

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 14, 2014

14-0730

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway, Callahan, Davis (\*9:13 a.m.), Kadane, Allen, Kleinman, Greyson, Gates, Kingston (\*9:16 a.m.)

ABSENT: [0]

The meeting was called to order at 9:07 a.m.

The city secretary announced that a quorum of the city council was present.

The invocation was given by Rabbi Andrew Marc Paley of Temple Shalom Dallas.

Councilmember Hill led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 5:53 p.m.

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Mayor

ATTEST:

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City Secretary

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**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 14, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 14, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0731

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: Dan Kasten, 6926 Vista Willow Dr.  
SUBJECT: Civil Court hearing process

SPEAKER: Daniel Jones, 9904 Winding Ridge  
REPRESENTING: Texas A&M/Baylor College of Dentistry  
SUBJECT: Removal of fluoride from water

SPEAKER: Linda Bates, 4144 Tram Dr.  
REPRESENTING: Clean for Environmental Justice  
SUBJECT: Justice for West Dallas

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: West Dallas/FBI/EPA

SPEAKER: Lawrence E. Wolinsky, 3401 Lee Pkwy.  
REPRESENTING: Texas A&M/Baylor College of Dentistry  
SUBJECT: Fluoridation of water supply

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Danette McNew, 4833 Kelso Pl., Garland, TX  
REPRESENTING: Dallas County Dental Society  
SUBJECT: Fluoridation

SPEAKER: Sarah Poteet, 6012 Martel Ave.  
REPRESENTING: Dallas County Dental Society  
SUBJECT: Pro-fluoride in water

SPEAKER: Mata Yemen, P.O. Box 214246  
SUBJECT: An answer to God in school

SPEAKER: Kristian Craige, 2122 Kidwell St.  
REPRESENTING: Mystic Media Foundation  
SUBJECT: Job creation

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0731

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**OPEN MICROPHONE – END OF MEETING:**

(Continued)

SPEAKER: Rita Joye Gray, 6306 Vanderbilt Ave. (audio presentation)  
REPRESENTING: Mystic Media Foundation  
SUBJECT: Youth training program

SPEAKER: Omar Jiminez, 1639 Cedar Bluff Ln.  
SUBJECT: Home Rule Charter

SPEAKER: Donna Kay Bush, 1433 S. Lamar St.  
REPRESENTING: Donna Kay Bush Enterprise  
SUBJECT: Commercial capitalization

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0732

Item 1: Approval of Minutes of the April 23, 2014 City Council Meeting

Deputy Mayor Pro Tem Alonzo moved to adopt the minutes of the April 23, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0733

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-34 and addendum addition consent agenda items 1-6, was presented for consideration.

Mayor Pro Tem Atkins requested consent agenda items 2 and 7 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Kingston requested consent agenda item 3 and addendum addition consent agenda item 4 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Greyson requested consent agenda item 3 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Councilmember Gates requested addendum addition consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Councilmember Kadane moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 2, 3, 7 and addendum addition consent agenda items 2 and 4.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0734

Item 2: Authorize a consultant contract for a comprehensive plan update and a recreation master plan study for Park and Recreation - Wallace Roberts & Todd, LLC, most advantageous proposer of three - Not to exceed \$480,750 - Financing: Current Funds (\$162,000) and Park and Recreation Program Funds (\$318,750)

Mayor Pro Tem Atkins requested consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 2 was brought up for consideration.

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Kadane.

Mayor Pro Tem Atkins requested the item be held until later in the meeting to allow staff time to arrive. By consensus of the city council, the item was held until later in the meeting.

Later in the meeting, following discussion, Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt the item.

Mayor Rawlings declared the motion unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0735

Item 3: Authorize a three-year service contract to provide ground transportation starter services at Love Field - Parking Systems of America, L.P., lowest responsible bidder of five - Not to exceed \$917,514 - Financing: Aviation Current Funds (subject to annual appropriations)

Councilmember Kingston and Councilmember Greyson requested consent agenda item 3 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, consent agenda item 3 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0736

Item 4: Authorize a three-year service contract for sports officiating services for Park and Recreation - Carl Richardson dba TOP Sports Official Association in the amount of \$568,250, Dallas Softball Umpires Association, Inc. in the amount of \$494,893 and Dallas Sports Alliance LLC dba Oak Cliff Sports Group in the amount of \$219,450, lowest responsible bidders of three - Total not to exceed \$1,282,593 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0737

Item 5: Authorize a three-year service contract, with two one-year renewal options, for medical testing for Fire-Rescue new recruits and uniformed employees - HealthTexas Provider Network dba MedProvider in the amount of \$3,443,655 and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers in the amount of \$154,950, most advantageous proposers of three - Total not to exceed \$3,598,605 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0738

Item 6: Authorize a five-year service contract for alcohol and controlled substance testing for Police - JumpR2, Inc. dba Arcpoint Labs of Plano, lowest responsible bidder of six - Not to exceed \$115,023 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0739

Item 7: Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas - Andrew's Building Service, Inc., lowest responsible bidder of eight - Not to exceed \$16,789,100 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Mayor Pro Tem Atkins requested consent agenda item 7 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda item 7 was brought up for consideration.

Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0740

Item 8: Authorize Supplemental Agreement No. 1 to increase the service contract with Trane U.S., Inc. for service, parts and equipment for all Trane heating, ventilation and air conditioning equipment - Trane U.S., Inc. through The Cooperative Purchasing Network - Not to exceed \$2,848,174, from \$11,392,695 to \$14,240,869 - Financing: Current Funds (\$2,220,152), Aviation Current Funds (\$170,890), Convention and Event Services Current Funds (\$370,263), Stormwater Drainage Management Current Funds (\$1,424) and Water Utilities Current Funds (\$85,445) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0741

Item 9: Authorize **(1)** the sale of one vacant lot located at 4614 Jones Street from the Dallas Housing Acquisition and Development Corporation to True Vine Missionary Baptist Church; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0742

Item 10: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; (2) the sale of 3 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and (3) execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0743

Item 11: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; (2) the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity (list attached); (3) the exchange of deed restrictions from the 3 lots proposed to be purchased from the Land Bank to 3 comparable lots owned by the developer; and (4) execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0744

Item 12: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Frazier Revitalization, Inc. for the construction of affordable houses; and (2) the exchange of deed restrictions from 3 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 3 comparable lots owned by the developer (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0745

Item 13: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of an affordable duplex; (2) the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Harvard Finance North America LLC; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0746

Item 14: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of affordable houses; and (2) the exchange of deed restrictions from 2 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 2 comparable lots owned by the developer (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0747

Item 15: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Mascorro Properties for the construction of an affordable house; (2) the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Mascorro Properties; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0748

Item 16: Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by New Vision Properties & Land for the construction of affordable houses; (2) the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to New Vision Properties & Land; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0749

Item 17: Authorize (1) the acceptance of an amended proposal from Frazier Revitalization, Inc. for the development of 1 improved property located at 4010 Montie obtained under the Land Assembly process through the Land Transfer Program; and (2) execution of amended Deed Restrictions - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0750

- Item 18: Authorize (1) an amendment to the grant agreement between the City of Dallas and the U. S. Department of Housing and Urban Development (HUD) to add Eban Village as a project site to the grant agreement; and (2) approval of a Memorandum of Understanding (MOU) between the City of Dallas and HHF Eban Village I & II, LLC herein referred to as Eban Village to provide project-based affordable housing to the Gateway to Permanent Supportive Housing Program, contingent upon approval of the amendment by HUD in Subject Number 1 for the term June 1, 2014 through May 31, 2015, with two twelve-month renewal options - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0751

Item 19: Authorize a public hearing to be held on May 28, 2014 to receive comments on the FY 2014-15 Operating, Capital, and Grant/Trust budgets - Financing:  
No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0752

Item 20: Authorize an agreement with Shakespeare Festival of Dallas dba Shakespeare Dallas to manage, operate and maintain the Samuell-Grand Amphitheatre for theatrical performances and events from May 1 through October 31 of each year for a period of ten years with two five-year renewal options - Estimated Revenue: \$5,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0753

Item 21: Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue - Not to exceed \$114,674, from \$5,435,933 to \$5,550,607 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0754

Item 22: Authorize an increase in the contract with Travelers Casualty and Surety Company of America for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center located at 2976 Cummings Street - Not to exceed \$214,661, from \$1,437,702 to \$1,652,363 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0755

Item 23: Authorize (1) a public hearing to be held on May 28, 2014 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law; and, at the close of the hearing, (2) approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0756

Item 24: Authorize (1) the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 29, 2014 through June 7, 2014 in the amount of \$59,949; (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,355; and (3) execution of the grant agreement - Total not to exceed \$77,304 - Financing: Current Funds (\$17,355) and Texas Department of Transportation Grant Funds (\$59,949)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0757

Item 25: Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsive bidder of three, for construction of the Kessler Theater pedestrian amenities project - Not to exceed \$195,323 - Financing: Regional Toll Revenue II Funds (\$179,200) and Davis Garden TIF District Funds (\$16,123)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0758

Item 26: Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two, for construction of the Central Police and Southwest Police substation renovations, located at 334 South Hall Street and 4230 West Illinois Avenue, respectively - Not to exceed \$808,333 - Financing: 2003 Bond Funds (\$578,308) and 2006 Bond Funds (\$230,025)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0759

Item 27: Authorize a contract with Jeske Construction Company, lowest responsible bidder of three, for the construction of street paving, storm drainage, traffic signals, street lights, landscape, water and wastewater upgrades for Routh Street from Flora Street to San Jacinto Street - Not to exceed \$1,306,700 - Financing: 2006 Bond Funds (\$306,000), General Obligation Commercial Paper Funds (\$872,447), Water Utilities Capital Improvement Funds (\$115,173) and Water Utilities Capital Construction Funds (\$13,080)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0760

Item 28: Authorize the rejection of bids for the construction of intersection improvements for North Beckley Avenue at Commerce Street; and, the re-advertisement for new bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0761

Item 29: Authorize acquisition from Charlotte Skinner Coffman, of approximately 18,881 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$6,608, increased from \$11,556 (\$10,385, plus closing costs and title expenses not to exceed \$1,171) to \$18,164 (\$16,993, plus closing costs and title expenses not to exceed \$1,171) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0762

Item 30: Authorize acquisition of six parcels of land consisting of four single family dwellings and two vacant lots in the Cadillac Heights neighborhood located near the intersection of Birdsong Drive and Gloyd Street for the Cadillac Heights Phase II Project (list attached) - Not to exceed - \$169,150 (\$157,150, plus closing costs and title expenses not to exceed \$12,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0763

Item 31: Authorize moving expense and replacement housing payments for Nicandro Villa and Guadalupe Villa in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 719 Pontiac Avenue for future City facilities - Not to exceed \$53,550 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0764

Item 32: An ordinance granting a private license to HPI/GSA-2B, L.P., for approximately 2,795 square feet of land to use and maintain existing landscaping and a subsurface tunnel for mechanical equipment under portions of Akard and Young Streets - Revenue: \$5,534 annually and a \$1,000 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29332

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0765

Item 33: Authorize a professional services contract with CP&Y, Inc. for preliminary engineering services associated with improvements to the grit removal and screenings handling processes at the Southside Wastewater Treatment Plant - Not to exceed \$850,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0766

Item 34: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 60-inch wastewater main and other connected pipelines at the vicinity of Overton Road and Interstate Highway 45 - Not to exceed \$488,550, from \$8,327,448 to \$8,815,998 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0767

Item 35: 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 all nominations and re-nominations received for city board and commission appointments for the 2013-2015 board term, with term ending September 30, 2015, updated through MAY 14, 2014.

The city secretary noted the report indicated nominees and re-nominees for individual appointments cleared for city council action met all qualifications for service.

Councilmember Medrano moved to appoint the following:

- John P. Batiste, Experience in Cultural Institute Management, to the Cultural Affairs Commission; Mark Stephens, Dallas County Resident, to the Reinvestment Zone Four Board (Cedars Area); and Jason Bradberry, Representative of a Cultural Institute in South Dallas Fair Park Area, and Jesse Tafalla Jr., Experience in Non-Profit Management, to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Callahan and unanimously adopted.

Councilmember Medrano announced he had a conflict of interest and would abstain from voting or participating in any discussion relating to the appointment of Ricardo Medrano. Councilmember Medrano left the city council chamber.

Councilmember Hill moved to appoint Ricardo Medrano as Vice Chair to the Permit and License Appeal Board.

Motion seconded by Councilmember Caraway and unanimously adopted. (Medrano abstain)

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

<b>14-5950</b>	<b>CAC</b>	<b>CULTURAL AFFAIRS COMMISSION</b>
<b>14-5951</b>	<b>CSX</b>	<b>CIVIL SERVICE BOARD ADJUNCT MEMBERS</b>
<b>14-5952</b>	<b>MLB</b>	<b>MUNICIPAL LIBRARY BOARD</b>
<b>14-5953</b>	<b>MLK</b>	<b>MARTIN LUTHER KING JR COMMUNITY CENTER BOARD</b>
<b>14-5954</b>	<b>PLA</b>	<b>PERMIT AND LICENSE APPEAL BOARD</b>
<b>14-5955</b>	<b>RZ04</b>	<b>REINVESTMENT ZONE FOUR BOARD (CEDARS AREA)</b>
<b>14-5956</b>	<b>SDF</b>	<b>SOUTH DALLAS/FAIR PARK TRUST FUND BOARD</b>
<b>14-5957</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0768

Item 36: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the City of Irving, of an unimproved tract of land containing approximately 20 acres located on the east bank of the Trinity River near the west termination of Mexicana Drive for the Dallas Floodway Project - Not to exceed \$39,700 (\$36,700 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Deputy Mayor Pro Tem Alonzo requested agenda items 36-38 be considered collectively; there was no objection voiced to her request.

The city secretary read agenda items 36-38 into the record; and stated if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 36-38, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 36 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from the *City of Irving*, a tract of land containing approximately 20 acres located on the east bank of the Trinity River near the west termination of Mexicana Drive, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Dallas Floodway Project.

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 36-38.

Motion seconded by Councilmember Davis.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to adopt agenda items 36-38:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Griggs, Hill,  
Caraway, Callahan, Davis, Kadane, Allen,  
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [1] Medrano

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0769

Item 37: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Common Ground Community Economic Development Corporation, of an unimproved tract of land containing approximately 32,311 square feet located on Barber Avenue near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$36,000 (\$33,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Deputy Mayor Pro Tem Alonzo requested agenda items 36-38 be considered collectively; there was no objection voiced to her request.

The city secretary read agenda items 36-38 into the record; and stated if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 36-38, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 37 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Common Ground Community Economic Development Corporation*, a tract of land containing approximately 32,311 square feet, located on Barber Street near its intersection with Dixon Avenue in City of Dallas Block 6/6122, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 36-38.

Motion seconded by Councilmember Davis.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to adopt agenda items 36-38:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Griggs, Hill, Caraway, Callahan, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [1] Medrano

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0770

Item 38: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the John G. Campbell Trust, of an unimproved tract of land containing approximately 4 acres located on Wildwood Drive near its intersection with California Crossing Road for the Elm Fork Flood Control Project - Not to exceed \$18,279 (\$16,079 plus closing costs and title expenses not to exceed \$2,200) - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Alonzo requested agenda items 36-38 be considered collectively; there was no objection voiced to her request.

The city secretary read agenda items 36-38 into the record; and stated if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 36-38, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 38 requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from the *John G. Campbell Trust*, a tract of land containing approximately 4 acres located on Wildwood Drive near its intersection with California Crossing Road in City of Dallas Block 8368, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Elm Fork Flood Control Project.

Deputy Mayor Pro Tem Alonzo moved to adopt agenda items 36-38.

Motion seconded by Councilmember Davis.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Alonzo's motion to adopt agenda items 36-38:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Griggs, Hill,  
Caraway, Callahan, Davis, Kadane, Allen,  
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [1] Medrano

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0771

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 39: Authorize a housing development loan in an amount not to exceed \$900,000 with Dallas Area Habitat for Humanity, Inc. (DAHFH), a non-profit developer, for construction of up to thirty affordable single family homes for the Jimmy & Rosalynn Carter project to be located on Exeter, Wilhurt, Landrum, and Custer Streets - Not to exceed \$900,000 - Financing: 2013-14 HOME Investment Partnership Program Grant Funds (\$300,000) and FY 13-14 HOME Program Income #1 (\$600,000)

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

Corrected on the addendum to the agenda.

Councilmember Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0772

The consent zoning docket, consisting of agenda item 40, was presented for consideration.

The item was not removed from the consent zoning docket to be considered as an individual hearing.

Agenda item 40: Zoning Case Z134-163(LHS)

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

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

Deputy Mayor Pro Tem Alonzo moved to close the public hearing, accept the recommendation of the city plan commission on the consent zoning case and pass the ordinance.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0773

Item 40: Zoning Case Z134-163(LHS)

The consent zoning docket, consisting of agenda item 40, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned an A(A) Agricultural District south of East Belt Line Road and west of South Northlake Road.

Recommendation of Staff and CPC: Approval.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29333

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0774

Item 41: Zoning Case Z134-112(RB) - INDIVIDUAL

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 on property zoned an MF-1(A) Multifamily District, on property bounded by Milton Street, Birchbrook Drive, and Amesbury Drive.

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

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

Staff informed the city council of a notification issue and requested the item be held under advisement.

Councilmember Kingston moved to continue the public hearing and hold the item under advisement until the May 28, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0775

DESIGNATED ZONING CASES - INDIVIDUAL

Item 42: Zoning Case Z123-365(MW)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

Prior to the item being read into the record, Councilmember Medrano moved to continue the public hearing and defer the item until the June 11, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0776

DESIGNATED ZONING CASES - INDIVIDUAL

Item 43: Zoning Case Z134-111(RB)

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 on property zoned an MF-1(A) Multifamily District, on property at the southwest corner of Milton Street and Amesbury Drive.

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

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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 Mayor Pro Tem Atkins and Councilmember Davis and unanimously adopted. (Griggs, Hill, Caraway absent when vote taken)

Assigned ORDINANCE NO. 29334

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0777

DESIGNATED ZONING CASES - INDIVIDUAL

Item 44: Zoning Case Z134-123(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CS Commercial Service District uses on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Robert B. Cullum Boulevard and Borich Street.

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and condition.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

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

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

Assigned ORDINANCE NO. 29335

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0778

DESIGNATED ZONING CASES - INDIVIDUAL

Item 45: Zoning Case Z134-130(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 291 for MF-2(A) Multifamily District Uses and RR Regional Retail District Uses on the northeast corner of Verde Valley Lane and the Dallas North Tollway.

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

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0779

DESIGNATED ZONING CASES - INDIVIDUAL

Item 46: Zoning Case Z134-142(MW)

A public hearing to receive comments regarding an application for an ordinance terminating Specific Use Permit No. 351 on property zoned an MF-2(A) Multifamily District and a D(A) Duplex District and an ordinance granting an MF-2(A) Multifamily District on property zoned a D(A) Duplex District on the southeast corner of Abrams Road and Reiger Avenue.

Recommendation of Staff and CPC: Approval of the termination of Specific Use Permit No. 351 and approval of an MF-2(A) Multifamily District.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

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

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

Assigned ORDINANCE NOS. 29336 AND 29337

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0780

DESIGNATED ZONING CASES - INDIVIDUAL

Item 47: Zoning Case Z134-158(MW)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 1 in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east corner of Oak Lawn Avenue and Market Center Boulevard.

Recommendation of Staff: Denial

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

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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:

Audra Buckley, 416 S. Ervay, representing the applicant

Ed Oakley, 5811 Lewis St.

Bob Darrouzet, 5335 Anita St.

Sandy Owens, 837 La Jolla, Irving, TX, representing Carlisle Interests, Inc.

Deputy Mayor Pro Tem Alonzo moved to close the public hearing, accept the recommendation of the city plan commission subject to a revised site plan with the following changes:

- One large dumpster rather than two small ones;
- 15 parking spaces instead of 16;
- Shifting the location of the canopy; and

pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0780

Page 2

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

Assigned ORDINANCE NO. 29338

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0781

SPECIAL PROVISION SIGN DISTRICT – INDIVIDUAL

Item 48: 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, Section 51A-7.1214.1 of the Dallas City Code, in an area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street.

Recommendation of Staff and CPC: Approval of the amendments to the amended application to increase the effective area from 20 to 30 square feet, approval to amend tenant and building identification signage, and approval to prohibit signage on Leonard Street.

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:

Robert Miklos, 1221 S. I35E, Carrollton, TX, representing Idall Financial

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

Motion seconded by Mayor Pro Tem Atkins.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting "No." (Allen absent when vote taken)

Assigned ORDINANCE NO. 29339

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0782

MISCELLANEOUS HEARINGS

Item 49: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Sam Houston Elementary School required by Section 6-4 of the Dallas City Code to allow a restaurant with a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate [La Paloma Taqueria Richardson, LLC, DBA Xamac Mexican Cuisine & Bar] on property on the southwest side of Cedar Springs Road, between Douglas Avenue and Knight Street - AV134-005 - Financing: No cost consideration to the City.

The city secretary announced the item would require two seconds as the item provides for an alcohol variance.

No one addressed the city council regarding the item.

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

Motion seconded by Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted. (Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0783

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Mall Area Redevelopment TIF District**

**Note:** Item Nos. 50 and 51  
must be considered collectively.

- Item 50: A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Twenty for the Valley View Center Mall area and the Southwest Center Mall area, to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City.
- Item 51: An ordinance establishing Tax Increment Financing Reinvestment Zone Number Twenty to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

The following individuals addressed the city council regarding agenda item 50:

Edna Pemberton, 7101 Flameleaf Pl., representing Camp Wisdom Now  
Bruce Bradford, 183 Newport Dr., Coppell, TX, representing North Dallas  
Chamber of Commerce  
Candy Bradshaw, 1817 Berkeley Dr., Glenn Heights, TX, representing  
Harmony & Concord Church CDC

Councilmember Kleinman moved to close the public hearing, adopt agenda item 51 approving the Mall Area Redevelopment TIF District **with the following amendment to Section 6 of the ordinance to clarify that the ordinance takes effect immediately but that the period for collections of tax increment revenues for the zone do not commence until January 1, 2015:**

Section 6. That the **collection period for tax increment revenues for the** Mall Area redevelopment TIF District **shall begin** ~~shall take effect~~ on January 1, 2015 and ~~that the termination of the Mall Area Redevelopment TIF District shall occur on~~ **end on** December 31, 2044, (including collection of the 2044 increment in calendar year 2045 and any related matters to be concluded in 2045) or at an earlier time designated by subsequent ordinance of the City Council in the event the City determines that the Mall Area Redevelopment TIF District should be terminated due to insufficient private investment, or at such time as all project costs have been paid in full. Additionally, if private investment of at least \$100 million has not occurred within five years of the adoption of the final project plan and reinvestment zone financing plan, the City Council may desire to dissolve the TIF District, subject to the satisfaction of all outstanding financial obligations of the tax increment fund.

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

Assigned ORDINANCE NO. 29340

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0784

Closed Session

6ES

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

- Legal briefing regarding contract with River Ranch Educational Charities for the Texas Horse Park.

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion regarding performance evaluation of City Secretary Rosa Rios.
- Discussion regarding performance evaluation of City Auditor Craig Daniel Kinton.

At 11:30 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 matters:

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

- Legal briefing regarding contract with River Ranch Educational Charities for the Texas Horse Park.

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion regarding performance evaluation of City Secretary Rosa Rios.
- Discussion regarding performance evaluation of City Auditor Craig Daniel Kinton.

Mayor Rawlings reconvened the city council meeting after the closed session at 3:31 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0785

Addendum Addition 1: Authorize settlement of the lawsuit styled Danny Cantu, et al.  
v. Mark Michaels et al., Civil Action No. 3:12-CV-0206-O -  
Not to exceed \$105,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0786

Addendum Addition 2: Authorize (1) a public hearing to be held on June 25, 2014, to receive comments concerning the application with Texas Department of Housing and Community Affairs (TDHCA) for 4% tax credits in the approximate amount of \$16,944,690 with tax exempt bonds in the approximate amount of \$37 Million to be issued by Housing Options, Inc. (HOI) for the Fairmount Crossing Apartments, a proposed multi-family community comprised of 366 units for families, located at 2741 Hawthorne Avenue, Dallas, Texas 75219; (2) the issuance of tax-exempt bonds by Housing Options, Inc. (HOI) an agency created by The Housing Authority of the city of Dallas, Texas in the amount of \$37 Million in Multi-family Housing Mortgage Revenue Bonds Series 2014 to finance the new construction of 366 units for families by Kings Parc I, L. P., referred to as the Fairmount Crossing Apartments; and (3) a resolution in support of Texas Department of Housing and Community Affairs award of Low Income Housing Tax Credits for the new construction of the Fairmount Crossing housing development to be located at 2741 Hawthorne Avenue, Dallas, Texas by conducting a Public Hearing pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3(A-F) of the 2014 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors - Financing: No cost consideration to the City

Councilmember Gates requested addendum addition consent agenda item 2 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, addendum addition consent agenda item 2 was brought up for consideration.

Councilmember Gates announced she had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Gates left the city council chamber.

Councilmember Medrano moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Gates abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0787

Addendum Addition 3: Authorize (1) preliminary adoption of the FY 2014-15 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$24,444,919 for the following programs and estimated amounts: (a) Community Development Block Grant in the amount of \$13,572,496; (b) HOME Investment Partnerships Program in the amount of \$4,365,818; (c) Housing Opportunities for Persons with AIDS in the amount of \$5,375,659; (d) Emergency Solutions Grant in the amount of \$1,130,946; and (e) estimated Program Income in the amount of \$1,450,000; (2) preliminary adoption of the FY 2013-14 Reprogramming Budget in the amount of \$1,185,650; and (3) a public hearing to be held on June 11, 2014 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0788

Addendum Addition 4: An ordinance (1) denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos); and (2) authorizing increased rates to be charged by Atmos, as negotiated pursuant to its January 15, 2014 Dallas Annual Rate Review (DARR) filing - Financing: This action has no cost consideration to the City

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

Later in the meeting, addendum addition consent agenda item 4 was brought up for consideration.

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Medrano.

Councilmember Kingston moved a substitute motion to deny the rates requested by Atmos Energy Corp. Mid-Tex Division (Atmos), but not authorize the comprised rates that staff negotiated with Atmos.

Motion seconded by Councilmember Griggs.

At the request of Councilmember Gates, the following individual addressed the city council regarding the item:

Lance R. Andrews, 4001 Bowden Hills Ln., Colleyville, TX,  
representing Atmos Energy Corp.

At the request of Councilmember Davis, the following individual addressed the city council regarding the item:

Chris Felon, 4804 Coventry Lane, Arlington, TX, representing Atmos  
Energy Corp.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0788

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After discussion, Mayor Rawlings called for a vote on Councilmember Kingston's substitute motion to deny the rates requested by Atmos Energy Corp. Mid-Tex Division (Atmos) and deny the comprised rates that staff negotiated with Atmos.

Voting Yes: [2] Kingston, Callahan

Voting No: [13] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill,  
Caraway, Davis, Kadane, Allen, Kleinman,  
Greyson, Gates

The city secretary declared the motion failed.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' original motion to adopt the item.

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

Assigned ORDINANCE NO. 29341

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0789

Addendum Addition 5: An ordinance abandoning portions of Imperial Street, an alley and a street easement containing a total of approximately 20,835 square feet of land, located near the intersection of Hatcher and Imperial Streets to Frazier Revitalization Inc., Greater Mt. Calvary Church of God In Christ of Dallas, True Lee Missionary Baptist Church (also known as True Lee Baptist Church) and Frazier HS, LP, the abutting owners, and authorizing the quitclaim - Revenue: \$19,130, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29342

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0790

Addendum Addition 6: Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road - Not to exceed \$2,371,711 - Financing: Stormwater Drainage Management Capital Construction Funds (\$2,000,000) and Company of Trinity Forest Golfers Funds (\$371,711) (to be reimbursed by the Company of Trinity Forest Golfer's, Inc.)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0791

Addendum Addition 7: An ordinance (1) appointing 12 full-time municipal judges and 13 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2016; (2) designating an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2016; and (3) establishing the annual salary for the full-time and associate municipal judges and the administrative municipal judge - Financing: This action has no cost consideration to the City

Councilmember Griggs requested the item be separated into 3 separate motions. (1) full-time administrative judge, (2) regular full-time judges, and (3) part-time (associate) judges; there was no objection voiced to his request.

Councilmember Griggs moved to appoint Daniel F. Solis as a full-time, administrative judge and keep his salary where it presently is.

Motion seconded by \*Deputy Mayor Pro Tem Alonzo and Councilmember Caraway.

Mayor Rawlings called the vote on Councilmember Griggs' motion to appoint Daniel F. Solis as a full-time, administrative judge and keep his salary where it presently is.

Mayor Rawlings declared the motion adopted.

Councilmember Griggs moved to appoint the following 11 full-time municipal judges and to maintain the current salary structure:

1. Jay E. Robinson
2. Cheryl D. Williams
3. Michael Acuna
4. Julie Clancy
5. Victor Lander
6. Preston W. Robinson
7. Kathryn Hoang
8. Paula Aldana
9. Demetrius Blacklock
10. Henry Wade
11. Daniel Ryan

Motion seconded by Councilmember Caraway.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0791

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Councilmember Allen asked Councilmember Griggs if he would accept a friendly amendment to replace Demetrius E. Blacklock with William Marple.

Councilmember Griggs accepted the friendly amendment as part of his motion.

Councilmember Caraway, who seconded the original motion, did not accept the friendly amendment.

Councilmember Allen moved a substitute motion to appoint the following 11 full-time municipal judges and to maintain the current salary structure:

1. Jay E. Robinson
2. Cheryl D. Williams
3. Michael Acuna
4. Julie Clancy
5. Victor Lander
6. Preston W. Robinson
7. Kathryn Hoang
8. Paula Aldana
9. William Marple
10. Henry Wade
11. Daniel Ryan

Motion seconded by Councilmember Kadane.

After discussion, Mayor Rawlings called the vote on Councilmember Allen's substitute motion to appoint the following 11 full-time municipal judges and to maintain the current salary structure:

1. Jay E. Robinson
2. Cheryl D. Williams
3. Michael Acuna
4. Julie Clancy
5. Victor Lander
6. Preston W. Robinson
7. Kathryn Hoang
8. Paula Aldana
9. William Marple
10. Henry Wade
11. Daniel Ryan

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-0791

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Voting Yes: [6] Griggs, Callahan, Kadane, Allen, Greyson, Gates

Voting No: [9] Rawlings, Atkins, Alonzo, Medrano, Hill, Caraway,  
Davis, Kleinman, Kingston

The city secretary declared the motion failed.

Mayor Rawlings called the vote on Councilmember Griggs' original motion to appoint the following 11 full-time municipal judges and to maintain the current salary structure:

1. Jay E. Robinson
2. Cheryl D. Williams
3. Michael Acuna
4. Julie Clancy
5. Victor Lander
6. Preston W. Robinson
7. Kathryn Hoang
8. Paula Aldana
9. Demetrius Blacklock
10. Henry Wade
11. Daniel Ryan

Voting Yes: [12] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill,  
Caraway, Davis, Allen, Kleinman, Gates, Kingston

Voting No: [3] Callahan, Kadane, Greyson

The city secretary declared the motion adopted.

Councilmember Griggs moved to delay the selection of the part-time (associate) judges until the Judicial Nominating Commission had met and completed their review.

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 29343

\*Note: Deputy Mayor Pro Tem Alonzo requested the record reflect her second to the motion in addition to Councilmember Caraway's second.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0792

Addendum Addition 8: A resolution designating absences by Councilmember Carolyn R. Davis as being for "official city business" -  
Financing: No cost consideration to the City

Councilmember Davis announced she had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Davis left the city council chamber.

Deputy Mayor Pro Tem Alonzo moved to adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Davis abstain; Medrano absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2014

14-0793

Addendum Addition 9: Authorize modifications to the Development and Operations Agreement with Equest for the Texas Horse Park to: (1) allow for a line of credit for Equest's operating account balance; (2) reduce the operating balance from three month average to one month average; and (3) strengthen the termination clauses - Financing: No cost consideration to the City

Councilmember Davis moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins.

After discussion, Councilmember Griggs moved a substitute motion to adopt the modifications, except for Section 4.1 Operating Account Balances, which is to remain the same as in the original contract.

Motion seconded by Councilmember Greyson.

Mayor Rawlings called a recess of the city council meeting at 11:30 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the city attorney on the item as well as the following items as posted:

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

- Legal briefing regarding contract with River Ranch Educational Charities for the Texas Horse Park.

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion regarding performance evaluation of City Secretary Rosa Rios.
- Discussion regarding performance evaluation of City Auditor Craig Daniel Kinton.

Mayor Rawlings reconvened the city council meeting after the closed session at 3:31 p.m. No other matters were discussed during the closed session.

The city secretary re-read the item into the record.

Councilmember Griggs moved to withdraw his substitute motion to adopt the modifications except for Section 4.1 Operating Account Balances which is to remain the same as in the original contract.

Councilmember Greyson, who seconded the substitute motion, also withdrew her second to the motion.

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14-0793

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Councilmember Griggs moved a substitute motion to direct staff to continue negotiations and return with the item at a later date.

Motion seconded by Councilmember Greyson.

After discussion, Mayor Rawlings called the vote on Councilmember Griggs' substitute motion to direct staff to continue negotiations and return with the item at a later date.

Mayor Rawlings declared the motion adopted.

**Note:** The city secretary announced for the record the item pertained to District 7 not District 5.

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Addendum Addition 10: Authorize (1) an amendment to the development agreement with Rudolph Edwards, Linda Edwards, and RLE Properties, LLC (collectively referred to herein as "Rudy's"), previously approved on May 22, 2013, by Resolution No. 13-0916, to (a) allow the conveyance of certain parcels of real property located at 3111 and 3115 South Lancaster Road to City Wide Community Development Corporation (CWDC) rather than to the City for the appraised value of \$548,200; and (b) reduce the original \$890,000 grant to Rudy's by \$548,200, being the appraised value of the parcels no longer being conveyed to the City, and requiring Rudy's to refund to the City said \$548,200; and (2) an amendment to the existing development loan with CWDC for the Lancaster/Kiest project by increasing the loan amount by (a) \$548,200 to facilitate purchase of the parcels from Rudy's; and (b) \$50,000 for environmental, demolition, and other predevelopment costs to prepare the parcels for redevelopment - Total not to exceed \$598,200 - Financing: Lancaster Corridor Redevelopment Funds (\$548,200) and General Obligation Commercial Paper Funds (\$50,000) (Total net cost to the City \$50,000)

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," City Secretary Rios read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

Councilmember Caraway moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 14, 2014

EXHIBIT C