MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, JUNE 13, 2018

18-0800

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

PRESENT: [15] Rawlings, Caraway, Medrano (*9:12 a.m.), Griggs (*9:27 a.m.), Thomas, Callahan, Narvaez (*9:12 a.m.), Felder, Atkins, Clayton, McGough, Kleinman, Greyson (*9:12 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 Dr. Tommy L. Brown, Senior Pastor, New Mount Zion Baptist Church.

Councilmember Clayton led the pledge of allegiance.

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

The meeting recessed at 12:15 a.m. and reconvened to open session at 1:35 p.m. (Caraway [*1:50 p.m.], Medrano [*1:36 p.m.], Narvaez [*1:37 p.m.], Greyson [*1:36 p.m.])

After all business properly brought before the city council had been considered, the city council adjourned at 4:49 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

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, JUNE 13, 2018

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, JUNE 13, 2018

EXHIBIT B

JUNE 13, 2018

18-0801

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:	Joe Stokes, 8930 San Benito Way
SUBJECT:	Poisoned water
SPEAKER:	Dominique Alexander, 2514 E. Overton Rd.
SUBJECT:	Homelessness/DHA assaults
SPEAKER:	Regina Imburgia, 5423 Goodwin Ave. (handout provided)
SUBJECT:	Safer water
SPEAKER:	Michael Powell, 1104 Marisa Ln., Desoto, TX
SUBJECT:	Highway/hedges
REPRESENTING:	Refuge Temple Ministries

ADDITIONAL – OPEN MICROPHONE:

There were no speakers under this category.

OPEN MICROPHONE – END OF MEETING:

SPEAKER:	Stanley Woods, 3508 S. Fitzhugh Ave.
SUBJECT:	Public safety on July 4 th
SPEAKER:	Lakolya London, 3805 Onley Ct.
SUBJECT:	Dog maulings/truth being told

JUNE 13, 2018

18-0802

Item 1: Approval of Minutes of the May 23, 2018 City Council Meeting

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

Motion seconded by Councilmember Felder and unanimously adopted.

JUNE 13, 2018

18-0803

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-42. There was no addendum addition consent agenda. Consent agenda item 38 was deleted on the addendum.

The city secretary announced consent agenda items 19 and 20 were eminent domain items and would require to be considered as individual items later in the meeting.

Councilmember Greyson requested consent agenda item 32 be considered as an individual item later in the meeting; there was no objection voiced to the request.

Councilmember McGough requested consent agenda item 34 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 2-18, 21-31, 33, 35-37 and 39-42 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.

JUNE 13, 2018

18-0804

Item 2: Authorize settlement of the lawsuit styled <u>Craig Dixon v. City of Dallas</u>, Cause No. CC-17-00771-D - Not to exceed \$75,000 - Financing: Current Funds

JUNE 13, 2018

18-0805

Item 3: Authorize an Interlocal Agreement between the City of Dallas ("City") and Dallas County ("County") to permit the City to provide Security and a Lead Planner to the County's Second Chance Community Improvement Program Court by providing support, resources and tools to non-violent offenders between the ages of 17 and 25 in the Southeast Division of the city of Dallas within the zip codes of 75215 and 75210 - Revenue: \$14,320

JUNE 13, 2018

18-0806

Item 4: Authorize (1) acceptance of the 2018-19 Veterans Treatment Court Grant from the Texas Veterans Commission Fund for Veterans' Assistance for continuation of the South Oak Cliff Community Court to include the South Oak Cliff Veterans Treatment Court Project for the period July 1, 2018 through June 30, 2019; (2) the establishment of appropriations in an amount not to exceed \$75,000 in the 2018-19 Veterans Treatment Court Grant Fund; (3) the receipt and deposit of funds in an amount not to exceed \$75,000 in the 2018-19 Veterans Treatment Court Grant Fund; and (4) execution of the grant agreement - Not to exceed \$75,000 - Financing: Texas Veterans Commission Grant Funds

JUNE 13, 2018

18-0807

Item 5: Authorize Supplemental Agreement No. 1 to the professional services contract with Ogletree, Deakins, Nash, Smoak & Stewart, P.C., for additional legal services necessary in connection with the lawsuit styled <u>Terrance Bass, et al. v. City of Dallas</u>, Civil Action No. 3:17-cv-03330-C - Not to exceed \$50,000, from \$50,000 to \$100,000 - Financing: Current Funds

JUNE 13, 2018

18-0808

Item 6: Authorize a budget estimate of the needs and requirements of the City Auditor's Office for Fiscal Year 2018-19 in the amount of \$3,362,063 (subject to final citywide funding adjustments for decisions that will be made on a citywide basis for items such as staff benefits, insurance, Communication and Information Services chargebacks, and other items that may affect all City departmental budgets) - Financing: No cost consideration to the City

JUNE 13, 2018

18-0809

Item 7: Authorize the issuance of tax-exempt bonds by the Greater Texas Cultural Education Facilities Finance Corporation in an aggregate principal amount not to exceed \$25,000,000 for the benefit of Southwest Transplant Alliance, Inc. to build a new headquarters facility - Financing: No cost consideration to the City

JUNE 13, 2018

18-0810

Item 8: Authorize a twelve-month service contract for the continuous use of software and support of the Socrata Open Data Portal - Carahsoft Technology Corp, through the General Services Administration cooperative agreement - Not to exceed \$199,797 - Financing: Communication and Information Services Current Funds

JUNE 13, 2018

18-0811

Item 9: Authorize a professional services contract with Simmons Design Associates, LLC to provide graphic design services for the design and development of a new wayfinding system at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed \$449,750 - Financing: Convention Center Capital Construction Funds

JUNE 13, 2018

18-0812

Item 10: Authorize (1) the rejection of the proposal received for the construction of Exhibit Hall F Roof Truss Repair at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street; and (2) the re-advertisement for new proposals - Financing: No cost consideration to the City

JUNE 13, 2018

18-0813

Item 11: Authorize (1) an increase to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for construction modifications and corrective actions for concealed conditions discovered during construction for the Dallas City News Studio in Fair Park located at 1620 First Avenue; and (2) an increase in appropriations in an amount not to exceed to \$222,395 in the Public Educational and Governmental Access Fund - Not to exceed \$880,672, from \$5,146,800 to \$6,027,472 - Financing: Public Educational and Governmental Access Funds (\$711,507) and WRR Capital Construction Funds (\$169,165)

JUNE 13, 2018

18-0814

Item 12: Authorize Supplemental Agreement No. 1 to the service contract for job order contracting services at City facilities with Restoration Specialists, dba RS Commercial Construction extending the contract term for an additional six months - Not to exceed \$1,578,675, from \$6,314,700 to \$7,893,375 - Financing: Various Funds (subject to annual appropriations)

JUNE 13, 2018

18-0815

Item 13: Authorize Supplemental Agreement No. 4 to exercise the second, and final fiveyear renewal option to extend the Compressed Natural Gas (CNG) Facilities Agreement with TranStar Energy Company, L.P., for five years to maintain and operate two public-access CNG fueling sites on city properties located at 1616 Baylor Street and 8000 Denton Drive, adjacent to Love Field - Estimated Revenue: \$10,000 over the five-year extension

JUNE 13, 2018

18-0816

Item 14: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Spring Grove Avenue from Alpha Road to Coit Road - Jeske Construction Company, lowest responsible bidder of ten - Not to exceed \$2,698,710 - Financing: 2012 Bond Funds (\$2,006,560), Water Utilities Capital Improvement Funds (\$624,510) and Water Utilities Capital Construction Funds (\$67,640)

JUNE 13, 2018

18-0817

Item 15: Authorize (1) a contract for the construction of a 52 acre waste cell, cell 6B2 and 7 at the McCommas Bluff Landfill; and site improvements that include upgraded drain pumps, control panels, electric service and discharge systems - Hammett Excavation, Inc., lowest responsible bidder of three; and (2) an increase in appropriations in an amount not to exceed \$5,126,867 in the Sanitation Capital Improvement Fund - Not to exceed \$5,126,867 - Financing: Sanitation Capital Improvement Funds

JUNE 13, 2018

18-0818

Item 16: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 46,684 square feet from Casey Owen Averitt and Robin Eliene Averitt located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$12,661, increased from \$32,075 (\$29,075, plus closing costs and title expenses not to exceed \$3,000) to \$44,736 (\$41,736, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

JUNE 13, 2018

18-0819

Item 17: Authorize (1) settlement in lieu of proceeding further with condemnation in the condemnation suit styled <u>City of Dallas v. Hwy. 205 Farm, Ltd., et al.</u>, pending in Kaufman County Court at Law, Cause No. 84262-CC, for acquisition from Hwy. 205 Farm, Ltd., et al., of approximately 33 acres of land for right-of-way located in Kaufman County, Texas for the Lake Tawakoni 144-inch Pipeline Project; and (2) the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed \$64,841, increased from \$460,159 to \$525,000 (\$515,000 being the settlement amount, plus closing costs and title expenses not to exceed \$10,000) - Financing: Water Utilities Capital Improvement Funds

JUNE 13, 2018

18-0820

Item 18: Authorize (1) settlement in lieu of proceeding further with condemnation in the condemnation suit styled <u>City of Dallas v. 635-I20 Joint Venture, et al.</u>, pending in County Court at Law No. 5, Cause No. CC-13-01705-E, for acquisition from 635-I20 Joint Venture, et al., of approximately 495,065 square feet of land for right-of-way located in Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; and (2) the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed \$857,786, increased from \$953,214 (\$943,214 being the award, plus closing costs and title expenses not to exceed \$10,000) to \$1,811,000 (\$1,800,000 being the settlement amount, plus closing costs and title expenses not to exceed \$11,000) - Financing: Water Utilities Capital Improvement Funds

"CORRECTED" OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2018

18-0821

Item 19: Authorize the second step of acquisition for condemnation by eminent domain to acquire a tract of vacant land containing approximately 262,824 square feet, located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project, from Freddie Kasper - Not to exceed \$49,000 (\$45,900, plus closing costs and title expenses not to exceed \$3,100) - Financing: Water Utilities Capital Improvement Funds

This item required 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 *Freddie Kasper* to acquire a tract of vacant land containing approximately 262,824 square feet, located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project, and more fully described in Exhibit A of the proposed written resolution for this item.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Atkins.

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

Voting Yes:	[11]	Rawlings, Caraway, Thomas, Callahan, Narvaez, Felder, Atkins, Kleinman, Greyson, Gates, Kingston
Voting No:	[2]	Medrano, Griggs
Absent when vote taken:	[2]	Clayton, McGough

The city secretary declared the item adopted.

"CORRECTED" OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2018

18-0822

Item 20: Authorize the second step of acquisition for condemnation by eminent domain to acquire a tract of vacant land containing approximately 5,379 square feet from Harold J. Baber located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$29,700 (\$27,750, plus closing costs and title expenses not to exceed \$1,950) - Financing: Water Utilities Capital Construction Funds

This item required 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 *Harold J. Baber* to acquire tract of vacant land containing approximately 5,379 square feet located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project, and more fully described in Exhibit A of the proposed written resolution for this item.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called a record vote on Councilmember Atkins' motion:

Voting Yes:	[11]	Rawlings, Caraway, Thomas, Callahan, Narvaez, Felder, Atkins, Kleinman, Greyson, Gates, Kingston
Voting No:	[2]	Medrano, Griggs
Absent when vote taken:	[2]	Clayton, McGough

The city secretary declared the item adopted.

JUNE 13, 2018

18-0823

Item 21: Authorize moving expense and replacement housing payments for Sandra Witt as a result of an official written offer of just compensation to purchase real property at 369 VZ CR 3843 for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$55,639 - Financing: Water Utilities Capital Improvement Funds

JUNE 13, 2018

18-0824

Item 22: An ordinance granting a private license to the Board of Regents of The University of Texas System, for the use of approximately 1,001 square feet of subsurface land to occupy, maintain and utilize a subsurface portion of Inwood Road right-of-way located near the intersection of Forest Park Road and Inwood Road - Revenue: \$1,297 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

JUNE 13, 2018

18-0825

Item 23: An ordinance abandoning Lariat Drive to LGI Homes-Texas, LLC, the abutting owner, containing approximately 4,674 square feet of land, located near the intersection of Greenhaw Lane and Woody Road; and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

JUNE 13, 2018

18-0826

Item 24: An ordinance abandoning a portion of a sanitary sewer easement to Daniel Brothers, L.L.P., the abutting owner, containing approximately 2,010 square feet of land, located near the intersection of Forest Lane and Inwood Road - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

JUNE 13, 2018

18-0827

Item 25: An ordinance abandoning six sanitary sewer easements, two utility easements, and two utility and fire lane easements to Daniel Brothers, L.L.P., the abutting owner, containing a total of approximately 296,609 square feet of land, located near the intersection of Forest Lane and Inwood Road - Revenue: \$10,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

JUNE 13, 2018

18-0828

Item 26: Authorize (1) the receipt and deposit of funds in an amount not to exceed \$36,043 from the University of Texas (UT) Southwestern Medical Center for certain material and labor costs associated with the upgrade of the traffic signal, signage and roadway striping at the UT Southwestern private driveway in the 1900 block of Inwood Road; and (2) an increase in appropriations in an amount not to exceed \$36,043 in the Capital Projects Reimbursement Fund - Not to exceed \$36,043 -Financing: Capital Projects Reimbursement Funds

JUNE 13, 2018

18-0829

Item 27: Authorize payment to the Texas Department of Transportation for cost overruns related to the intersection and traffic signal improvements at the following five offsystem 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 - Not to exceed \$82,696 - Financing: General Funds

JUNE 13, 2018

18-0830

Item 28: Authorize a revision to Rule XXIV of the Civil Service Code of Rules and Regulations to allow military experience to be used in lieu of college credit for Dallas Fire-Rescue Department applicants - Financing: No cost consideration to the City

JUNE 13, 2018

18-0831

Item 29: Authorize the first amendment to the conditional grant agreement for 27 singlefamily homes on Chariot Drive, previously approved by Resolution No. 15-0861 on May 13, 2015, with Dallas Area Habitat for Humanity, Inc., who assumed the obligations of Greenleaf Ventures, LLC to (1) extend the agreement completion date from October 30, 2017 to December 31, 2019; and (2) amend the agreement to include performance thresholds and requirements - Financing: No cost consideration to the City

JUNE 13, 2018

18-0832

Item 30: Authorize the first amendment to the conditional grant agreement for the development of 58 single-family homes in West Dallas located on Singleton Boulevard, previously approved by Resolution No. 15-0862 on May 13, 2015, with Greenleaf Ventures, LLC to (1) extend the agreement completion date from October 30, 2017 to December 30, 2020; and (2) amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City

JUNE 13, 2018

18-0833

Item 31: Authorize the first amendment to the conditional grant agreement for the development of 36 single-family homes on North Prairie Creek Road, previously approved by Resolution No. 16-0842 on May 25, 2016, with Greenleaf Ventures, LLC to (1) extend the agreement completion date from May 25, 2018 to May 31, 2020; and (2) amend the contract to include performance thresholds and requirements - Financing: No cost consideration to the City

JUNE 13, 2018

18-0834

Item 32: Authorize the first amendment to the loan agreement for the development of 10 single-family homes for the Scattered Sites Project located in the Jubilee and Dolphin Heights neighborhoods, previously approved by Resolution No. 16-0848 on May 25, 2016, with East Dallas Community Organization to (1) extend the loan agreement completion date from May 25, 2018 to November 30, 2019; and (2) amend the agreement to include performance thresholds and requirements - 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 Atkins moved to adopt the item.

Motion seconded Councilmember Narvaez.

After discussion, Mayor Rawlings called a vote and declared the item unanimously adopted. (Clayton, McGough absent when vote taken)

JUNE 13, 2018

18-0835

Item 33: A resolution to ratify emergency work performed by van Enter Studio, Ltd. to remove and relocate ten bronze steer and equestrian statues from Pioneer Park located at 1428 Young Street, due to the unstable foundations compromising the stability of the sculptures - Not to exceed \$42,000 - Financing: Convention and Event Services Current Funds

JUNE 13, 2018

18-0836

Item 34: Authorize a one-year service contract to administer a teen pregnancy prevention program - North Texas Alliance to Reduce Unintended Pregnancy in Teens, most advantageous proposer of two - Not to exceed \$300,000 - Financing: General Funds (subject to appropriations)

Councilmember McGough 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.

The following individuals addressed the city council on the item:

Ryan Wall, 2248 Dorrington Dr. Diana Ayala, 6101 Morningside Ave. Terry Greenberg, 16354 Sunset Valley Dr.

Councilmember Thomas moved to adopt the item.

Motion seconded by Councilmember Clayton.

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

JUNE 13, 2018

18-0837

Item 35: Authorize a one-year service contract for the rental of vehicles and equipment -CLS Sewer Equipment Co., Inc. in the amount of \$1,742,750, Herc Rentals, Inc. in the amount of \$476,603, Holt Texas, LTD in the amount of \$465,515, Accent/Johnston Limousine, Inc. dba AJL International in the amount of \$302,813, Kirby-Smith Machinery, Inc. in the amount of \$262,630, Enterprise Rent-A-Car dba EAN Holdings, LLC in the amount of \$75,780, Crafco, Inc. in the amount of \$32,667, and Bane Machinery, Inc. in the amount of \$21,050, lowest responsible bidders of nine - Total not to exceed \$3,379,808 - Financing: Equipment Services Current Funds (subject to annual appropriations)

JUNE 13, 2018

18-0838

Item 36: Authorize a consultant contract for a comprehensive economic development strategic plan for the Office of Economic Development - Angelou Economic Advisors, Inc., most advantageous proposer of three - Not to exceed \$195,000 -Financing: General Funds

JUNE 13, 2018

18-0839

Item 37: Authorize a three-year master agreement for binocular night vision devices for the Dallas Police Department - Defense Solutions Group, Inc. dba DSG Arms, lowest responsible bidder of two - Not to exceed \$443,560 - Financing: General Funds (\$221,780) and U.S. Department of Homeland Security Grant Funds (\$221,780)

JUNE 13, 2018

18-0840

Item 38: Authorize a three-year master agreement for the purchase of steel drum trash receptacles, lids, and bases for the Park & Recreation Department - Tamra Group, Inc. dba Engage Industrial Solutions, lowest responsible bidder of four - Not to exceed \$405,889 - Financing: General Funds

Deleted on the addendum.

JUNE 13, 2018

18-0841

Item 39: Authorize a three-year master agreement for printed goods - AC Printing in the amount of \$1,973,870, Janus Signs dba FastSigns Skillman in the amount of \$454,347, and Visual Communications in the amount of \$322,551, most advantageous proposers of four - Total not to exceed \$2,750,768 - Financing: General Funds (\$2,261,138), Water Utilities Current Funds (\$171,255), Sanitation Current Funds (\$120,500), Convention and Event Services Current Funds (\$74,975), Stormwater Drainage Management Current Funds (\$69,450), and Aviation Current Funds (\$53,450)

JUNE 13, 2018

18-0842

Item 40: Authorize a Sub-Grant Memorandum of Understanding with the Dallas Parks Foundation for the implementation of a community outreach outdoor program -Financing: No cost consideration to the City

JUNE 13, 2018

18-0843

Item 41: Authorize (1) an 18-month master agreement for water and wastewater small services installations in the amount of \$7,966,845; (2) a contract for the installation of water and wastewater mains at 14 locations in the amount of \$3,687,465 (list attached); and (3) an 18-month master agreement for water and wastewater mainline extensions and emergency mainline installations and relocations at various locations in the amount of \$3,097,492 with Omega Contracting, Inc., only bidder - Total not to exceed \$14,751,802 - Financing: Water Utilities Capital Construction Funds (\$11,064,337) and Water Utilities Capital Improvement Funds (\$3,687,465)

JUNE 13, 2018

18-0844

Item 42: Authorize an increase in the construction services contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant - Not to exceed \$741,065, from \$48,242,006 to \$48,983,071 - Financing: Water Utilities Capital Improvement Funds

JUNE 13, 2018

18-0845

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 and indicated all nominees met qualifications for service with terms for all appointments for the 2017-2019 term, and an appointment for a 2015-2019 term.

Councilmember McGough moved to appoint the following:

- Jonathan Haas, Dallas County Resident, to the Reinvestment Zone Fourteen Board (Skillman Corridor);
- Elisabeth Gerson Kleinman to the Community Development Commission;
- Crystal N. Armstrong to the Permit and License Appeal Board; and
- Semaj Devon Johnson to the Youth Commission.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

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

18-6060	CDC	COMMUNITY DEVELOPMENT COMMISSION
18-6061	PLA	PERMIT AND LICENSE APPEAL BOARD
18-6062	RZ14	REINVESTMENT ZONE FOURTEEN BOARD (SKILLMAN
		CORRIDOR)
18-6063	YOC	YOUTH COMMISSION

JUNE 13, 2018

18-0846

Item 44: An ordinance (1) appointing 10 full-time municipal judges and 18 associate (parttime) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2020; (2) appointing an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2020; and (3) establishing the annual salary for the full-time and associate (parttime) municipal judges and the administrative municipal judge - Financing: This action has no cost consideration to the City

Councilmember McGough moved to appoint the following:

- [Section 1 of the Resolution]
 - Full-time municipal judges:
 - 1. Demetrius Blacklock
 - 2. Jay Robinson
 - 3. Michael Acuna
 - 4. Cheryl Williams
 - 5. Preston Robinson
 - 6. Tonya Goffney
 - 7. Yolanda Julado-Gessein
 - 8. Mark Murrell
 - 9. Julie Clancy
 - 10. Kristen Kramer
- [Section 2 of the Resolution]
 - Associate (part-time) municipal judges:
 - 1. Melodee Armstrong
 - 2. Tim Menchu
 - 3. Daniel Ryan
 - 4. Roland Anderson
 - 5. Kristine Primrose
 - 6. Joselito Giron
 - 7. Daniel McDonald
 - 8. Desmond Cooks
 - 9. Thaddeus Iwuji
 - 10. Sandra White
 - 11. Juan Renteria
 - 12. Marcia Tillman
 - 13. John McCall
 - 14. Eric McClelland
 - 15. Amar Thakrar
 - 16. Marcela Evans
 - 17. Amy Castle Gray
 - 18. Erane LaSusa

• [Section 3 of the Resolution] Preston Robinson is hereby designated administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2020, effective August 1, 2018.

Motion seconded by Councilmember Kingston.

During discussion, Councilmember Griggs moved to separate the appointment of Joselito Giron.

Motion seconded by Councilmember Gates.

Mayor Rawlings called a vote on Councilmember Griggs' motion and declared the item adopted with Councilmember Narvaez, Councilmember McGough and Councilmember Kingston voting "No."

Mayor Rawlings called a record vote on Councilmember McGough's motion with the exception of Joselito Giron:

Voting Yes:	[13]	Rawlings,	Caraway	, Medra	no, Grigg	s, Thomas,
		Narvaez,	Felder,	Atkins,	Clayton,	McGough,
		Kleinman, Gates, Kingston				

Voting No: [2] Callahan, Greyson

The city secretary declared the motion adopted.

After discussion, Mayor Rawlings called a record vote on the appointment of Joselito Giron as Associate (part-time) Municipal Judge:

Voting Yes:	[9]	Rawlings,	Caraway,	Medrano,	Thomas,	Callahan,
		Atkins, Mc	Gough, Kle	einman, Kin	gston	

Voting No: [6] Griggs, Narvaez, Felder, Clayton, Greyson, Gates

The city secretary declared Joselito Giron appointed.

JUNE 13, 2018

18-0847

Item 45: An ordinance amending Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, by amending Sections 18-2 and 18-12.1; adding Article IV-a; (1) clarifying and adding definitions; (2) providing regulations for owners of multifamily sites regarding collection and removal of recyclable materials from multifamily sites; (3) adding a new article regarding multifamily site recycling collection and removal services; (4) providing permit and reporting requirements for multifamily site recycling collection service businesses; (5) provide guidelines regarding inspections of vehicles of multifamily site recycling collection service businesses and provisions regarding suspensions and revocations of recycling permits; and (6) providing a penalty not to exceed \$500 - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Susan Kimball, 6033 E. Northwest Hwy.

Sharon Wilson, 7734 Meadow Rd.

Diane Tasian, 3831 Turtle Creek Blvd., representing League of Women Voters of Dallas

Corey Troiani, 5516 Richard Ave., representing Texas Campaign for the Environment

Stephen Evans, 11308 Mounts Run Dr., representing EarthX

Barbara Coombs, 500 E. Ervay St., representing Environmental Benchmarking LLC

Theresa Schiff, 34811 LBJ Frwy.

- Yadira Munoz, 1912 Caddo St., Commerce, TX, representing Organization TX Camp for Environment
- Hunter Gay, 2816 Turtle Dove Ln., Mesquite, TX, representing Organization TX Camp for Environment

Councilmember Greyson moved to adopt the item.

Motion seconded by Councilmember Narvaez.

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

JUNE 13, 2018

18-0848

Item 46: An ordinance amending Ordinance No. 30111, previously approved on June 15, 2016, which abandoned a portion of Montwood Lane and a garbage collection and utility easement, located near the intersection of Merrell and Midway Roads to The Episcopal School of Dallas, Inc. and WBL Family Investments, Inc., to extend the deadline to complete alley improvements from two years to thirty-three months and provide for the requirement of a new condition - Revenue: \$5,400, plus the \$20 ordinance publication fee

The following individuals addressed the city council on the item:

David T. Smith, 4115 S. Better Dr. Juanita Morrow, 4115 S. Better Dr.

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

- Replace Exhibit D with the revised Exhibit D dated June 11, 2018 distributed today; and
- Section (1)(c) [of the resolution] is amended to read as follows:
 - Maintain a landscaped buffer to include the installation of a minimum nineteen thirty-four (19) 34, four (4) inch and six (6) inch caliper trees and a board on board eight-foot fence as described in the Fence and Landscape plan, being Exhibit D. GRANTEE shall comply with the Fence and Landscape Plan and sand installation and location of improvements shall be acceptable to the Director of the Department of Sustainable Development and Construction and Chief Arborist. Said improvements shall be installed and completed on or before October 10, 2018.

Motion seconded by Councilmember Atkins and unanimously adopted.

JUNE 13, 2018

18-0849

Item 47: A resolution amending City Council Rules of Procedure Section 6.1(c)(1) to begin the second Wednesday city council voting agenda meeting at 2:00 p.m., with the public hearings to begin not earlier than 6:00 p.m. - Financing: Future cost consideration to the City (Medrano, Narvaez, Kingston, Felder, Griggs)

Deputy Mayor Pro Tem Medrano moved to adopt the item with the following changes:

• Up to <u>five</u> of the <u>second Wednesday</u> city council meetings in a calendar year should be held outside of city hall, at locations and dates recommended by the city manager, in accordance with the Texas Open Meetings Act, and approved by city council with the adoption of the city calendar.

Motion seconded by Councilmember Narvaez.

During discussion, Councilmember Kleinman moved a substitute motion to remand the item to the Government Performance and Financial Management Council Committee.

Motion seconded by Councilmember Gates.

After discussion, Mayor Rawlings called a record vote on Councilmember Kleinman's substitute motion:

Voting Yes:	[4]	Callahan, Clayton, Kleinman, Gates
Voting No:	[10]	Rawlings, Caraway, Medrano, Griggs, Thomas, Narvaez, Felder, Atkins, Greyson, Kingston
Absent when vote taken:	[1]	McGough

Absent when vote taken: [1] McGou

The city secretary declared the motion failed.

Mayor Rawlings called a record vote on Deputy Mayor Pro Tem Medrano's amended motion:

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

Voting No: [0]

Absent when vote taken: [1] McGough

The city secretary declared the item amended.

OFFICE OF THE CITY SECRETARY

JUNE 13, 2018

18-0850

Authorize the following agreements in consideration of the renovation and Item 48: redevelopment of the shopping mall located at 3662 West Camp Wisdom Road known as Red Bird Mall to authorize: (1) a conditional grant agreement with 3662 Investors LP or an affiliate thereof in an amount not to exceed \$10,000,000; (2) a 15-year interest only loan in an amount not to exceed \$12,000,000 with 3662 Investors LP or an affiliate thereof; (3) a development agreement awarding an amount not to exceed \$15,600,000 in tax increment funding from the Mall Area Redevelopment Tax Increment Financing District with 3662 Investors LP or an affiliate thereof; (4) an assignment of all increment payable under the development agreement to the City of Dallas; (5) an amendment to the existing Chapter 380 grant agreement with WCWRD Inc. to extend all dates in the agreement by 18 months; (6) a loan payment guarantee agreement with 3662 Investors LP; and (7) an increase in appropriations in an amount not to exceed \$8,012,200 in ECO (I) Fund - Total not to exceed \$37,600,000 - Financing: 2006 Bond Funds (\$244,518), 2012 Bond Funds (\$1,743,282), 2017 Bond Funds (\$8,012,200), Mall Area Redevelopment TIF District Funds (\$15,600,000) and Public/Private Partnership Funds (\$12,000,000)

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.

The following individuals addressed the city council on the item:

Roland Parrish, 400 S. Zang Blvd. Bobby Lyle, 34 Mansland Cir. Edna Pemberton, 7101 Flameleaf Pl., representing Camp Wisdom Now Randy Bowman, 6637 Northaven Rd. Peter Brodsky, 9950 Strait Ln., representing RedBird John Proctor, 2627 Martin Luther King Jr. Blvd. John Wiley Price, 510 E. 5th St.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Thomas.

During discussion and at the request of Councilmember Kingston, the following individual addressed the city council:

Peter Brodsky, 9950 Strait Ln.

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

Voting Yes:	[14]	Rawlings,	Caraway,	Medrano,	Griggs,	Thomas,
		Callahan, N	Varvaez, Fel	der, Atkins,	Clayton, N	McGough,
		Kleinman,	Greyson, Ki	ngston		

Voting No: [0]

Abstain: [1] Gates

The city secretary declared the item adopted.

JUNE 13, 2018

18-0851

Project Apollo

*<u>Note</u>: Item Nos. 49, 50 and 51 must be considered collectively.

Item 49: Authorize a real property tax abatement agreement with Becknell Industrial Operating Partnership, L.P. for the purpose of granting a ten-year abatement of 50 percent of the taxes on added value to the real property for the proposed development of a build-to-suit manufacturing facility situated on approximately 31 acres of property located in the 9900 block of Bonnie View Road/Logistics Drive, south of Telephone Road and north of Wintergreen Road in southern Dallas within the International Inland Port of Dallas, in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: \$734,259 over ten years

Councilmember Atkins moved to adopt agenda items 49, 50 and 51.

Motion seconded by Councilmember Callahan.

During discussion and at the request of Councilmember Atkins, the following individual addressed the city council on the item:

Christian Vaillant, 1596 Victoria Ave., Windsor, ON, representing Vistaprint

After discussion, Mayor Rawlings called a vote on the items and declared the items adopted on a divided vote with Councilmember Griggs voting "No" on agenda item 51.

JUNE 13, 2018

18-0852

Project Apollo

*<u>Note</u>: Item Nos. 49, 50 and 51 must be considered collectively.

Item 50: Authorize a business personal property tax abatement agreement with Vistaprint Manufacturing Texas LLC for the purpose of granting a five-year abatement of 50 percent of the taxes on added value to the business personal property for the proposed development of a build-to-suit manufacturing facility situated on approximately 31 acres of property located in the 9900 block of Bonnie View Road/Logistics Drive, south of Telephone Road and north of Wintergreen Road in southern Dallas within the International Inland Port of Dallas, in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: \$612,210 over five years

Councilmember Atkins moved to adopt agenda items 49, 50 and 51.

Motion seconded by Councilmember Callahan.

During discussion and at the request of Councilmember Atkins, the following individual addressed the city council on the item:

Christian Vaillant, 1596 Victoria Ave., Windsor, ON, representing Vistaprint

After discussion, Mayor Rawlings called a vote on the items and declared the items adopted on a divided vote with Councilmember Griggs voting "No" on agenda item 51.

JUNE 13, 2018

18-0853

Project Apollo

*<u>Note</u>: Item Nos. 49, 50 and 51 must be considered collectively.

Item 51: Authorize a Chapter 380 economic development grant agreement with Vistaprint Manufacturing Texas LLC for cost assistance with workforce development programs for residents of the city of Dallas associated with the proposed development of a build-to-suit manufacturing facility located in the 9900 block of Bonnie View Road/Logistics Drive, south of Telephone Road and north of Wintergreen Road in southern Dallas within the International Inland Port of Dallas, in accordance with the City's Public/Private partnership Program - Not to exceed \$300,000 - Financing: Public/Private Partnership Funds

Councilmember Atkins moved to adopt agenda items 49, 50 and 51.

Motion seconded by Councilmember Callahan.

During discussion and at the request of Councilmember Atkins, the following individual addressed the city council on the item:

Christian Vaillant, 1596 Victoria Ave., Windsor, ON, representing Vistaprint

After discussion, Mayor Rawlings called a vote on the items and declared the items adopted on a divided vote with Councilmember Griggs voting "No" on agenda item 51.

JUNE 13, 2018

18-0854

Item 52: Authorize an historic preservation tax exemption for Knights of Pythias/Union Bankers Bank located at 2557 Elm Street for a ten-year period on 100 percent of the land and structure value - Revenue Forgone: First year of tax revenue foregone is estimated at \$56,256 for the historic building and \$112,135 for the addition (Estimated revenue forgone over ten years is a total of \$644,917 for the historic building and \$1,285,479 for the addition, for an overall total of \$1,930,414) (This item was deferred on May 23, 2018)

The following individuals addressed the city council on the item:

George Keaton, 5428 Oak Trail, representing Remembering Black Dallas, Inc. Jeff Cohen, 2711 N. Haskell Ave. Tommy Mann, 2728 N. Harwood St. Michael Mueller, 5700 Templin Way, Plano, TX David Preziosi, 2229 Lawndale Dr., representing Preservation Dallas

Deputy Mayor Pro Tem Medrano moved to adopt the historic preservation tax exemption for Knights of Pythias/Union Bankers Bank for a ten-year period on 100 percent of the land and structure value.

Motion seconded by Councilmember Griggs.

During discussion, Councilmember Kleinman moved a substitute motion to separate the properties, move forward with the abatement for Knights of Pythias/Union and seek the opinion of the Attorney General for the hotel.

Motion seconded by Councilmember Felder.

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

Voting Yes: [3] Felder, McGough, Kleinman
Voting No: [12] Rawlings, Caraway, Medrano, Griggs, Thomas, Callahan, Narvaez, Atkins, Clayton, Greyson, Gates, Kingston

The city secretary declared the motion failed.

During further discussion, Councilmember Kleinman asked Deputy Mayor Pro Tem Medrano if he would accept a friendly amendment to require 20 percent affordability if residential units are added to the site. Deputy Mayor Pro Tem Medrano accepted the friendly amendment, as part of his motion.

Councilmember Griggs, who seconded the motion, also accepted the friendly amendment.

Mayor Rawlings called a record vote on Deputy Mayor Pro Tem Medrano's amended motion:

Voting Yes:	[12 <u>14]</u>	Rawlings, Caraway, * <u>Medrano</u> , Griggs, Thomas, Callahan, Narvaez, Felder, Atkins, Clayton, McGough, Kleinman, * <u>Greyson</u> , Gates
Voting No:	[<u>3 1]</u>	*Medrano, *Greyson, Kingston

The city secretary declared the item amended.

*Note: Deputy Mayor Pro Tem Medrano and Councilmember Greyson stated their previous vote was in error and requested for the record to reflect their vote as "Yes."

JUNE 13, 2018

18-0855

The consent zoning docket consisted of agenda items 53-58.

Agenda item 53:	Zoning Case Z178-123(PD)
Agenda item 54:	Zoning Case Z178-154(PD)
Agenda item 55:	Zoning Case Z178-181(CY)
Agenda item 56:	Zoning Case Z178-195(JM)
Agenda item 57:	Zoning Case Z178-205(CY)
Agenda item 58:	Zoning Case Z178-212(PD)

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Narvaez moved to defer consent zoning agenda item 57 to the June 27, 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 53-56 and 58 was presented for consideration.

Agenda item 53:	Zoning Case Z178-123(PD)
Agenda item 54:	Zoning Case Z178-154(PD)
Agenda item 55:	Zoning Case Z178-181(CY)
Agenda item 56:	Zoning Case Z178-195(JM)
Agenda item 58:	Zoning Case Z178-212(PD)

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

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

Eva Elvove, 3327 Herbert St. [Agenda Item 54] Maria Moreira, 3122 Topeka Ave. [Agenda Item 54]

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

Karen Crosby, 416 Deer Creek Dr., Desoto, TX, representing Dallas City Homes [Agenda Item 54]
Maria Garcia, 2422 Postbridge Dr., Grand Prairie, TX, representing La Bajada Neighborhood Community Association [Agenda Item 54]
Jeannette Salazar, 3330 Bataan St. [Agenda Item 54]

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 Councilmember Narvaez and unanimously adopted. (Felder, McGough absent when vote taken)

OFFICE OF THE CITY SECRETARY

JUNE 13, 2018

18-0856

Item 53: Zoning Case Z178-123(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. 1957 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street and South Ervay Street

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

Adopted as part of the consent zoning docket.

JUNE 13, 2018

18-0857

Item 54: Zoning Case Z178-154(PD) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District uses and a community service center on property zoned a CR Community Retail District and an R-5(A) Single Family District with Neighborhood Stabilization Overlay No. 13, on the west side of Topeka Avenue, south of Pueblo Street

<u>Recommendation of Staff and CPC</u>: <u>Approval</u>, subject to a conceptual plan and conditions.

Adopted as part of the consent zoning docket.

JUNE 13, 2018

18-0858

Item 55: <u>Zoning Case Z178-181(CY)</u> [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay 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 RR-D Regional Retail District with a D Liquor Control Overlay on the northeast corner of West Camp Wisdom Road and Marvin D Love Frontage Road, east of Marvin D Love Freeway (US 67)

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> of a D-1 Liquor Control Overlay; and <u>approval</u> of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 30883 AND 30884

JUNE 13, 2018

18-0859

Item 56: Zoning Case Z178-195(JM) [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1702 for a tower/antenna for cellular communication on property zoned a CR Community Retail District, east of Preston Road and south of Campbell Road

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

Adopted as part of the consent zoning docket.

JUNE 13, 2018

18-0860

Item 57: <u>Zoning Case Z178-205(CY)</u> [Consent Zoning Docket]

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1728 for an extended stay hotel or motel use and an ordinance terminating a portion of Specific Use Permit No. 98 for quarrying and mining operations on property zoned an IM Industrial Manufacturing District, on the east line of North Cockrell Hill Road, north of Dallas-Fort Worth Turnpike

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> of an amendment to Specific Use Permit No. 1728 for an extended stay hotel or motel use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions, and <u>approval</u> of the termination of a portion of Specific Use Permit No. 98

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Narvaez moved to defer the item to the June 27, 2018 voting agenda meeting of the city council. Therefore, no speakers were called on the item.

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

JUNE 13, 2018

18-0861

Item 58: Zoning Case Z178-212(PD) [Consent Zoning Docket]

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 use on property zoned D(A) Duplex District, on the south line of West 10th Street, east of South Tyler Street

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

Adopted as part of the consent zoning docket.

JUNE 13, 2018

18-0862

ZONING CASES – INDIVIDUAL

Item 59: Zoning Case Z178-115(WE/SM)

A public hearing to receive comments regarding an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the northeast corner of West Illinois Avenue and Andrews Street

Recommendation of Staff: Denial

Recommendation of CPC: Denial without prejudice

Neva Dean, Assistant Director of Sustainable Development and Construction, stated 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 close the public hearing, accept the recommendation of the city plan commission and deny the item without prejudice.

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

JUNE 13, 2018

18-0863

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 60: 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

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

Note: This item was deferred by the City Council before opening the public hearings on April 12, 2017, May 24, 2017, June 28, 2017, August 23, 2017, October 11, 2017, December 13, 2017, February 14, 2018 and April 25, 2018, and is scheduled for consideration on June 13, 2018.

Neva Dean, Assistant Director of Sustainable Development and Construction, stated 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 Atkins moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

- The hours of operation are between 11:00 a.m. and 8:00 p.m. on Sundays.
- Prior to the issuance of a certificate of occupancy, drainage on the property must comply with Section 51A-8.611(e).
- Operation of outdoor lighting and outdoor speakers and other forms of amplification is limited to the hours between 11:00 a.m. and 8:00 p.m. on Sundays.
- That the entrance at Teagarden Road be gated and have a minimum of one offduty peace officer employed and stationed at the access drive to direct traffic during the hours of operation and until the property has been vacated;
- Evergreen hedging must be provided on the interior along the perimeter of the fence and must comply with Section 51A-4.602(b). The evergreen hedge must be irrigated and maintained in a healthy, growing condition; and
- Removal of the requirement that "no parking" signs be erected on Teagarden Road adjacent to the Property.

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

Assigned ORDINANCE NO. 30887

OFFICE OF THE CITY SECRETARY

JUNE 13, 2018

18-0864

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 61: 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

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

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

<u>Note</u>: This item was deferred by the City Council before opening the public hearings on October 11, 2017, December 13, 2017, February 14, 2018 and April 25, 2018, and is scheduled for consideration on June 13, 2018.

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:

Haben Tewelde, 8111 LBJ Freeway, representing the applicant

Councilmember Atkins moved to close the public hearing and deny the item without prejudice.

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

JUNE 13, 2018

18-0865

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 62: Zoning Case Z167-362(WE/SH)

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District; a resolution accepting deed restrictions volunteered by the applicant; and an ordinance granting a Specific Use Permit for outside sales on property zoned an R-10(A) Single Family District on the west line of South Belt Line Road, north of Sarah Lane

<u>Recommendation of Staff</u>: <u>Approval</u> of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and <u>approval</u> of a Specific Use Permit for outside sales for a three-year period, subject to a site plan and conditions

<u>Recommendation of CPC</u>: <u>Approval</u> of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and <u>approval</u> of a Specific Use Permit for outside sales for a two-year period, subject to a site plan and conditions

<u>Note</u>: This item was deferred by the City Council before opening the public hearings on March 28, 2018 and May 9, 2018, and is scheduled for consideration on June 13, 2018.

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

Councilmember Atkins moved to continue the public hearing and hold the item under advisement until the June 27, 2018 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston and unanimously held under advisement. (McGough absent when vote taken)

JUNE 13, 2018

18-0866

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 63: Zoning Case Z167-390(SM)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of South Harwood Street and Coombs Street

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a two-year period, subject to conditions.

<u>Note</u>: This item was deferred by the City Council before opening the public hearings on January 10, 2018, March 28, 2018 and April 25, 2018, and is scheduled for consideration on June 13, 2018.

Neva Dean, Assistant Director of Sustainable Development and Construction, stated 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 Felder moved to close public hearing, accept the recommendation of the city plan commission with the following change:

• The Specific Use Permit (SUP) expires June 13, 2019

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

JUNE 13, 2018

18-0867

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 64: Zoning Case Z178-131(JM)

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Subdistrict 2 (Moderate Density Mixed Use Corridors) on property zoned Subdistrict 1 (Moderate Density Residential) within Planned Development District No. 317, the Cedars Area Special Purpose District, on the west side of Beaumont Street, north of Gould Street

Recommendation of Staff: Denial

Recommendation of CPC: Approval

Note: This item was deferred by the City Council before opening the public hearing on April 25, 2018, and is scheduled for consideration on June 13, 2018.

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:

Seth A. Smith, 6214 Richmond Ave. Richard H. Freeman Sr., 1510 McKee St.

Deputy Mayor Pro Tem Medrano moved to continue the public hearing and hold the item under advisement until the June 27, 2018 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston and unanimously held under advisement. (McGough absent when vote taken)

JUNE 13, 2018

18-0868

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 65: Zoning Case Z178-135(SM)

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 south line of East Ledbetter Drive, east of South Lancaster Road

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

<u>Note</u>: This item was deferred by the City Council before opening the public hearing on April 11, 2018, and is scheduled for consideration on June 13, 2018.

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

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:

Santos Martinez, 900 Jackson St.

Councilmember Atkins moved to continue the public hearing and hold the item under advisement until the June 27, 2018 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Caraway and unanimously held under advisement. (McGough absent when vote taken)

JUNE 13, 2018

18-0869

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Item 66: A public hearing to receive comments regarding consideration of amendments to Chapter 51A of the Dallas Development Code, Article XIII, "Form Districts," to amend regulations pertaining to access to transit, self-service storage uses, administrative waivers, story height, stoops and front porches, structured parking, single family districts, street frontage, landscaping, and off-street loading and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

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

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

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

Assigned ORDINANCE NO. 30889

JUNE 13, 2018

18-0870

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

Item 67: A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code: (1) Article IX to create regulations to allow ceremonial street naming; and (2) Article I to establish fees for ceremonial street naming and amend fees for street name change and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

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

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

Motion seconded by Deputy Mayor Pro Tem Medrano.

During discussion, Councilmember Greyson asked Councilmember Kleinman if he would accept a friendly amendment that no portion of a street may have more than one ceremonial name.

Councilmember Kleinman accepted Councilmember Greyson's friendly amendment as part of his motion.

Deputy Mayor Pro Tem Medrano, who seconded the motion, also accepted the friendly amendment.

After further discussion, Councilmember Kingston moved a substitute motion to remand the item to the Mobility Solutions, Infrastructure and Sustainability Council Committee.

Motion seconded by Councilmember Narvaez.

Councilmember Kleinman withdrew his motion.

Mayor Rawlings called a vote on Councilmember Kingston's substitute motion and declared the item remanded. (McGough absent when vote taken)

JUNE 13, 2018

18-0871

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

Item 68: A public hearing to receive comments regarding amendments to Chapter 51 and Chapter 51A of the Dallas Development Code and consideration given to: (1) an ordinance granting amendments to clarify language regarding handicapped parking regulations; (2) an ordinance granting amendments to clarify language regarding board of adjustment same matter back to same panel; (3) an ordinance granting amendments to clarify language regarding number of duplicate applications required for remote parking procedures and sign permits; (4) an ordinance granting amendments to clarify language regarding instances where "director of parks and recreation" should be amended to "building official"; (5) an ordinance granting amendments to clarify language regarding pedestrian skybridges; (6) an ordinance granting amendments to clarify language regarding light poles, handicap ramps, air conditioning units, and generators in required front, side, and rear yards as applicable, and clarification of associated noise regulation standards; and (7) an ordinance granting amendments to clarify language regarding remote parking for church use

Recommendation of Staff and CPC: Approval

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

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

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

Assigned ORDINANCE NOS. 30890, 30891, 30892, 30893, 30894, 30895 AND 30896

JUNE 13, 2018

18-0872

BENEFIT ASSESSMENT HEARINGS

Item 69: A benefit assessment hearing to receive comments on street paving, drainage, water and wastewater main improvements for Gardenview Drive from Alto Garden Drive to Loma Garden Avenue; and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: No cost consideration to the City (see Fiscal Information for potential future costs)

No one addressed the city council on the item.

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

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

Assigned ORDINANCE NO. 30897

JUNE 13, 2018

18-0873

MISCELLANEOUS HEARINGS

Item 70: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from an open-enrollment charter school, Texans Can Academy [DBA Dallas Can Academy] as required by Section 6-4 of the Dallas City Code to allow a mixed-beverages permit (Chapter 28) for a restaurant without drive-in or drive-through service with a food and beverage certificate [Slam Tilt, Inc.] on the south line of Jefferson Boulevard, east of Bishop Avenue - AV178-002 - Financing: This action has no cost consideration to the City

No one addressed the city council on the item.

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

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

JUNE 13, 2018

18-0874

MISCELLANEOUS HEARINGS

Item 71: A public hearing to receive comments on (1) the Proposed FY 2018-19 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds; (2) the Proposed FY 2017-18 Reprogramming Budget; and (3) an amendment to the five-year Consolidated Plan to extend the covered period by one year, from September 30, 2018 to September 30, 2019 - 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 Thomas and unanimously adopted. (McGough absent when vote taken)

JUNE 13, 2018

18-0875

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 72: An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application for an amendment to Planned Development District No. 691, with an MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion, on the northwest corner of Greenville Avenue and Lewis Street - W178-005 - Financing: This action has no cost consideration to the City

<u>Note</u>: This item was considered by the City Council at a public hearing on May 23, 2018, and was held under advisement until June 13, 2018 with the public hearing open

No one addressed the city council on the item.

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

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

JUNE 13, 2018

18-0876

Closed Session

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

- Larry Eddington, et al., v. Dallas Police and Fire Pension System et al., No. 17-0058.
- Legal issues related to the regulations of sexually oriented businesses.

At 12:15 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- *Larry Eddington, et al., v. Dallas Police and Fire Pension System et al.,* No. 17-0058.
- Legal issues related to the regulations of sexually oriented businesses.

The closed session ended and reconvened to open session at 1:35 p.m. No other matters were discussed during the closed session.

JUNE 13, 2018

18-0877

Addendum Item 1: Authorize an Interlocal Agreement with Dallas County, Texas ("County") on behalf of the Dallas County Elections Department for assistance and services related to verifying a City petition (this agreement is contingent upon the receipt of a petition being submitted to the City Secretary's Office by June 11, 2018 with sufficient voter signatures) - Not to exceed \$50,288 - Financing: General Funds

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Felder.

After discussion, Mayor Rawlings called a vote and declared the item adopted. (Clayton, McGough absent when vote taken)

JUNE 13, 2018

18-0878

Addendum Item 2: An ordinance amending Ordinance No. 30651 (FY 2017-18 Operating and Capital Budgets' Appropriations Ordinance), as amended by Ordinance No. 30752, as amended by Ordinance No. 30843, by allocating up to \$10,000 under the Mayor and Council Department for the district office pilot program, to be used for a noncity facility district office - Financing: No cost consideration to the City

Councilmember Atkins moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano.

Councilmember Narvaez asked Councilmember Atkins if he would accept a friendly amendment to the item as follows:

"Before a district office may be located in a non-city facility, the city manager must determine that no city facility is available. The non-city facility district office may be used until a city facility becomes available. All non-city district office leases may be terminated upon 30 days notice and are subject to appropriations."

Councilmember Atkins accepted Councilmember Narvaez' friendly amendment, as part of his motion.

Deputy Mayor Pro Tem Medrano, who seconded the motion, also accepted the friendly amendment.

After discussion, Councilmember Atkins withdrew his acceptance of Councilmember Narvaez' friendly amendment.

After further discussion, Councilmember Narvaez moved the following substitute motion:

"Before a district office may be located in a non-city facility, the city manager must determine that no city facility is available. The non-city facility district office may be used until a city facility becomes available. All non-city district office leases may be terminated upon 30 days notice and are subject to appropriations."

Substitute motion seconded by Councilmember Felder.

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

Voting Yes:	[7]	Griggs, Thomas, Narvaez, Felder, Clayton, Greyson, Kingston
Voting No:	[8]	Rawlings, Caraway, Medrano, Callahan, Atkins, McGough, Kleinman, Gates

The city secretary declared the substitute motion failed.

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

Voting Yes:	[<u>8 9</u>]	Rawlings, Caraway, Medrano, Thomas, * <u>Callahan</u> , Atkins, McGough, Kleinman, Gates
Voting No:	[7 <u>6</u>]	Griggs, Narvaez, * Callahan , Felder Clayton, Greyson, Kingston

The city secretary declared the item adopted.

*Note: Councilmember Callahan stated his previous vote was in error and requested for the record to reflect his vote on Councilmember Atkins' original motion as "Yes."

MINUTES OF THE DALLAS CITY COUNCIL WEDNESDAY, JUNE 13, 2018

EXHIBIT C