

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 6, 2019

19-1720

CITY COUNCIL BRIEFING
CITY HALL, ROOM 6ES
MAYOR ERIC JOHNSON, PRESIDING

PRESENT: [15] Johnson, Medrano (*9:41 a.m.), McGough, West, Thomas, Arnold, Resendez, Narvaez, Bazaldua, Atkins, Blackmon, Kleinman, Mendelsohn, Gates, Blewett

ABSENT: [0]

The meeting was called to order at 9:15 a.m. with a quorum of the city council present.

The invocation was given by Pastor Sammie Berry of Dallas West Church of Christ.

Councilmember Thomas led the pledge of allegiances of the United States of America and Texas State Flag.

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

The meeting recessed to closed session at 1:20 p.m. and reconvened to open session at 1:24 p.m.

After all business properly brought before the city council had been considered, Mayor Johnson adjourned the meeting at 1:24 p.m.

Mayor

ATTEST:

City Secretary

Date Approved

The annotated agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the City Secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

* **Indicates arrival time after meeting called to order/reconvened**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 6, 2019

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 6, 2019

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1721

SPECIAL PRESENTATIONS

At the beginning of each briefing meeting of the city council a time is set aside for the mayor and city council to recognize special individuals or groups, to read mayoral proclamations, to confer honorary citizenships, and to make special presentations.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1722

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:

Mayor Johnson requested to suspend Section 6.3 of the City Council Rules of Procedure to allow all registered speakers to address the city council to speak in the morning for 2 minutes under the "Begin Open Microphone" category; there was no objection voiced to his request.

OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Karen Eaker, 2372 Highwood Dr. (handout provided)
SUBJECT: Dallas Animal Services

SPEAKER: Peter Mondo, 9244 Peninsula Dr.
SUBJECT: Removing fluoride from the water

SPEAKER: Hank Black, 8722 Diceman Dr. (handout provided)
SUBJECT: Fluoride

SPEAKER: Joe Stokes, 8930 San Benito Way (handout provided)
SUBJECT: Fluoridation/stopping practice

SPEAKER: Linda Newland, 2468 Dorrington Dr.
SUBJECT: City of Dallas adding fluorinic acid to water

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Reggie Ruffin, 2703 Exeter Ave.
SUBJECT: Dystopianism

SPEAKER: Marilyn Cox, 622 Dogwood Trl. (handout provided)
SUBJECT: Status of community/Wynnewood Heights

SPEAKER: Bennie Walker, 1239 Hutchins Ave.
SUBJECT: Culture pop-up market/10th Street

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1723

Item 1: Approval of Minutes of the October 2, 2019 City Council Meeting

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

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1724

Item 2: 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 the nominees met qualifications for service with the terms for appointment for the 2019-2021 term.

Councilmember Thomas moved to appoint the following:

- Moises Alan Medina and Lawrence Halcomb to the Board of Adjustment;
- Priscilla Rice and Brad Spellicy, both Performing Arts; Leland R. Burk, Volunteer Involvement in Visual/Performing Arts, to the Arts and Culture Advisory Commission;
- Amy Desler, Representative from a Faith-Based Organization, to the Citizen Homelessness Commission;
- Kristian S. Hernandez, Non-Profit Management, to the Community Police Oversight Board;
- Alendra L. Lyons, Dallas County Resident, to the Civil Service Board Adjunct Members;
- Benard Miraglia to the Housing Finance Corporation Board;
- Andres Correa to the Judicial Nominating Commission;
- Christopher James Poteet to the Landmark Commission;
- Trent Hughes to the Martin Luther King Jr. Community Center Board;
- Lorena Tule-Romain to the Park and Recreation Board;
- Richard Cuccia and Derrich Phillips to the Permit and License Appeal Board;
- Edward Franklin, Non-Profit Management, to the South Dallas/Fair Park Opportunity Fund Board;
- Alexa L. Lacy to the Youth Commission; and
- Donald Parish, Michael R. Hubbard and Sherri Mixon, all Dallas County Residents, to the Reinvestment Zone Thirteen Board (Grand Park South).

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

Councilmember Thomas moved to appoint the following:

- Donald Parish, Chair, to the Reinvestment Zone Thirteen Board;
- Jaynie Schultz, Vice Chair, to the City Plan and Zoning Commission;
- Evelyn Montgomery, Vice Chair, to the Landmark Commission;
- Karen Blumenthal, Vice Chair, to the Municipal Library Board; and
- Maria Fernanda Aguero, Vice Chair, to the Youth Commission.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

19-1724

Page 2

Councilmember Resendez moved to waive the senior affairs commission minimum age requirement in accordance with Dallas City Code Section 2-140(c) and appoint the following individual:

- Macherld J. Pearson to the Senior Affairs Commission.

Motion seconded by Councilmember West.

Mayor Johnson called a vote and declared the item unanimously adopted. (Arnold absent when vote taken)

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

19-6950	BOA	BOARD OF ADJUSTMENT
19-6951	CAC	ARTS AND CULTURE ADVISORY COMMISSION
19-6952	CHC	CITIZEN HOMELESSNESS COMMISSION
19-6953	CPO	COMMUNITY POLICE OVERSIGHT BOARD
19-6954	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
19-6955	HFC	HOUSING FINANCE CORPORATION BOARD
19-6956	JNC	JUDICIAL NOMINATING COMMISSION
19-6957	LMC	LANDMARK COMMISSION
19-6958	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
19-6959	PAR	PARK AND RECREATION BOARD
19-6960	PLA	PERMIT AND LICENSE APPEAL BOARD
19-6961	RZ13	REINVESTMENT ZONE THIRTEEN BOARD (GRAND PARK SOUTH)
19-6962	SAC	SENIOR AFFAIRS COMMISSION
19-6963	SDF	SOUTH DALLAS/FAIR PARK OPPORTUNITY FUND BOARD
19-6964	YOC	YOUTH COMMISSION
19-6965		BOARD OFFICER

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1725

Item 3: Casting of lots to identify the recommended vendor resulting from tie bids between Mavich and Nationwide, Lines 1, 21, 81, 87, 168, and 170, between MSC Industrial Supply and Simba Industries, Line 34, and between MSC Industrial Supply and Nationwide Supplies, Lines 68, 137, 140, 161, and 188 in response to bid BE19-00010445 for a three-year master agreement for the purchase of hand and power tool supplies for the City of Dallas

The city secretary announced the names of the tying bidders for Lines 1, 21, 81, 87, 168, 170, 68, 137, 140, 161, and 188 had been placed in separate plain envelopes for Mayor Johnson to select one sealed envelope for the line. Mayor Johnson selected one sealed envelope for the line noted below and announced the selection as follows:

- Line 1 – Mavich
- Line 21 – Nationwide
- Line 81 – Mavich
- Line 87 – Mavich
- Line 168 – Nationwide
- Line 170 – Nationwide
- Line 34 – MSC Industrial Supply
- Line 68 – MSC Industrial Supply
- Line 137 – MSC Industrial Supply
- Line 140 – Nationwide Supplies
- Line 161 – Nationwide Supplies
- Line 188 – MSC Industrial Supply

Note: On November 5, 2019, the city secretary, Adelia Gonzalez, Stephanie Mullen and Carmen Esquivel with Business Development and Procurement Services, met and sealed the envelopes, all ensuring each sealed envelope contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1726

Item 4: Casting of lots to identify the recommended vendor resulting from tie bids between The J R Simplot Company, Target Specialty Products, and Winfield United on Group 4, Lines 9 and 20 and Group 5, Lines 5, 9, 11, 18, 30, 31, 32, 38, 39, 47, 48, 68, 70, 76, and 78, between the J R Simplot Company and Target Specialty Products on Group 4, Lines 23 and 25 and Group 5, Line 67, between Target Specialty Products and Winfield United on Group 5, Lines 8 and 10, and between The J R Simplot Company and Winfield United on Group 5, Lines 27 and 35, in response to bid BT19-00009789 for a three-year master agreement for the purchase of agricultural pesticides and herbicides for various City departments

The city secretary announced the names of the tying bidders for Group 4, Lines 9 and 20 and Group 5, Lines 5, 9, 11, 18, 30, 31, 32, 38, 39, 47, 48, 68, 70, 76, 78 and Group 4, Lines 23 and 25 and Group 5, Line 67 and Group 5, Lines 8 and 10 and Group 5, Lines 27 and 35 had been placed in separate plain envelopes for Mayor Johnson to select one sealed envelope for the line. Mayor Johnson selected one sealed envelope for the line noted below and announced the selection as follows:

Group 4

- Line 9 – The J R Simplot Company
- Line 20 – The J R Simplot Company
- Line 23 – The J R Simplot Company
- Line 25 – Target Specialty Products

Group 5

- Line 5 – Winfield United
- Line 8 – Winfield United
- Line 9 – Target Specialty Products
- Line 10 – Winfield United
- Line 11 – Target Specialty Products
- Line 18 – The J R Simplot Company
- Line 27 – Winfield United
- Line 30 – Winfield United
- Line 31 – The J R Simplot Company
- Line 32 – The J R Simplot Company
- Line 35 – The J R Simplot Company
- Line 38 – Target Specialty Products
- Line 39 – Target Specialty Products

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

19-1726

Page 2

Group 5 (continued)

- Line 47 – Target Specialty Products
- Line 48 – The J R Simplot Company
- Line 67 – The J R Simplot Company
- Line 68 – Target Specialty Products
- Line 70 – The J R Simplot Company
- Line 76 – The J R Simplot Company
- Line 78 – Target Specialty Products

Note: On November 5, 2019, the city secretary, Adelia Gonzalez, Stephanie Mullen and Carmen Esquivel with Business Development and Procurement Services, met and sealed the envelopes, all ensuring each sealed envelope contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1727

Item 5: Casting of lots to identify the recommended vendor resulting from tie bids between MWI Animal Health and Midwest Veterinary Supply, Inc. on Group 32, Line 1, Group 33, Lines 1 and 2, Group 40, Line 4, Group 79, Lines 1 and 2, Group 83, Lines 1, 2 and 3 in response to bid BT19-00010245 for a five-year master agreement for the purchase of veterinary medical supplies and medications for the City of Dallas

The city secretary announced the names of the tying bidders for Group 32, Line 1, Group 33, Lines 1 and 2, Group 40, Line 4, Group 79, Lines 1 and 2, Group 83, Lines 1, 2 and 3 had been placed in separate plain envelopes for Mayor Johnson to select one sealed envelope for the line. Mayor Johnson selected one sealed envelope for the line noted below and announced the selection as follows:

Group 32

- Line 1 – Midwest Veterinary Supply, Inc.

Group 33

- Line 1 – Midwest Veterinary Supply, Inc.
- Line 2 – Midwest Veterinary Supply, Inc.

Group 40

- Line 4 – Midwest Veterinary Supply, Inc.

Group 79

- Line 1 – Midwest Veterinary Supply, Inc.
- Line 2 – MWI Animal Health

Group 83

- Line 1 – Midwest Veterinary Supply, Inc.
- Line 2 – MWI Animal Health
- Line 3 – Midwest Veterinary Supply, Inc.

Note: On November 5, 2019, the city secretary, Adelia Gonzalez, Stephanie Mullen and Carmen Esquivel with Business Development and Procurement Services, met and sealed the envelopes, all ensuring each sealed envelope contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1728

Item 6: Casting of lots to identify the recommended vendor resulting from tie bids between Apple Specialties, Inc. and Fortiline, Inc. on Line 48 in response to bid BQ19-00011149 for a three-year master agreement for the purchase of lead-free brass fittings

The city secretary announced the names of the tying bidders for Line 48 had been placed in separate plain envelopes for Mayor Johnson to select one sealed envelope for the line. Mayor Johnson selected one sealed envelope for the line noted below and announced the selection as follows:

- Line 48 – Fortiline, Inc.

Note: On November 5, 2019, the city secretary, Adelia Gonzalez, Stephanie Mullen and Carmen Esquivel with Business Development and Procurement Services, met and sealed the envelopes, all ensuring each sealed envelope contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1729

Briefing A: North Dallas Tornado Response

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1730

Briefing B: North Dallas Tornado Financial Considerations

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1731

Briefing C: Establishment and Administration of Proposed Civic Innovation Zone

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1732

Item 7: A resolution to **(1)** authorize the City Manager to spend funds as may be necessary to implement emergency protective measures, debris removal, and permanent repairs as a result of the severe weather event; **(2)** take all necessary actions to seek reimbursements of expenses from state and federal sources, and insurance provider; **(3)** establish appropriations in an amount not to exceed \$60,000,000 in the Storm102019 Fund; **(4)** transfer appropriations, expenses, or cash between funds established for the severe weather event; **(5)** authorize a transfer in an amount not to exceed \$ 750,000 from Risk Reserve Fund to the Storm102019 Fund for the property insurance deductible; **(6)** authorize a transfer in an amount not to exceed \$11,400,000 from Emergency Reserve to the Storm102019 Fund for the City's share of reimbursable cost; and **(7)** establish appropriation and transfer cash from Sanitation Operation Fund, Water Utilities Fund, and Storm Drainage Management Operations Fund to the Storm102019 Fund for the enterprise operations share of reimbursable cost - Not to exceed \$60,000,000 - Financing: Storm102019 Fund (\$60,000,000), Risk Reserve (\$750,000), and Emergency Reserve (\$11,400,000) (see Fiscal Information)

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Narvaez and unanimously adopted. (Johnson, West absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1733

Item 8: A resolution to **(1)** authorize the Dallas Central Appraisal District to reappraise property damaged in a natural disaster area pursuant to Section 23.02 of the Texas Tax Code; and **(2)** authorize the Dallas County Tax Office to calculate the voter-approval tax rate in the manner provided for a special taxing unit (8 percent) as the City is located in an area declared a disaster area pursuant to Section 26.04(c-1) of the Texas Tax Code - Financing: Revenue Foregone (see Fiscal Information)

Councilmember Gates moved to adopt the item.

Motion seconded by Councilmember Thomas.

Councilmember Kleinman moved to separate the vote on the item.

Motion seconded by Councilmember Bazaldua and unanimously adopted.

Deputy Mayor Pro Tem McGough moved to adopt:

- A resolution to **(1)** authorize the Dallas Central Appraisal District to reappraise property damaged in a natural disaster area pursuant to Section 23.02 of the Texas Tax Code.

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

Councilmember Gates moved to adopt:

- A resolution to **(2)** authorize the Dallas County Tax Office to calculate the voter-approval tax rate in the manner provided for a special taxing unit (8 percent) as the City is located in an area declared a disaster area pursuant to Section 26.04(c-1) of the Texas Tax Code.

Motion seconded by Councilmember Narvaez.

After discussion, Councilmember Bazaldua moved a subsidiary motion to defer the item to the November 13, 2019 voting agenda meeting of the city council.

Subsidiary motion seconded by Councilmember Gates and unanimously deferred. (Johnson, West absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1734

Item 9: Authorize a Mutual Aid Agreement with **(1)** the City of Fort Worth; and **(2)** any other city or government entity, as the City Manager determines necessary, to provide mutual aid in the form of personnel, supplies and equipment in the event of an emergency, disaster and/or civil emergency as well as during cleanup periods
- Financing: No cost consideration to the City (see Fiscal Information)

Councilmember Bazaldua moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1735

Item 10: A resolution ratifying the City Manager's execution of a one-year emergency service price agreement for emergency collection and hauling of storm-related debris related to the October 20, 2019 tornado - National Waste Management Louisiana, Inc., lowest responsible bidder of thirteen - Estimated amount of \$2,255,000 - Financing: Storm102019 Fund

Councilmember Gates moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1736

Item 11: A resolution ratifying the City Manager's execution of a one-year emergency service price agreement for emergency debris monitoring services related to the October 20, 2019 tornado - DebrisTech, LLC, lowest responsible bidder of nine - Estimated amount of \$67,000 - Financing: Storm102019 Fund

Councilmember Mendelsohn moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Johnson, West absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1737

Item 12: A resolution ratifying the City Manager's execution of a one-year emergency service price agreement for emergency protective measures related to the October 20, 2019 tornado - Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Services, lowest responsible bidder of four - Estimated amount of \$5,870 - Financing: Storm102019 Fund

Councilmember Mendelsohn moved to adopt the item.

Motion seconded by Councilmember Gates and unanimously adopted. (Johnson, West absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 6, 2019

19-1738

Closed Session

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

- Kelvion Walker v. Amy Wilburn, No. 3:13-CV-4896-K.

At 1:20 p.m., Mayor Johnson 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.)

- Kelvion Walker v. Amy Wilburn, No. 3:13-CV-4896-K.

The closed session ended and reconvened to open session at 1:24 p.m. No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 6, 2019

EXHIBIT C