

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

18-1580

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

PRESENT: [14] Rawlings, Thomas, Medrano, Griggs (*9:19 a.m.), Callahan, Narvaez, Felder (*9:16 a.m.), Atkins, Clayton (*9:20 a.m.), McGough, Kleinman, Greyson (*9:20 a.m.), Gates, Kingston

ABSENT: [0]

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

The invocation was given by Pastor Jeremy Pace of Christ City Church.

Mayor Pro Tem Thomas 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 9:41 a.m. and reconvened to open session at 1:03 p.m. [*Thomas (1:05p.m.), *Felder (1:04 p.m.), *Atkins (1:04 p.m.), *McGough (1:04 p.m.)]

After all business properly brought before the city council had been considered, the city council adjourned at 2:41 p.m.

ATTEST: _____
Mayor

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, NOVEMBER 14, 2018

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1581

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: Kendal Richardson, 3090 Spruce Valley Ln.
SUBJECT: HIV/AIDS rate in Dallas
REPRESENTING: The Grapevine HIV/AIDS Foundation

SPEAKER: Steven Lube, 8607 Baumgarten Dr.
SUBJECT: Stolen property

SPEAKER: Sandra Crenshaw, 1610 S. Malcolm X Blvd.
SUBJECT: Neighborhood improvements

ADDITIONAL – OPEN MICROPHONE:

There were no speakers under this category.

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Jason White, 2323 Knight St. (handout provided)
SUBJECT: Harassment at DFW Airport

SPEAKER: Terrell Bitten, 1100 Cadiz St.
SUBJECT: Homeless

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1582

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

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

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1583

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-47.

Councilmember Kingston requested consent agenda items 35 and 39 be considered as individual items later in the meeting; there was no objection voiced to the request.

Councilmember Gates requested consent agenda item 39 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 2-34, 36-38 and 40-47 was presented for consideration.

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

Motion seconded by Councilmember Felder and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1584

Item 2: Authorize Supplemental Agreement No. 1 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, for additional legal services in connection with the bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del) - Not to exceed \$100,000.00, from \$22,828.29 to \$122,828.29 - Financing: Dallas Water Utilities Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1585

Item 3: Authorize Supplemental Agreement No. 2 to the professional services contract with Moses, Palmer & Howell, L.L.P., to provide additional legal services to the City of Dallas in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443 - Not to exceed \$100,000.00, from \$200,000.00 to \$300,000.00 - Financing: Risk Management Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1586

Item 4: Authorize Supplemental Agreement No. 4 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., for additional legal services in connection with the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$150,000.00, from \$575,000.00 to \$725,000.00 - Financing: Risk Management Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1587

Item 5: Authorize a contract for the construction of the Miscellaneous Drainage Improvements Project at Dallas Love Field - Reyes Group, LTD, lowest responsible bidder of three - Not to exceed \$1,253,650.00 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1588

Item 6: Authorize a five-year service contract with Harris Miller Miller & Hanson, Inc. for annual noise reports including day-night average sound level contours at Dallas Love Field - Not to exceed \$287,888.00 - Financing: Aviation Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1589

Item 7: Authorize an Interlocal Cooperative Agreement with the State of Texas Department of Information Resources (DIR) to allow the City to participate in the DIR Shared Services Program for managed security services - Financing: This action has no cost consideration to the City (see Fiscal Information)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1590

Item 8: Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation in the repair, maintenance, and improvements for Royal Lane from Hillcrest Road to St. Judes Drive; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$249,000.00 for Dallas County's share of the project costs; and **(3)** an increase in appropriations in an amount not to exceed \$249,000.00 in the Capital Projects Reimbursement Fund - Not to exceed \$249,000.00 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1591

Item 9: Authorize a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering design for the repair of four bridges as Bridge Repair Group 17-0001 (list attached to the Agenda Information Sheet) - Not to exceed \$197,590.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1592

Item 10: Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of Street Reconstruction Group 17-1006 (list attached to the Agenda Information Sheet) - Not to exceed \$ 186,715.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$144,455.00) and Water Capital Improvement Fund (\$42,260.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1593

Item 11: Authorize a professional services contract with Lockwood, Andrews & Newnam, Inc. for the engineering design of Street Reconstruction Group 17-1007 (list attached to the Agenda Information Sheet) - Not to exceed \$250,847.36 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$241,218.56) and Wastewater Capital Improvement Fund (\$9,628.80)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1594

Item 12: Authorize a professional services contract with MV Engineering, Inc. for the engineering design of Street Reconstruction Group 17-1010 (list attached to the Agenda Information Sheet) - Not to exceed \$134,711.14 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$126,135.90) and Water Capital Improvement Fund (\$8,575.24)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1595

Item 13: Authorize a professional services contract with Dunaway Associates, L.P. for the engineering design of Target Neighborhood Group 17-4010 (list attached to the Agenda Information Sheet) - Not to exceed \$131,479.27 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$115,979.27) and Wastewater Capital Improvement Fund (\$15,500.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1596

Item 14: Authorize a professional services contract with Nathan D. Maier Consulting Engineers, Inc. for the engineering design of Street Reconstruction Group 17-5007 (list attached to the Agenda Information Sheet) - Not to exceed \$167,001.57 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$115,621.57) and Water Utilities Capital Improvement Funds (\$51,380.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1597

Item 15: Authorize a professional services contract with CP&Y, Inc. for the engineering design of Street Reconstruction Group 17-6001 (list attached to the Agenda Information Sheet) - Not to exceed \$479,630.64 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$429,369.59) and Water Utilities Capital Improvement Funds (\$50,261.05)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1598

Item 16: Authorize a professional services contract with Hayden Consultants, Inc. for the engineering design of Alley Reconstruction Group 17-10001 (list attached to the Agenda Information Sheet) - Not to exceed \$225,122.22 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1599

Item 17: Authorize a construction contract for the 2019 Maintenance & Street Improvements Project - Heritage Asphalt Company LLC, lowest responsible bidder of three - Not to exceed \$31,425,116.30 - Financing: 2019 Street and Alley Improvements Fund (\$18,777,096.30), General Fund (\$12,399,020.00), and Capital Projects Reimbursement Fund (\$249,000.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1600

Item 18: Authorize two-year construction services contracts, with two one-year renewal options, for job order contracting services at City facilities with Brown & Root Industrial Services, LLC, RS Commercial Construction, LLC, Phoenix 1 Restoration & Construction, Ltd., Gilbert May, Inc. dba Phillips/May Corporation, and METCO Engineering, Inc., most advantageous proposers of eight - Not to exceed \$ 9,000,000.00 - Financing: 2017 Bond Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1601

Item 19: Authorize a twenty-four-month contract for the 2019 Sidewalk and Barrier Free Ramp Improvements that includes water and wastewater adjustments in Service Maintenance Areas 3 and 4 - Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of eight - Not to exceed \$2,519,924.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) (\$2,380,674.00) and Water Utilities Capital Construction Funds (\$139,250.00)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1602

Item 20: A resolution authorizing the conveyance of an Easement and Right -Of-Way for a tract of land containing approximately 29,836 square feet to Oncor Electric Delivery Company, LLC for the construction, maintenance and use of powerlines and electric transformer facilities across City -owned land located near the intersection of Elam and North Prairie Creek Roads - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1603

Item 21: A resolution authorizing the conveyance of an Easement and Right -of-Way for a tract of land containing approximately 1,078 square feet to Oncor Electric Delivery Company, LLC for the construction, maintenance and use of powerlines and electric transformer facilities across City -owned land located near the intersection of Second Avenue and Robert B. Cullum Boulevard - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1604

Item 22: An ordinance granting a private license to Mary Martha Black for the use of approximately 75 square feet of land to occupy, maintain and utilize five evergreen trees and irrigation on a portion of Hillside Drive right -of-way located near the intersection of Hillside Drive and Velasco Avenue - Revenue: \$200.00 one-time fee, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31029

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1605

Item 23: An ordinance abandoning a sidewalk easement to LHTC Retail, LP, the abutting owner, containing approximately 877 square feet of land, located near the intersection of Skillman and Lookout Point Streets; and authorizing the quitclaim; and providing for the dedication of approximately 1,075 square feet of land needed for a sidewalk and utility easement - Revenue: \$10,524.00, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31030

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1606

Item 24: An ordinance abandoning a water easement to Donald Hilgemann and Christiane Baud, the abutting owners, containing approximately 3,000 square feet of land, located near the intersection of Preston Park Drive and Stanford Avenue - Revenue: \$5,400.00, plus the \$20.00 publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31031

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1607

Item 25: An ordinance abandoning portions of a water easement and public utility easement to City of Dallas, the abutting owner, containing a total of approximately 6,576 square feet of land, located near the intersection of Crouch Road and Patrol Way - Revenue: \$5,400.00, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31032

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1608

Item 26: An ordinance abandoning a portion of a utility easement to GPIF Houston Street LLC, the abutting owner, containing approximately 7,663 square feet of land, located near the intersection of Houston Street and Ross Avenue - Revenue: \$5,400.00, plus the \$20.00 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31033

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1609

Item 27: An ordinance providing for the closure and vacation of portions of Old Red Bird Lane, Westmoreland Road (also known as Boulder Drive), Chattanooga Drive, Wishing Well Lane, Beech Grove Drive, and Old Hickory Trail, containing a total of approximately 698,180 square feet of land, located near the intersections of Westmoreland Road and Red Bird Lane - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31034

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1610

Item 28: Authorize **(1)** the receipt and deposit of funds in an amount not to exceed \$21,482.15 from the Dallas Theological Seminary for certain material and labor costs associated with the installation of two Rapid Rectangular Flashing Beacons at the intersection of Apple Street and Live Oak Street; and **(2)** an increase in appropriations in an amount not to exceed \$21,482.15 in the Capital Projects Reimbursement Fund - Not to exceed \$21,482.15 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1611

Item 29: Authorize **(1)** the rejection of the bids received for traffic signal construction for the Department of Transportation; and **(2)** the re-advertisement for a new solicitation - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1612

Item 30: Authorize the first amendment to Resolution No. 17-0443, previously approved on February 22, 2017, to the housing development loan agreement with St. Jude, Inc. for the acquisition of the property at 2920 Forest Lane for the development of a permanent supportive housing project for the homeless to: **(1)** change the loan terms from a repayable loan to a deferred forgivable loan; and **(2)** include additional performance thresholds and requirements - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1613

Item 31: An ordinance amending Ordinance No. 30991, previously approved on September 18, 2018, to authorize an appropriation adjustment for FY 2018-19; and authorize the City Manager to implement the adjustment - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31035

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1614

Item 32: Authorize **(1)** a construction services contract for the removal of existing scales, re-construction of scale beds, and purchase and installation of three heavy duty truck scales for the Department of Sanitation Services - Nicol Scales L.P. dba Nicol Scales & Measurement, lowest responsible bidder of two; and **(2)** an increase in appropriations in the amount of \$335,722.00 in the Sanitation Capital Improvement Funds - Not to exceed \$335,722.00 - Financing: Sanitation Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1615

Item 33: Authorize a three-year service price agreement for non-emergency wrecker services - Recovery Systems, Inc. dba Pro-Tow Wrecker Services in the amount of \$936,158.50 and 24 Hour Wrecker Service in the amount of \$360,964.00, most advantageous proposers of three - Total not to exceed \$1,297,122.50 - Financing: General Fund (\$98,278.00), Equipment and Fleet Management Fund (\$1,025,323.50), Sanitation Operation Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1616

Item 34: Authorize a five-year service contract for maintenance and support of the food establishment inspection and permitting software for the Department of Code Compliance - Accela, Inc., sole source - Not to exceed \$229,547.21 - Financing: General Fund (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1617

Item 35: Authorize (1) a five-year service price agreement, with two one-year renewal options, for citywide lease of multi-functional devices and desktop printers, maintenance, and managed services with Canon USA, Inc. through the Department of Information Resources cooperative agreement, most advantageous proposer of five in an amount not to exceed \$ 9,049,626.00; (2) the acceptance of funds from Canon USA, Inc. to pay early termination fees associated with the existing agreement with Xerox Corporation in an amount not to exceed \$196,482.11; and (3) Supplemental Agreement No. 5 to extend the service contract with Xerox Corporation, for the transition of multi-functional devices and desktop printers, maintenance, and managed services, for a six-month period from December 1, 2018 through May 31, 2019, in an amount not to exceed \$1,645,158.00, from \$13,706,046.11 to \$15,351,204.11 - Total not to exceed \$10,694,784.00 - Financing: Various Funds (see Fiscal Information section for further detail)

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

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

Councilmember Gates moved to adopt the item.

Motion seconded by Councilmember Atkins.

After discussion, Mayor Rawlings called a vote and declared the item adopted on a divided vote with Deputy Mayor Pro Tem Medrano, Councilmember Callahan, Councilmember Narvaez and Councilmember Kingston voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1618

Item 36: Authorize adoption of the City of Dallas State Legislative Program for the 86th Session of the Texas Legislature - Financing: No cost consideration to the City (see Fiscal Information)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1619

Item 37: An ordinance amending the Code of Rules and Regulations of the Dallas /Fort Worth International Airport (“DFW Airport”) Board to include the extension of Dallas Road to the North DFW Airport TEXRail station - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 31036

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1620

Item 38: Authorize a professional services contract with Moody Nolan, Inc. for architectural and engineering services for the schematic design, design development, construction documents, and construction administration phases for the renovation of Thurgood Marshall Recreation Center located at 5150 Mark Trail Way - Not to exceed \$93,355.00 - Financing: Park and Recreation Facilities (B) Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1621

Item 39: Authorize a twenty-year development and maintenance agreement with two five-year renewal options, with QuikTrip Corporation to design, construct, and maintain a trailhead for the Bachman Creek Greenbelt Trail located at 3900 Shorecrest Drive - Financing: No cost consideration to the City

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

The city secretary announced the item would be held until later in the meeting; there was no objection voiced by the city council.

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

Councilmember Gates moved to adopt the item.

Motion seconded by Councilmember Atkins.

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

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

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

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1622

Item 40: Authorize a contract for construction of six spraygrounds at Grauwylers Park located at 7780 Harry Hines Boulevard, Jaycee/Zaragoza Park located at 3114 Clymer Street, Kleberg Park located at 1515 Edd Road, Nash/Davis Park located at 3700 North Hampton Road, K.B. Polk Park located at 3860 Thedford Avenue and Timberglen Park located at 3900 Timberglen Road - Kraftsman, L.P. dba Kraftsman Commercial Playgrounds & Waterparks through the Texas Association of School Boards - Not to exceed \$5,920,827.15 - Financing: Park and Recreation Facilities (B) Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1623

Item 41: Authorize an increase in the construction services contract with The Fain Group, Inc. to add increased scope of work associated with the Kidd Springs Park family aquatic center located at 807 West Canty Street - Not to exceed \$454,102.23, from \$14,776,735.00 to \$15,230,837.23 - Financing: Elgin B. Robertson Land Sale Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1624

Item 42: Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant (Grant No. 2019-Dallas-IDM-00010, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of \$38,655.00 for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 10, 2018 through September 30, 2019; **(2)** the establishment of appropriations in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund; **(4)** a local cash match in an amount not to exceed \$9,731.51; and **(5)** execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total not to exceed \$48,386.51 - Financing: Texas Department of Transportation Grant Funds (\$38,655.00) and General Fund (\$9,731.51)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1625

Item 43: Authorize a Memorandum of Understanding with the United States Marshals Service to receive reimbursement of overtime costs related to Operation Triple Beam - a short-term joint anti-gang and violent crime reduction strategy - Financing: This item has no cost consideration to the City (see Fiscal Information)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1626

Item 44: Authorize a professional services contract with Mbroh Engineering, Inc. to provide engineering services for the design, construction administration, and start-up of Wastewater Facilities Security and Safety upgrades - Not to exceed \$998,820.00 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1627

Item 45: Authorize a contract with the North Texas Municipal Water District to transport North Texas Municipal Water District owned water supply from Lake Fork to Lake Tawakoni from November 14, 2018 through October 13, 2025 - Estimated Annual Revenue: \$2,228,169.00 (at current untreated water transportation rate)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1628

Item 46: Authorize a construction contract for improvements to wastewater conveyance infrastructure at the Cadiz Pump Station - BAR Constructors, Inc., lowest responsible bidder of two - Not to exceed \$13,291,400.00 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1629

Item 47: Authorize a ten-year agreement with the Texas Commission on Environmental Quality to participate in the Sanitary Sewer Overflow Initiative program to address sanitary sewer overflows and encourage publicly-owned treatment works to develop and implement corrective action plans to protect public health and the environment - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1630

Item 48: 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 a nomination received and indicated the nominee met qualifications for service with the term for the appointment for the 2017-2019 term.

Councilmember Kingston moved to appoint the following:

- Taylor Slovak to the Martin Luther King Jr. Community Center Board.

Motion seconded by Councilmember Atkins and unanimously adopted.

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

18-6760 MLK MARTIN LUTHER KING JR COMMUNITY CENTER BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1631

Item 49: Authorize **(1)** withdrawal of recognition of the 2010 Police and Fire Meet and Confer Team; and **(2)** recognition of the 2018 Police and Fire Meet and Confer Team - Financing: No cost consideration to the City

Councilmember McGough moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1632

ZONING CASES – INDIVIDUAL

Item 50: Zoning Case Z178-304(PD)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842, with a MD-1 Modified Delta Overlay for CR Community Retail District uses, on the east line of Greenville Avenue, between Prospect Avenue and Oram Street

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

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

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

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

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 31037

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1633

ZONING CASES – INDIVIDUAL

Item 51: Zoning Case Z178-312(PD)

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1853 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Royal Lane and North Stemmons Freeway

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

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

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

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. 31038

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1634

SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT

Item 52: A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict A of the Arts District Special Provision Sign District, Sections 51A-7.1203 and 51A-7.1214.1 of the Dallas City Code on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street

Recommendation of Staff: Denial

Recommendation of CPC: Approval

Note: This item was deferred by the City Council before opening the public hearing on October 24, 2018, and is scheduled for consideration on November 14, 2018.

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

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

Lily Weiss, 750 N. St. Paul St., representing Dallas Arts District
Larry Shosid, 11585 E. Ricks Cir., representing the applicant
Suzan Kedron, 2323 Ross Ave. (handout provided)

Councilmember Kingston moved to close the public hearing, accept the recommendation of staff and deny the item.

Motion seconded by Councilmember Narvaez.

After discussion, Mayor Rawlings called a record vote on Councilmember Kingston's motion to deny the item:

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

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

The city secretary declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

18-1634

Page 2

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

Motion seconded by Councilmember Kleinman.

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

Voting Yes: [8] Rawlings, Thomas, Callahan, Atkins, McGough,
Kleinman, Greyson, Gates

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

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 31039

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1635

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

Item 53: 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, accept the recommendation of the city plan commission with the following change:

- The topper language is changed from "Honorary" to "In Honor of"

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Medrano.

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

Assigned ORDINANCE NO. 31040

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1636

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

Item 54: A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code to define and establish regulations for an accessory live unit use 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 Atkins moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Kingston.

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

Assigned ORDINANCE NO. 31041

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1637

THOROUGHFARE PLAN AMENDMENTS

Item 55: A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristics of Jackson Street from Pearl Expressway to Cesar Chavez Boulevard from a three-lane eastbound roadway in 36 feet of pavement and 70 feet of right-of-way to a one-lane westbound roadway with on-street parking and bicycle facilities in 46 feet of pavement and 70 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

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.

Assigned ORDINANCE NO. 31042

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1638

THOROUGHFARE PLAN AMENDMENTS

Item 56: A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to delete Wood Street from Harwood Street to Pearl Expressway; and at the close of the hearing, authorize an ordinance implementing the change - 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 Kingston and unanimously adopted.

Assigned ORDINANCE NO. 31043

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1639

MISCELLANEOUS HEARINGS

Item 57: A public hearing to receive comments on the proposed use of a portion of the Bachman Creek Greenbelt located at 3900 Shorecrest Drive, totaling approximately 42,323 square feet, for driveway access and parking by QuikTrip Corporation by providing parking, trail access, a driveway, landscaping, lighting, and other amenities to be constructed and maintained by QuikTrip Corporation for the benefit of the public; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Alex Dickey, 3134 Lockmoor Ln.
Kelly Cunningham, 9903 Ontario Ln.
Matthew Sanderson, 4556 Pecan Valley Dr., Plano, TX
Jake Petras, 2774 Bandolier Ln., Frisco, TX
Peter Dauterman, 4023 Cochran Chapel Rd.
John Mathes, 4055 Cochran Chapel Rd.
Lee Higginbotham, 10417 Marsh Ln.
Ronnie Mestas, 3215 Rutz St.

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

Motion seconded by Councilmember Kleinman.

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

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

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

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1640

Addendum Item 1: An ordinance ordering a runoff election to be held in the City of Dallas, on Tuesday, December 11, 2018, for the purpose of electing a member of the City Council to represent Place 4, in which no candidate received a majority of the votes in the general election held Tuesday, November 6, 2018 Financing: No cost consideration to the City (see Fiscal Information)

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 31044

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1641

Addendum Item 2: A resolution (1) authorizing an increase in the joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a runoff election to be held Tuesday, December 11, 2018; and (2) an increase in appropriations in an amount not to exceed \$155,132.00 in the City Secretary's Office budget Not to exceed \$155,132.00, from \$52,000.00 to \$207,132.00 Financing: Contingency Reserve Funds

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Greyson.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2018

18-1642

Addendum Item 3: A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the Tuesday, December 11, 2018 runoff election, and submit a canvass report to the full City Council on Wednesday, December 19, 2018
Financing: No cost consideration to the City

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Narvaez and unanimously adopted.

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

EXHIBIT C