over the City of Dallas municipal court of record for a period until a successor is recommended by the administrative judge and appointed by the city council - 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 McGough moved to adopt the item.

Motion seconded by Councilmember Kingston.

Councilmember Greyson moved a substitute motion to defer the item to the February 28, 2018 voting agenda meeting of the City Council.

Motion seconded by Councilmember Clayton.

Mayor Rawlings called a vote on Councilmember Greyson's substitute motion and declared the item unanimously deferred.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0265

Item 3: An ordinance amending Chapter 13, "Courts, Fines and Imprisonments," of the Dallas City Code by amending Section 13-3 to **(1)** clarify division names of the municipal court of record; and **(2)** add new divisions of the municipal court of record - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30769

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0266

Item 4: A resolution authorizing an increase in the joint election agreement and election services contract between the City of Dallas and Dallas County for the November 8, 2016 special election - Not to exceed \$7,641, from \$1,100,000 to \$1,107,641 - Financing: General Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0267

Item 5: A resolution authorizing an increase in the joint election agreement and election services contract between the City of Dallas and Dallas County for the May 6, 2017 general election - Not to exceed \$193,441, from \$816,530 to \$1,009,971 - Financing: General Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0268

Item 6: Authorize **(1)** acceptance of the FY 2018 grant (Grant No. M1818 DLEX) from the Texas Department of Transportation (TxDOT) Aviation Division for the Routine Annual Maintenance Program at Dallas Executive Airport in an amount not to exceed \$50,000 or 50% of eligible project costs whichever is less; **(2)** a local cash match in the amount of \$50,000 for airport maintenance projects; **(3)** establishment of appropriations in an amount not to exceed \$50,000 in the TxDOT 2018 Routine Airport Maintenance-RAMP Project Fund; **(4)** receipt and deposit of funds in an amount not to exceed \$50,000 in the TxDOT 2018 Routine Airport Maintenance-RAMP Project Fund; and **(5)** execution of the grant agreement - Total not to exceed \$100,000 - Financing: Aviation Current Funds (\$50,000) (subject to appropriations) and Texas Department of Transportation Grant Funds (\$50,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0269

Item 7: Authorize an Interlocal Agreement with Dallas County to provide two-way radio service, equipment, antenna space, microwave service and radio system airtime for the period October 1, 2017 through December 31, 2020 - Revenue: \$254,591

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0270

Item 8: Authorize an Interlocal Agreement with the University of Texas at Arlington to facilitate graduate level internships with the City of Dallas Department of Planning and Urban Design - Not to exceed \$35,804 - Financing: General Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0271

Item 9: Authorize consent to a transfer of control of 100 percent of the ownership interests of Hart Waste Removal, L.P., a solid waste franchisee, from JHart Enterprises, L.C., a Texas limited liability company, formerly known as Hart Brothers Waste Removal, L.P., its general partner, and Jeffrey L. Hart, Jerry K. Hart and Jack M. Hart, Jr., its limited partners (the “Hart Owners”) to Ash Creek GP, LLC and Zach Whitt, in accordance with the terms of the franchise ordinance, Chapter XIV of the City Charter and Chapter 18, Article IV, of the Dallas City Code - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0272

Item 10: Authorize ordinances granting five franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$16,032

Adopted as part of the consent agenda.

Assigned ORDINANCE NOS. 30770, 30771, 30772, 30773 AND 30774

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0273

Item 11: Authorize **(1)** the quitclaim of 17 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: \$137,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0274

Item 12: An ordinance abandoning two portions of Trunk Avenue to Tall Cotton Properties, LTD. and Baylor Health Care System, the abutting owners, containing a total of approximately 9,808 square feet of land, located near its intersection with Elm Street; and authorizing the quitclaim - Revenue: \$220,680, plus the \$20 ordinance publication fee

Prior to presentation of the consent agenda and the item being read into the record, Deputy Mayor Pro Tem Medrano moved to defer the item until the February 28, 2018 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0275

Item 13: An ordinance abandoning a detention area easement to R.W. Timms TX Investments, LLC, the abutting owner, containing approximately 23,982 square feet of land, located near the intersection of Cleveland Road and Cedardale Drive; and providing for the dedication of approximately 25,620 square feet of land needed for a detention area easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30775

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0276

Item 14: An ordinance abandoning a portion of a water easement to HEB Grocery Company, LP, the abutting owner, containing approximately 220 square feet of land, located near the intersection of Midway Road and Northwest Highway - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30776

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0277

Item 15: Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the U.S. Department of Transportation Federal Highway Administration for the Highway Safety Improvement Program (HSIP) (Grant No. CSJ 0918-47-128, etc., CFDA No. 20.205) to provide cost reimbursement for material and labor costs incurred by the City of Dallas for intersection and traffic signal improvements at five locations: Royal Lane and Abrams Road, Skillman Street and Walnut Hill Lane, Skillman Street and Lovers Lane, Walnut Hill Lane and Abrams Road, and Webb Chapel Road and Larga Drive; **(2)** establishment of appropriations in an amount not to exceed \$104,066 in the TxDOT-Traffic Signal Improvements-5 Off-system Intersections-Royal-HSIP Fund; and **(3)** receipt and deposit of funds from TxDOT in an amount not to exceed \$104,066 - Not to exceed \$104,066 - Financing: Texas Department of Transportation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0278

Item 16: Authorize a five-year professional services contract, with two one-year renewal options for the operation and maintenance support and oversight work for the Klyde Warren Park Tunnel, similar facilities and other related tasks - Jacobs Engineering Group, Inc., most advantageous proposer of two in Category 8 - Not to exceed \$3,771,672 - Financing: General Funds (subject to annual appropriations)

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 changes:

- Limit the scope of the contract to Klyde Warren Park, and delete references to “similar facilities and other related tasks”; and
- Change the amount so it does not exceed \$1,538,612.00.

Motion seconded by Councilmember Atkins.

After discussion, Mayor Rawlings called a vote on Councilmember Greyson’s amended motion and declared the item unanimously amended.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0279

Item 17: Authorize an amendment to Resolution No. 15-1671, previously approved on September 9, 2015, with East Dallas Community Organization for construction of 8 homes for low and moderate mixed income families to **(1)** extend the HOME loan agreement and the Bond conditional grant agreement from September 9, 2017 to December 31, 2018; and **(2)** amend the terms to incorporate contract thresholds - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0280

Item 18: Authorize an amendment to Resolution No. 17-0535, previously approved on March 22, 2017, for a conditional grant agreement with Flora Street Lofts, Ltd. for construction of Flora Lofts, a 52-unit multifamily new construction project located at 2121 Flora Street, conditioned upon 2017 4% Low Income Housing Tax Credit (LIHTC) award to **(1)** amend the parties to reflect the owner/LIHTC Applicant as Flora Street Lofts, Ltd., and the developer as Artspace Projects, Inc.; **(2)** extend the commencement of construction and the completion date; and **(3)** allow for an additional six-month extension to project deadlines - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0281

Item 19: An ordinance denying rates as requested by Atmos Energy Corp., Mid-Tex Division (Atmos), and authorizing lower rates to be charged by Atmos, as determined by the City to be fair and reasonable based on an analysis of the data provided pursuant to its August 18, 2017 Statement of Intent to Increase Gas Utility Rates within the Incorporated Areas of the city of Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30777

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0282

Item 20: Authorize **(1)** the acceptance of donations from the Communities Foundation of Texas on behalf of the various contributors to the Dallas Cultural Plan 2018 in the amount of \$303,000; and **(2)** an increase in appropriations in the amount of \$303,000 in the Office of Cultural Affairs budget - Revenue: \$303,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0283

Item 21: Authorize an amendment to Resolution No. 17-0534, previously approved on March 22, 2017, to **(1)** amend the parties to reflect the owner as Flora Street Lofts, Ltd., and the developer as Artspace Projects, Inc.; and **(2)** allow for a six-month extension to project deadlines in the future, if necessary, for the development agreement associated with previously approved TIF funding for the Flora Lofts Project located at 2121 Flora Street in the Arts District - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0284

Item 22: Authorize adoption of the 2017-2022 City of Dallas Hazard Mitigation Action Plan, which identifies strategies to mitigate natural hazards in the City of Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0285

Item 23: Authorize **(1)** an acquisition contract for the purchase and installation of two wide-format printers for the Department of Sustainable Development and Construction in the amount of \$36,000; and **(2)** a three-year service contract for maintenance and support of two wide-format printers in the amount of \$7,603 - Stewart Engineering Supply, Inc., lowest responsible bidder of eleven - Total not to exceed \$43,603 - Financing: Building Inspection Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0286

Item 24: Authorize a three-year acquisition contract for the purchase of enterprise software licenses and maintenance for Geographic Information System software - ESRI, Inc., sole source - Not to exceed \$1,770,300 - Financing: Communication and Information Services Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0287

Item 25: Authorize two four-year concession contracts, with two one-year renewal options, for the installation, operation, and maintenance of automated teller machines at various City facilities - Metro Games, Inc. minimum annual guarantee \$13,830 and Choice ATM Enterprises, Inc. minimum annual guarantee \$14,000, highest responsible bidders of three - Total Minimum Annual Guarantee: \$27,830

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0288

Item 26: Authorize the purchase of one regenerative air sweeper with Tymco International through the Houston-Galveston Area Council of Governments - Not to exceed \$120,580 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0289

Item 27: Authorize the sale of one 2016 GMC Sierra pickup through a public auction on January 17, 2018, to Monica Acosta, highest bidder - Revenue: \$20,250

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0290

Item 28: Authorize a ten-year Interlocal Agreement, with two five-year renewal options, with Richardson Independent School District for shared access of campus grounds after school hours and weekends - Financing: No cost consideration to the City

Councilmember McGough and 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.

Motion seconded by Councilmember McGough.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0291

Item 29: Authorize an increase in the construction services contract with The Fain Group, Inc. to add increased scope of work associated with three regional family aquatic centers at Crawford Memorial Park located at 8700 Elam Road, Fretz Park located at 6994 Belt Line Road, and Samuell Grand Park located at 6200 East Grand Avenue - Not to exceed \$351,667, from \$20,562,297 to \$20,913,964 - Financing: Elgin B. Robertson Land Sale Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0292

Item 30: Authorize **(1)** an application for and acceptance of the Rifle-Resistant Body Armor Grant in the amount of \$1,764,300 (Grant No. 3483001) from the Office of the Governor, Criminal Justice Division to provide funding for the purchase of the rifle-resistant body armor for the Dallas Police Department, Dallas City Marshal's Office, and Dallas-Fire Rescue Department for the period January 1, 2018 to December 31, 2018; **(2)** establishment of appropriations in an amount not to exceed \$1,764,300 in the CJD-Rifle-Resistant Body Armor Grant Program 2018 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed \$1,764,300 in the CJD-Rifle-Resistant Body Armor Grant Program 2018 Fund; and **(4)** execution of the grant agreement - Total not to exceed \$1,764,300 - 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

FEBRUARY 14, 2018

18-0293

Item 31: Authorize a professional services contract with CDM Smith, Inc. to provide engineering services for a comprehensive assessment and preliminary design report for the rehabilitation of the Jim Miller Pump Station - Not to exceed \$1,975,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0294

Item 32: Authorize Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. to provide additional engineering services for the evaluation and design of wastewater infrastructure improvements for the University Hills area between Camp Wisdom Road and the Dallas-Lancaster corporate limit - Not to exceed \$569,738, from \$2,512,805 to \$3,082,543 - Financing: 2012 Bond Funds

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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0295

Item 33: 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 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.

Mayor Pro Tem Caraway moved to appoint the following:

- Kenneth D. Martin, Dallas County Resident, to the Reinvestment Zone Thirteen Board (Grand Park South);
- Josh Cogan to the Martin Luther King Jr. Community Center Board;
- Keyshawn J. Robinson to the Youth Commission; and
- Traelon T. Rogers, Vice-Chair, to the Youth Commission.

Motion seconded by Councilmember Clayton and unanimously adopted.

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

18-5320	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
18-5321	RZ13	REINVESTMENT ZONE THIRTEEN BOARD (GRAND PARK SOUTH)
18-5322	YOC	YOUTH COMMISSION
18-5323		BOARD OFFICER

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0296

Item 34: Authorize a contract for construction of storm drainage improvements for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of three - Not to exceed \$206,700,000 - Financing: 2012 Bond Funds (\$204,573,549) and Water Utilities Capital Improvement Funds (\$2,126,451)

Councilmember Kleinman moved to adopt the item.

Motion seconded by Mayor Pro Tem Caraway.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0297

Item 35: Authorize the second step of acquisition for condemnation by eminent domain to acquire a tract of vacant land containing approximately 7,085 square feet, located near the intersection of Yancy and Carbondale Streets for the Yancy Street Improvement Project, from Lorean D. Thomas and James W. Thomas - Not to exceed \$4,000 (\$2,500, plus closing costs and title expenses not to exceed \$1,500) - Financing: 2012 Bond Funds (This item was deferred on January 10, 2018)

The interim city secretary announced agenda item 35 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if such becomes necessary from *Lorean D. Thomas and James W. Thomas et al.* to acquire a tract of land containing approximately 7,085 square feet located near the intersection of Yancy and Carbondale Streets, and more fully described in Exhibit A of the proposed written resolution for this item, for the Yancy Street Improvement Project.

Councilmember Kleinman moved to adopt the item.

Motion seconded by Councilmember Atkins.

During discussion, Councilmember Felder moved a substitute motion to defer the item.

Motion seconded by Councilmember Narvaez.

After discussion and at the request of Mayor Rawlings, Councilmember Felder clarified his substitute motion to defer the item to the March 28, 2018 voting agenda meeting.

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

Voting Yes: [9] Medrano, Griggs, Thomas, Narvaez, Felder, Clayton, Greyson, Gates, Kingston

Voting No: [6] Rawlings, Caraway, Callahan, Atkins, McGough, Kleinman

The interim city secretary declared the item deferred.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0298

Item 36: An ordinance abandoning a portion of an alley to AT&T Communications of Texas, LTD, the abutting owner, containing approximately 2,470 square feet of land, located near the intersection of McKell and Bryan Streets; and authorizing the quitclaim; and providing for the dedication of a total of approximately 2,140 square feet of land needed for a street right-of-way - Revenue: \$5,400, plus the \$20 ordinance publication fee (This item was deferred on January 10, 2018)

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

- Increase the abandonment fee from \$5,400 to \$72,657 as a result of an independent appraisal and less credit given for the street dedication; and
- To insert a new Section 9 within the Ordinance, which provides for the filing of a final replat. It shall read as follows:
 - **SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by GRANTEE in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.**

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

Assigned ORDINANCE NO. 30778

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0229

The consent zoning docket consisted of agenda items 39-41.

- Agenda item 37: Zoning Case Z167-255(SM)
- Agenda item 38: Zoning Case Z167-338(JM)
- Agenda item 39: Zoning Case Z178-120(WE)
- Agenda item 40: Zoning Case Z178-124(PD)
- Agenda item 41: Zoning Case Z178-134(PD)

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Griggs moved to defer consent zoning agenda item 41 to the February 28, 2018 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

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

- Agenda item 37: Zoning Case Z167-255(SM)
- Agenda item 38: Zoning Case Z167-338(JM)
- Agenda item 39: Zoning Case Z178-120(WE)
- Agenda item 40: Zoning Case Z178-124(PD)

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

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Greyson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0300

Item 37: Zoning Case Z167-255(SM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2088 for a vehicle display, sales, and service use on property zoned Subdistrict 2 within Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3 with a D-1 Liquor Control Overlay, on the southeast corner of C.F. Hawn Freeway and Cade Road

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30779

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0301

Item 38: Zoning Case Z167-338(JM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to, and an expansion of, the Subarea D portion on property zoned Subareas C and D within Planned Development District No. 745, on the east side of Manderville Lane, north and south of Midtown Boulevard

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, Subarea D development plan, and conditions.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30780

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0302

Item 39: Zoning Case Z178-120(WE) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and a resolution accepting an amendment to deed restrictions on property zoned Area C within Planned Development District No. 326, the West Lovers Lane Planned Development District, on the southwest corner of Bristol Avenue and West Lovers Lane

Recommendation of Staff and CPC: Approval

Adopted as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0303

Item 40: Zoning Case Z178-124(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. 1958 for an attached projecting non-premise district activity videoboard sign on property zoned Subdistrict A within Planned Development District No. 619, on the north side of Main Street, east of North Akard Street

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30781

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0304

Item 41: Zoning Case Z178-134(PD) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a medical clinic or ambulatory surgical center on property zoned Subarea 1 within Planned Development District No. 316, the Jefferson Area Special Purpose District, on the north side of West Jefferson Boulevard, east of South Llewellyn Avenue

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

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Griggs moved to defer the item to the February 28, 2018 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0305

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 42: Zoning Case Z156-323(JM)

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

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

Note: This item was considered by the City Council at public hearings on April 12, 2017, May 24, 2017, June 28, 2017, August 23, 2017, October 11, 2017 and December 13, 2017, and was deferred until February 14, 2018, 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 April 25, 2018 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0306

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 43: Zoning Case Z156-351(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to, and an expansion of, Planned Development District No. 931 for MF-2(A) Multifamily District uses and termination of Specific Use Permit No. 2121 for a college, university, or seminary on property zoned an MF-2(A) Multifamily District, on both sides of Bryan Street, northeast of North Munger Boulevard, and northwest of Live Oak Street

Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions; and approval of the termination of Specific Use Permit No. 2121 for a college, university, or seminary.

Note: This item was considered by the City Council at a public hearing on January 10, 2018, and was held under advisement until February 14, 2018, with the public hearing open.

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 with the following changes:

- Additional main uses permitted in Tracts 2 and 3 are office and surface parking only in conjunction with a church located in PD 931; and
- Remove minimum 5ft landscape buffer from the west side of Tract 3.

Motion seconded by Councilmember Callahan and unanimously adopted. (Greyson absent when vote taken)

Assigned ORDINANCE NOS. 30782 AND 30783

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0307

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 44: Zoning Case Z167-234(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to, and an expansion of, Specific Use Permit No. 1718 for tower/antenna for cellular communication on property zoned a CR Community Retail District with a D Liquor Control Overlay and existing deed restrictions [Z801-138] on a portion, on the west line of Midway Road and the north line of West Northwest Highway

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

Note: This item was considered by the City Council at a public hearing on January 24, 2018, and was deferred until February 14, 2018, with the public hearing open.

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

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

David Prejean, 5566 Waneta Dr., representing AT&T Mobility
Brent Malinowsky, 3 Crestview Cir., Rockwall, TX, representing AT&T Mobility

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

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 30784

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0308

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 45: 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.

Note: This item was considered by the City Council at public hearings on October 11, 2017 and December 13, 2017, and was deferred until February 14, 2018, 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 April 25, 2018 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. (Thomas, Greyson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0309

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 46: Zoning Case Z167-359(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay, on the northeast corner of Forney Road and South Buckner Boulevard

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

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

Note: This item was considered by the City Council at public hearings on December 13, 2017 and January 24, 2018, and was deferred until February 14, 2018, 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 individuals appeared in opposition to the city plan commission's recommendation:

William M. Coleman, 6643 Prairie Flower Trl.
Darcelle Kennard, 2707 Clayton Oaks Dr.

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

Adam Bazaldua, 6926 Belteau Ln.
Daniel Wood, 5137 Colter Dr. (Handout provided)
Santos Martinez, 900 Jackson St.
Boyd Reynolds, 5716 Hillcroft St.
Casie Pierce, 6047 Parkdale Dr.
Paul McLin, 6917 Thornwood Dr.
Victor Toledo, 4502 St. Francis Ave.
Carolyn Thomas, 4739 Clover Haven St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

18-0309

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Councilmember Felder moved to deny the item without prejudice.

Motion seconded by Councilmember Kingston.

After discussion, Mayor Rawlings called a record vote on Councilmember Felder's motion to deny the item without prejudice:

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

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

The interim city secretary declared the motion failed.

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

Motion seconded by Mayor Pro Tem Caraway.

During discussion, Councilmember Callahan withdrew his motion to approve the item.

Councilmember Callahan moved to defer the item until the March 28, 2018 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Caraway.

Mayor Rawlings called a record vote on Councilmember Callahan's motion to defer the item until the March 28, 2018 voting agenda meeting of the city council:

Voting Yes: [6] Rawlings, Caraway, Callahan, Atkins, McGough, Gates

Voting No: [9] Medrano, Griggs, Thomas, Narvaez, Felder, Clayton, Kleinman, Greyson, Kingston

The interim city secretary declared the motion failed.

Councilmember Kleinman moved to reconsider the vote on Councilmember Callahan's motion to defer the item until March 28, 2018 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

18-0309

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Mayor Rawlings called a record vote on Councilmember Kleinman's motion to reconsider the vote on Councilmember Callahan's motion to defer the item:

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

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

The interim city secretary declared the motion passed.

Mayor Rawlings called a vote on Councilmember Callahan's motion to defer the item until March 28, 2018 voting agenda meeting of the city council.

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

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

The interim city secretary declared the item deferred.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2018

18-0310

MISCELLANEOUS HEARINGS UNDER ADVISEMENT

Item 47: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, L.G. Pinkston High School as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit (Chapter 26) for a general merchandise or food store with 10,000 square feet or more floor area [Fiesta Mart, LLC] on the north line of Singleton Boulevard and the west line of Hampton Road - AV178-001 - Financing: No cost consideration to the City

Note: This item was considered by the City Council at a public hearing on January 10, 2018, and was deferred until February 14, 2018, with the public hearing open.

The following individual addressed the city council on the item:

Santos Martinez, 900 Jackson St., representing Fiesta Mart, LLC

Councilmember Narvaez moved to hold the item under advisement until the April 11, 2018 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously held under advisement. (Atkins absent when vote taken)

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 14, 2018

EXHIBIT C