

“CORRECTED”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 13, 2014

14-1200

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

PRESENT: [15] Rawlings, Atkins (*9:09 a.m.), Alonzo, Griggs, Medrano (*9:11 a.m.), Hill, Caraway (*9:08 a.m.), Callahan, Davis (*9:27 a.m.), Kadane, Allen, Kleinman (*9:09 a.m.), Greyson, Gates, Kingston (*9:16 a.m.)

ABSENT: [0]

The meeting was called to order at 9:06 a.m.

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

The invocation was given by Minister Ezra C. Pernermon of New Mount Zion Baptist Church.

Mayor Rawlings 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 6:07 p.m.

Mayor

ATTEST:

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, AUGUST 13, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 13, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1201

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: Shirley Jones, 3011 Harlandale Ave.
SUBJECT: The Good Earth – damaged car

SPEAKER: Dominique R. Alexander, 2512 E. Overton Rd.
REPRESENTING: Kelley Alert Foundation Inc.
SUBJECT: Crime against victims

SPEAKER: *Richard Sheridan, 11301 Dennis Rd.
SUBJECT: Ethics/What about our homeless kids
*Note: Removed from the council chambers due to slanderous remarks.

SPEAKER: Jennifer Roberts, 8417 Londonberry Ln.
SUBJECT: Budget/Dallas Animal Services

SPEAKER: Albert Navifar, 15889 Preston Rd.
SUBJECT: City of Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: The Mayor/FBI/RSR lead lawsuit

SPEAKER: Dorsey Baskin, 6446 Meadow Rd.
REPRESENTING: Dallas Summer Musicals
SUBJECT: Dallas Summer Musicals/Budget

SPEAKER: Robert Ceccarelli, 1822 Young St.
SUBJECT: Homelessness and addiction

SPEAKER: Donna Bangs, 1237 Whispering Trail
REPRESENTING: Claxton Recycling, Inc.
SUBJECT: No sale of cans without vehicle

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1201

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OPEN MICROPHONE – END OF MEETING:

(Continued)

SPEAKER: Jacqueline Belk, 333 Melrose Dr., Richardson, TX

REPRESENTING: Skillquest

SUBJECT: Invest in us

SPEAKER: Lourdes Oltiveros, 1207 Loriane Ln., Mesquite, TX

REPRESENTING: Workers Defense Project

SUBJECT: Rest Break ordinance

Note: As requested, the City Secretary's Office provided an interpreter: Pauline LeNoir, Accento, Inc., 208 W. Spring Valley Rd., Richardson, TX

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1202

Item 1: Approval of Minutes of the June 25, 2014 City Council Meeting

Mayor Pro Tem Atkins moved to adopt the minutes of the June 25, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1203

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-61 and addendum addition consent agenda items 1-3, was presented for consideration. Consent agenda items 16, 17, 29, 31 and 32 were deleted on the addendum to the agenda.

The city secretary announced agenda item 21 required two seconds to adopt as it was a designated public subsidy matter; therefore, two seconds would be taken to adopt the consent agenda; there was no objection voiced to her announcement.

Earlier in the meeting, prior to consideration of the consent agenda, the city secretary requested the following speaker be allowed to speak on a consent agenda item; there was no objection voiced to her request. As a result, the following individual spoke on the noted agenda item:

Marvin Crenshaw, 5134 Malcolm X Blvd., spoke on consent agenda item 33

Councilmember Kingston requested consent agenda items 4, 14, 15, 43, 45 and 46 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Gates requested consent agenda item 30 be considered as an individual item later in the meeting; there was objection voiced to her request.

Councilmember Greyson requested consent agenda items 43, 45 and 46 be considered as individual items 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 4, 14, 15, 30, 43, 45 and 46.

Motion seconded by Councilmember Griggs and Councilmember Gates and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1204

Item 2: Authorize a service contract for the purchase and installation of two 100-ton truck scale weigh systems for Sanitation Services - Nicol Scales, L.P., lowest responsible bidder of three - Not to exceed \$205,526 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1205

Item 3: Authorize a three-year service contract for window washing services - D & A Building Services, Inc. in the amount of \$197,515, Northcoast Window Cleaning LLC in the amount of \$82,320, Jack & Joe's Window Cleaning, Inc. dba Squeegee Squad in the amount of \$3,250 and City Wide Building Services, Inc. in the amount of \$2,552, lowest responsible bidders of five - Total not to exceed \$285,637 - Financing: Current Funds (\$131,787) and Aviation Current Funds (\$153,850) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1206

Item 4: Authorize a three-year service contract for grounds, creeks and channels maintenance of floodway sumps for Trinity Watershed Management - Good Earth Corporation, lowest responsible bidder of three - Not to exceed \$1,852,155 - Financing: Stormwater Drainage Management Current Funds (subject to annual appropriations)

Councilmember Kingston requested 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, consent agenda item 4 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Griggs, Davis, Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1207

Item 5: Authorize a three-year service contract for the inspection, diagnostic testing, preventive maintenance, repair services and purchase of electric switchgear - National Switchgear Systems North Texas, Inc. dba National Field Services, lowest responsible bidder of two - Not to exceed \$2,944,525 - Financing: Current Funds (\$116,090), Water Utilities Current Funds (\$2,466,835), Stormwater Drainage Management Current Funds (\$263,100) and Aviation Current Funds (\$98,500) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1208

Item 6: Authorize **(1)** a five-year acquisition contract to establish a master agreement, with three one-year renewal options, for the lease, purchase, installation and hosting of a citywide global positioning system in the amount of \$5,477,200; and **(2)** a five-year service contract to establish a master agreement, for extended warranty, maintenance and support for the global positioning system in the amount of \$392,000 - Radio Satellite Integrators, Inc., most advantageous proposer of six - Total not to exceed \$5,869,200 - Financing: Current Funds (\$5,376,722), Stormwater Drainage Management Current Funds (\$352,236) and Aviation Current Funds (\$140,242) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1209

Item 7: Authorize the purchase of 70 benches for Dallas Love Field - Intelligent Interiors, Inc. through the Texas Multiple Award Schedule - Not to exceed \$95,665 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1210

Item 8: Authorize the purchase of folding chair replacement parts for the Kay Bailey Hutchison Convention Center Dallas - Hussey Seating Company through the National Joint Powers Alliance Contract - Not to exceed \$185,150 - Financing: Convention and Event Services Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1211

Item 9: Authorize a two-year master agreement for bagged cement and cement related items to be utilized citywide - HD Supply, Ltd dba White Cap Construction in the amount of \$665,512, Simba Industries, Inc. in the amount of \$608,773 and Concrete Accessories, Inc. in the amount of \$25,195, lowest responsible bidders of three - Total not to exceed \$1,299,480 - Financing: Current Funds (\$1,101,196), Water Utilities Current Funds (\$117,545), Aviation Current Funds (\$55,897), Stormwater Drainage Management Current Funds (\$22,780) and Convention and Event Services Current Funds (\$2,062)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1212

Item 10: Authorize a three-year master agreement for the purchase of athletic, recreation and sports equipment and supplies for use throughout the City - S & S Worldwide, Inc. in the amount of \$190,500, BSN Sports in the amount of \$144,300, Nationwide Supplies in the amount of \$130,400 and Simba Industries, Inc. in the amount of \$115,600, lowest responsible bidders of six - Total not to exceed \$580,800 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1213

Item 11: Authorize a three-year master agreement for marketing, commendation and merchandising items - Authentic Promotions.com in the amount of \$353,153, Already Gear, Inc. in the amount of \$208,678 and BBW Promotions, Awards, Trophies and Promotional Products in the amount of \$190,050, lowest responsible bidders of twelve - Total not to exceed \$751,881 - Financing: Current Funds (\$478,426), Stormwater Drainage Management Current Funds (\$176,258), Employee Benefits Current Funds (\$31,907) and Water Utilities Current Funds (\$65,290)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1214

Item 12: Authorize supplemental agreement no. 2 to exercise the second of three one-year renewal options of the professional services contract with MuniServices, LLC for sales/use tax compliance review and recovery services extending the term through September 7, 2015 - Estimated Net Annual Revenue: \$1,400,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1215

Item 13: Authorize settlement of a claim filed by Ruth Taylor, Claim No. 12470658 -
Not to exceed \$45,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1216

Item 14: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Shelter Plus Care Grant in the amount of \$1,436,890, to provide tenant-based rental assistance for permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2014 through September 30, 2015; **(2)** a local cash match in the amount of \$116,723; **(3)** a Memorandum of Understanding between the City of Dallas and Turtle Creek Recovery Center to provide an in-kind match in the amount of \$18,000; **(4)** a Memorandum of Understanding between the City of Dallas and LifeNet of Texas to provide an in-kind match in the amount of \$42,500; **(5)** a Memorandum of Understanding between the City of Dallas and AIDS Arms, Inc. to provide an in-kind match in the amount of \$72,000; **(6)** a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an in-kind match in the amount of \$55,000; **(7)** a Memorandum of Understanding between the City of Dallas and ABC Behavioral Health to provide an in-kind match in the amount of \$55,000; and **(8)** execution of the grant agreement - Total not to exceed \$1,796,113 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$1,436,890), In-Kind Contributions (\$242,500) and Current Funds (\$116,723) (subject to appropriations)

Councilmember Kingston requested consent agenda item 14 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 14 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1217

Item 15: Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development in the amount of \$785,920, to provide rental assistance and case management for single chronically homeless persons and to provide funding for three staff positions to carry out the program for the period October 1, 2014 through September 30, 2015; **(2)** a local cash match in an amount not to exceed \$161,830; **(3)** a Memorandum of Understanding between the City of Dallas and Turtle Creek Manor to provide an in-kind match in the amount of \$18,000; **(4)** a Memorandum of Understanding between the City of Dallas and Eban Village to provide an in-kind match in the amount of \$16,650; and **(5)** execution of the grant agreement - Total not to exceed \$982,400 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$785,920), In-Kind Contributions (\$34,650) and Current Funds (\$161,830) (subject to appropriations)

Councilmember Kingston requested consent agenda item 15 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 15 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1218

Item 16: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by AAA Home Builder, LLC for the construction of affordable houses; **(2)** the sale of 7 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to AAA Home Builder, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 7 properties that may have been filed by the City - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1219

Item 17: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Archangel Reliance, LLC for the construction of affordable houses; **(2)** the sale of 33 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Archangel Reliance, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 33 properties that may have been filed by the City - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1220

Item 18: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015 - Not to exceed \$1,728,050 - Financing: 2014-15 Housing Opportunities for Persons with AIDS Grant Funds (\$1,490,050) and 2013-14 Housing Opportunities for Persons with AIDS Grant Funds (\$238,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1221

Item 19: Authorize an extension to the housing development loan agreement with Altura Homes for acquisition, redevelopment, and sale of eleven affordable single family homes located in the Lancaster NIP area to December 31, 2014 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1222

Item 20: Authorize an extension to the development loan agreement with East Dallas Community Organization, for a secured, no interest, forgivable loan for acquisition and related acquisition costs for 2344 & 2414 Harding Street to December 31, 2014 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1223

Item 21: Authorize **(1)** an extension of the development loan agreement with East Dallas Community Organization, Thornton Heights Project for acquisition and related acquisition costs of 29 unimproved properties to December 31, 2015; and **(2)** a development loan in the amount of \$800,000 for the construction of the final twelve homes - Financing: 2010-11 Home Investment Partnership Program Grant Funds

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."

Adopted as part of the consent agenda.

Note: The item was posted as a consent agenda item. The City Secretary's Office was later informed the item was a designated public subsidy matter and required two seconds. At the time the consent agenda item was presented for consideration, the city council was informed of the need for two seconds; and, therefore, the consent agenda was approved by a motion from Councilmember Kadane and seconded by Councilmember Griggs and Councilmember Gates.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1224

Item 22: Authorize the first twelve-month renewal option to the contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015 - Not to exceed \$524,300 - Financing: 2014-15 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1225

Item 23: Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015 - Not to exceed \$123,615 - Financing: 2014-15 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1226

Item 24: Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015 - Not to exceed \$262,267 - Financing: 2014-15 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1227

Item 25: Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide a master leasing program for homeless persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015 - Not to exceed \$323,500 - Financing: 2014-15 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1228

Item 26: Authorize the first twelve-month renewal option to the contract with My Second Chance, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015 - Not to exceed \$164,518 - Financing: 2014-15 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1229

Item 27: Authorize the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (ASD) to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015 - Not to exceed \$1,070,565 - Financing: 2014-15 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1230

Item 28: Authorize an amendment to Resolution No. 14-0553, previously approved on March 26, 2014, for \$550,000 for the housing development loan with 2122 Highland, LLC to allow the subordination of lien to the permanent lender, Mid South Bank - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1231

Item 29: Authorize an amendment to Resolution No. 14-0998, previously approved on June 25, 2014, for the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Commonwealth Companies, LLC to change the proposed square footage and price range for the construction of affordable houses on 30 lots to be acquired from the Dallas Housing Acquisition and Development Corporation (list attached) - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1232

Item 30: Authorize the third amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period April 1, 2014 through September 30, 2014 - Not to exceed \$479,932, from \$14,880,431 to \$15,360,363 - Financing: Department of State Health Services Grant Funds

Councilmember Gates requested consent agenda item 30 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent agenda item 30 was brought up for consideration.

Councilmember Gates moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1233

- Item 31: Authorize a public hearing to be held on September 10, 2014 to receive comments on the proposed sale of one unimproved property (list attached) acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1234

Item 32: Authorize **(1)** a public hearing to be held October 22, 2014 to receive comments on the proposed City of Dallas FY 2014-15 Urban Land Bank Demonstration Program Plan; and **(2)** at the close of the public hearing, consideration of approval of the City of Dallas FY 2014-15 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1235

Item 33: Authorize a public hearing to be held on August 27, 2014 to receive comments on the proposed FY 2014-15 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City

The following individual spoke on the item at the beginning of the meeting:

Marvin Crenshaw, 5134 Malcolm X Blvd.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1236

Item 34: Authorize a professional services contract with Jacobs Engineering Group Inc. for architectural services for a feasibility study and master plan for a proposed new recreation center for the White Rock Hills Recreation Center located at 2229 Highland Road - Not to exceed \$123,830 - Financing: 2003 Bond Funds (\$24,054) and 2006 Bond Funds (\$99,776)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1237

Item 35: Authorize an increase in the contract with Northstar Construction, LLC for the installation of six exercise stations and site furnishings at Kiest Park located at 3080 South Hampton Road - Not to exceed \$141,570, from \$1,426,402 to \$1,567,972 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1238

Item 36: Authorize a public hearing to be held on September 10, 2014 to receive comments on the proposed use of a portion of the Five Mile Creek Trail, consisting of approximately 7,518 square feet of land, by Dallas Area Rapid Transit (DART) for a Public Mass Transit Easement to accommodate the South Oak Cliff Corridor SOC-3 Blue Line Extension project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1239

Item 37: Authorize **(1)** street paving and storm drainage improvements for San Leon Avenue from Glencliff Drive to dead-end; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on September 10, 2014, to receive comments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1240

Item 38: Authorize a service agreement with Oncor Electric Delivery Company, LLC to bury existing overhead electric facilities along the south side of SMU Boulevard from east of Worcola Street to the west of DART's rail line - Not to exceed \$294,358 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1241

**Medical District Drive from IH 35E
to Southwestern Medical Avenue**

Note: Item Nos. 39, 40 and 41
must be considered collectively.

Item 39: Authorize termination of the existing Local Project Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the design, right-of-way acquisition, and construction of paving and drainage improvements on Medical District Drive from IH 35E to Harry Hines Boulevard previously approved on August 24, 2011, by Resolution No. 11-2194 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1242

**Medical District Drive from IH 35E
to Southwestern Medical Avenue**

Note: Item Nos. 39, 40 and 41
must be considered collectively.

Item 40: Authorize **(1)** the First Amendment to the Project Supplemental Agreement with Dallas County for the design, right-of-way acquisition, construction of paving, drainage, water main and wastewater main improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue; and **(2)** payment to Dallas County for the City's share of design, right-of-way acquisition, and construction costs for the Medical District Drive from IH 35E to Southwestern Medical Avenue - Not to exceed \$1,292,322 - Financing: General Obligation Commercial Paper Funds (\$983,792), Water Utilities Capital Construction Funds (\$14,111) and Water Utilities Capital Improvement Funds (\$294,419)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1243

**Medical District Drive from IH 35E
to Southwestern Medical Avenue**

Note: Item Nos. 39, 40 and 41
must be considered collectively.

Item 41: Authorize an agreement with Dallas Area Rapid Transit (DART) for construction, maintenance and use of the Trinity Railway Express (TRE) underpass structure on Medical District Drive within the railroad right-of-way - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1244

Item 42: Authorize supplemental agreement No. 1 to exercise a three-year renewal option with Comverge, Inc. for participation in the Emergency Response Service Program (previously referred to as the Emergency Interruptible Load Service Program) and the Commercial Load Management Program extending the term through July 31, 2017 - Estimated Annual Revenue: \$52,700

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1245

Item 43: Authorize **(1)** the receipt and deposit of funds in the amount of \$29,090 from Harwood International for material, equipment and labor provided by the City related to the reconstruction of the existing traffic signal at the intersection of McKinnon Street and Wolf Street; and **(2)** an increase in appropriations in the amount of \$29,090 in the Capital Projects Reimbursement Fund - Not to exceed \$29,090 - Financing: Capital Projects Reimbursement Funds

Councilmember Kingston and Councilmember Greyson requested consent agenda item 43 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 43 was brought up for consideration.

Councilmember Greyson moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1246

Item 44: Authorize **(1)** the receipt and deposit of funds in the amount of \$29,090 from Provident Realty Advisors, Inc., for material, equipment and labor provided by the City related to the construction of a new traffic signal at the intersection of Walnut Hill Lane and a private driveway in the 7800 block of Walnut Hill Lane; and **(2)** an increase in appropriations in the amount of \$29,090 in the Capital Projects Reimbursement Fund - Not to exceed \$29,090 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1247

Item 45: Authorize **(1)** the receipt and deposit of funds in the amount of \$29,090 from Victory Park UST Joint Venture I, LP for material, equipment and labor provided by the City related to the construction of a new traffic signal at the intersection of Olive Street and Victory Park Lane; and **(2)** an increase in appropriations in the amount of \$29,090 in the Capital Projects Reimbursement Fund - Not to exceed \$29,090 - Financing: Capital Projects Reimbursement Funds

Councilmember Kingston and Councilmember Greyson requested consent agenda item 45 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 45 was brought up for consideration.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1248

Item 46: An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** designate school traffic zones; and **(2)** designate the direction of travel of vehicles on certain streets (list attached) - Financing: No cost consideration to the City

Councilmember Kingston and Councilmember Greyson requested consent agenda item 46 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 46 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

Assigned ORDINANCE NO. 29395

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1249

Item 47: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Master Cleaning Supply, Inc., et al., Cause No. CC-14-01531-D pending in Dallas County Court At Law No. 4, for acquisition from Master Cleaning Supply, Inc., of approximately 4,871 square feet of land located near Royal Lane for the Goodnight Lane Street Improvement Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$124,000, increased from \$325,300 (\$320,300, plus closing costs not to exceed \$5,000) to \$449,300 (\$444,300, plus closing costs and title expenses not to exceed \$5,000) - Financing: General Obligation Commercial Paper Funds (\$124,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1250

Item 48: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 56,806 square feet of land improved with a stock pond from Jamie Zavala located in Kaufman County for the Lake Tawakoni Pipeline Project - Not to exceed \$63,950, increased from \$36,050 (\$33,050, plus closing costs not to exceed \$3,000) to \$100,000 (\$95,000, plus closing costs and title expenses not to exceed \$5,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1251

Item 49: Authorize moving expense and rental assistance payments for Diane Dibbles as a result of an official written offer of just compensation to purchase real property at 4815 Fellows Lane for the South Central/Joppa Gateway Project - Not to exceed \$23,317 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1252

Item 50: Authorize a three-year extension of the lease agreement with Olympic Center No. 1 Venture for approximately 9,648 square feet of office space located at 2626 Lombardy Lane, Suite 105, for the Water Utilities Pretreatment and Laboratory Services Division for the period February 1, 2015 through January 31, 2018 - Not to exceed \$289,440 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1253

Item 51: An ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue - Z123-328 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NOS. 29396 AND 29397

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1254

Item 52: An ordinance granting a private license to Bandera Apartments, LLC, for approximately 3,207 square feet of land to install, maintain and use two awnings with no signs and landscaping on portions of Northwest Plaza Drive located near its intersection with Bandera Avenue - Revenue: \$3,000 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29398

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1255

Item 53: An ordinance abandoning a portion of a utility easement to 2610 Forest Lane Limited Partnership, the abutting owner, containing approximately 11,175 square feet of land, located near the intersection of Tarna and Anaheim Streets - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29399

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1256

Item 54: An ordinance abandoning a sanitary sewer easement to Garden Ventures, LLC., the abutting owner, containing approximately 600 square feet of land, located near the intersection of Elizabeth Street and North Central Expressway - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29400

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1257

Item 55: An ordinance abandoning an alley to Minerva Partners, Ltd., the abutting owner, containing approximately 5,168 square feet of land, located near the intersection of Cantegral and Live Oak Streets, and authorizing the quitclaim - Revenue: \$134,368, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29401

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1258

Item 56: An ordinance amending Ordinance No. 28922, as amended by Ordinance No. 29277, which abandoned a portion of an alley, located near the intersection of Hampton and Mountain Lake Roads, to Kojo Plaza, L.L.C., to extend the final replat and dedication requirement from 18 months to two years - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29402

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1259

Item 57: Authorize the City Manager to apply for and accept a grant, requiring matching funds, through the Federal Emergency Management Agency (FEMA) for FY 2014-2015 for the Cooperating Technical Partners (CTP) program, to provide a cost share for updating certain flood studies in the City of Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1260

Item 58: Authorize a contract for the installation of water and wastewater mains and replacement of large valves at 14 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of six - Not to exceed \$12,660,054 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1261

Item 59: Authorize a thirty-year contract with the City of Duncanville to continue providing wastewater service, from July 27, 2014 through July 26, 2044 - Estimated Annual Revenue: \$193,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1262

Item 60: Authorize Supplemental Agreement No. 1 to the professional services contract with CDM Smith Inc. for additional engineering services for the design, programming, and construction administration associated with process control system improvements at the Central Wastewater Treatment Plant - Not to exceed \$6,194,681, from \$2,450,976 to \$8,645,657 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1263

Item 61: Authorize Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. for additional engineering services associated with design and construction services for the rehabilitation of the peak flow basins at the Central Wastewater Treatment Plant - Not to exceed \$1,658,699, from \$629,980 to \$2,288,679 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1264

Item 62: 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 AUGUST 13, 2014.

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

Councilmember Medrano moved to appoint the following:

- Sherman Roberts to the Housing Finance Corporation Board;
- Michael Barrett, Chair, to the Reinvestment Zone Four Board (Cedars Area); Neal D. Sleeper, Chair, to the Reinvestment Zone Six Board (Farmers Market); Michon Fulgham, Chair, to the Reinvestment Zone Nine Board (Vickery Meadow); Collin Chase Evans, Chair, to the Reinvestment Zone Twelve Board (Deep Ellum); Robert L. Prejean, Chair, to the Reinvestment Zone Eighteen Board (Maple/Mockingbird).

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

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

14-6414 HFC HOUSING FINANCE CORPORATION BOARD
14-6415 BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1265

Item 63: Authorize a three-year master agreement for plumbing pipe, fittings, fixtures, trim and parts - Ferguson Enterprises, Inc. in the amount of \$741,673 or \$823,173 (**tie bid in group 6 - line 13**), Winston Water Cooler LTD in the amount of \$251,367 or \$332,867 (**tie bid in group 6 - line 13**), HD Supply Waterworks LTD in the amount of \$208,158, 4-Star Hose & Supply, Inc. in the amount of \$135,740 and Best Plumbing Specialties, Inc. in the amount of \$51,100 - lowest responsible bidders of five - Total not to exceed \$1,469,538 - Financing: Current Funds (\$917,820), Water Utilities Current Funds (\$525,654) and Stormwater Drainage Management Current Funds (\$26,064)

The city secretary was notified by the city manager there were bids that resulted in identical bid amounts. In accordance with Section 271.901 of the Texas Local Government Code, the municipality must select one of those bidders by casting lots. The casting of lots must be in a manner prescribed by the mayor of the municipality and must be conducted in the presence of the governing body of the municipality.

The city secretary announced the names of the two tying bidders for group 6 - line 13 had been placed in separate plain envelopes for Mayor Rawlings to select one sealed envelope. Mayor Rawlings selected one sealed envelope for the line and announced the selection as follows:

- Group 6 - Line 13 – Winston Water Cooler LTD

Mayor Pro Tem Atkins moved to adopt the item with Winston Water Cooler LTD being awarded Line 13 of Group 6 as selected by Mayor Rawlings.

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

Note: On August 12, 2014, the city secretary, assistant city secretary and Carmen Esquivel (Business Development and Procurement Services) met and sealed the envelopes, all ensuring each sealed envelope for the respective line contained one name for each of the tying bidders.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1266

Item 64: An ordinance amending Chapters 2, 7 and 27 of the Dallas City Code, changing the name of the animal shelter commission to the animal advisory commission and providing new rules for membership and meetings; providing that the animal shelter is the caretaker for newly impounded animals; providing for the reduction or waiver of adoption fees; providing for pro se municipal court hearings of dangerous dog determinations; providing a definition for the term Dallas Animal Welfare Fund; providing for civil adjudication of violations of Chapter 7 and for civil penalties, fees, and court costs; providing a new Section 7-8.4 for the creation of the Dallas Animal Welfare Fund; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Alonzo moved to adopt the item and pass the ordinance.

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

Assigned ORDINANCE NO. 29403

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1267

Item 65: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Casa Blanca Village, LLC., of approximately 108,436 square feet of land located near the intersection of Highland and Ferguson Roads for the White Rock Hills Park Project - Not to exceed \$1,212,000 (\$1,200,000, plus closing costs and title expenses not to exceed \$12,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 65-68 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 65-68, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 65 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 *Casa Blanca Village LLC*, a tract of land containing approximately 108,436 square feet located near Highland and Ferguson Roads in City of Dallas Block 7037, and more fully described in Exhibit A of the proposed written resolution for this item, for the White Rock Hills Park Project.

Mayor Pro Tem Atkins moved to adopt agenda items 65-68.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 65-68:

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

Voting No: [0]

Absent when vote taken: [1] Davis

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1268

Item 66: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the County of Dallas, Texas, of 33,288 square feet of land located near the intersection of Joe Field Road and Emerald Street for the Goodnight Lane Street Improvements Project - Not to exceed \$142,700 (\$137,700, plus closing costs and title expenses not to exceed \$5,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 65-68 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 65-68, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 66 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 *County of Dallas, Texas*, a tract of land containing approximately 33,288 square feet located near Joe Field Road and Emerald Street in City of Dallas Block 6546, and more fully described in Exhibit A of the proposed written resolution for this item, for the Goodnight Lane Street Improvements Project.

Mayor Pro Tem Atkins moved to adopt agenda items 65-68.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 65-68:

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

Voting No: [0]

Absent when vote taken: [1] Davis

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1269

Item 67: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eric Lamont Stephenson, of an unimproved tract of land containing approximately 35,213 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 \$19,676 (\$17,000 plus closing costs and title expenses not to exceed \$2,676) - Financing: 2006 Bond Funds

The city secretary read agenda items 65-68 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 65-68, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 67 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 *Eric Lamont Stephenson*, a tract of land containing approximately 35,213 square feet, located on Barber Avenue near its intersection with Dixon Avenue in City of Dallas Block 7/6122, 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.

Mayor Pro Tem Atkins moved to adopt agenda items 65-68.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 65-68:

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

Voting No: [0]

Absent when vote taken: [1] Davis

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1270

Item 68: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Sienna Court Townhomes, LLC, of an unimproved tract of land containing approximately 4,237 square feet located on San Jacinto Street near its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$43,973 (\$40,473 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 65-68 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 65-68, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 68 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 Sienna Court Townhomes, LLC, a tract of land containing approximately 4,237 square feet, located on San Jacinto Street near its intersection with Haskell Avenue in City of Dallas Block 5/642, 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.

Mayor Pro Tem Atkins moved to adopt agenda items 65-68.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt agenda items 65-68:

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

Voting No: [0]

Absent when vote taken: [1] Davis

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1271

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedar Branch - Townhomes

Note: Item Nos. 69 and 70
must be considered collectively.

Item 69: Authorize a development agreement with Texas IntownHomes LLC, to provide reimbursement: **(1)** for providing affordable for sale housing units in accordance with the Mixed-Income Housing Guidelines for the Single Family Homes Pilot Program in an amount not to exceed \$5,010,000; **(2)** for eligible infrastructure improvement costs associated with the Cedar Branch Townhomes Project in an amount not to exceed \$2,888,366; and **(3)** intent to purchase the affordable townhomes in an amount not to exceed \$3,450,000 and intent to sell the affordable townhomes and receive proceeds from the sale of the affordable townhomes to qualified buyers in an amount not to exceed \$1,800,000 (includes receipt of an amount of up to \$150,000 per unit for up to 12 units if Developer is unable to sell the Phase II units); in accordance with the Southwestern Medical TIF District Project Financing Plan and Southwestern Medical District Grant Program - Not to exceed \$7,898,366 - Financing: Southwestern Medical TIF District Funds

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 Medrano moved to adopt agenda items 69-70.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1272

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedar Branch - Townhomes

Note: Item Nos. 69 and 70
must be considered collectively.

Item 70: Authorize a resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District), to reimburse Texas IntownHomes LLC, in an amount not to exceed \$7,898,366 for construction of affordable housing and certain infrastructure improvements pursuant to the development agreement with Texas IntownHomes LLC - 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."

Councilmember Medrano moved to adopt agenda items 69-70.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1273

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedar Branch – Bridge

Note: Item Nos. 71 and 72
must be considered collectively.

Item 71: Authorize a development agreement with Texas IntownHomes LLC, to reimburse eligible project costs related to the land acquisition, bridge construction and other infrastructure improvements associated with the Cedar Branch Bridge Project in an amount not to exceed \$826,500, Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) - Not to exceed \$826,500 - Financing: Southwestern Medical TIF District Funds

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 Medrano moved to adopt agenda items 71-72.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1274

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedar Branch – Bridge

Note: Item Nos. 71 and 72
must be considered collectively.

Item 72: Authorize a resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District), to reimburse Texas IntownHomes LLC, up to \$826,500 for TIF-eligible project costs pursuant to the development agreement with Texas IntownHomes LLC - 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."

Councilmember Medrano moved to adopt agenda items 71-72.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1275

DESIGNATED PUBLIC SUBSIDY MATTERS

City Center TIF District - Mid Elm Lofts Project

Note: Item Nos. 73 and 74
must be considered collectively.

Item 73: Authorize a development agreement with RREAF Holdings (Mid Elm), LLC, to reimburse TIF eligible project costs for streetscape and utility improvements in an amount not to exceed \$1,642,000 and an Economic Development TIF Grant in an amount not to exceed \$2,258,000 for a total amount not to exceed \$3,900,000 for the Mid Elm Lofts redevelopment project (1512, 1514, and 1516 Elm Street) from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed \$3,900,000 - Financing: City Center TIF District Funds

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 Medrano moved to adopt agenda items 73-74.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1276

DESIGNATED PUBLIC SUBSIDY MATTERS

City Center TIF District - Mid Elm Lofts Project

Note: Item Nos. 73 and 74
must be considered collectively.

Item 74: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to reimburse RREAF Holdings (Mid Elm), LLC, up to \$3,900,000, of which \$2,258,000 is in the form of Economic Development TIF Grant, for project costs pursuant to the development agreement with RREAF Holdings (Mid Elm), LLC - 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."

Councilmember Medrano moved to adopt agenda items 73-74.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1277

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 75: Authorize a Chapter 380 economic development grant agreement with Active Network, LLC and or its affiliates in an amount up to \$1,000,000 to offset development fees and other related costs associated with the relocation of the company's headquarters to 717 North Harwood Street in downtown Dallas pursuant to the Public/Private Partnership Program - Not to exceed \$1,000,000 - Financing: Public/Private Partnership Funds

Mayor Pro Tem Atkins requested agenda items 75-76 be considered collectively; there was no objection voiced to his request.

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."

Mayor Pro Tem Atkins moved to adopt agenda items 75-76.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1278

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 76: Authorize a Chapter 380 economic development grant agreement with Omnitrac, LLC and or its affiliates in an amount up to \$450,000 to offset development fees and other related costs associated with the relocation of the company's headquarters to 717 North Harwood Street in downtown Dallas pursuant to the Public/Private Partnership Program - Not to exceed \$450,000 - Financing: Public/Private Partnership Funds

Mayor Pro Tem Atkins requested agenda items 75-76 be considered collectively; there was no objection voiced to his request.

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."

Mayor Pro Tem Atkins moved to adopt agenda items 75-76.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1279

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

Agenda items 77, 78, 79, 81, 82, 83, 84 and 85 were removed from the consent zoning docket to be considered as individual hearings.

Agenda item 77: Zoning Case Z123-368(RB)	[considered individually]
Agenda item 78: Zoning Case Z134-124(WE)	[considered individually]
Agenda item 79: Zoning Case Z134-168(MW)	[considered individually]
Agenda item 80: Zoning Case Z134-205(CG)	
Agenda item 81: Zoning Case Z134-213(MW)	[deleted on the addendum]
Agenda item 82: Zoning Case Z134-217(WE)	[considered individually]
Agenda item 83: Zoning Case Z134-218(MW)	[considered individually]
Agenda item 84: Zoning Case Z134-221(RB)	[considered individually]
Agenda item 85: Zoning Case Z134-222(WE)	[considered individually]
Addendum Item 8: Zoning Case Z123-290(DC)	[considered individually]*

In the zoning case remaining 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.

Councilmember Kadane 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 Councilmember Kingston and unanimously adopted. (Davis absent when vote taken)

*Note: Addendum addition agenda item 8 was part of the consent zoning docket but was not presented as such; this item was therefore individually considered later in the meeting.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1280

Item 77: Zoning Case Z123-368(RB)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-3(A) Multifamily District Uses and an ordinance granting the termination of Specific Use Permit No. 409 for a Residence home for the aged on property zoned an MF-3(A) Multifamily District, on property bound by West Page Avenue, South Adams Avenue, West Pembroke Avenue, and Llewellyn Avenue.

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions, and approval of the termination of Specific Use Permit No. 409.

Councilmember Gates requested consent zoning agenda item 77 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent zoning agenda item 77 was brought up for consideration.

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

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

Motion seconded by Councilmember Kingston.

Councilmember Gates stated for record that her husband was listed as a member of the Dallas Housing Authority Board of Commissioners and as of July 1, 2014, he was longer on the board. Therefore, no conflict existed and could vote on the item.

After discussion, Mayor Rawlings called the vote on Councilmember Griggs' motion and declared the item unanimously adopted. (Davis absent when vote taken)

Assigned ORDINANCE NOS. 29404 AND 29405

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1281

Item 78: Zoning Case Z134-124(WE)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 147 for a utility or government installation other than listed on property zoned an R-7.5(A) Single Family District on the west line of South Cockrell Hill Road, north of Illinois Avenue.

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

Councilmember Hill requested consent zoning agenda item 78 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent zoning agenda item 78 was brought up for consideration.

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

Councilmember Hill moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- Landscaping – The existing chain-link fence and row of trees shall be maintained along the northern boundary of the tract. The row of trees shall consist of trees having a minimum caliper of two inches at the time of planting and placed forty (40) feet on center. Existing trees may be counted towards the requirement.

and pass the ordinance.

Motion seconded by Mayor Pro Tem Atkins.

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

Mark Housewright, 4409 Travis, representing Oncor Electric Delivery Co.

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

Assigned ORDINANCE NO. 29406

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1282

Item 79: Zoning Case Z134-168(MW)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the southeast corner of Red Bud Drive and North Jim Miller Road.

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

Prior to presentation of the consent zoning docket and the item being read into the record, Councilmember Callahan moved to continue the public hearing and defer the item until the September 10, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Greyson, Hill, Davis, Kingston absent when vote taken)

Later in the meeting, Councilmember Callahan moved to reconsider consent zoning agenda item 79 to allow consideration of the item.

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

The city secretary read consent zoning agenda item 79 into the record and called for speakers.

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

Councilmember Callahan moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- Specific Use Permit expires on August 13, 2019 with no automatic renewals

and pass the ordinance.

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

Assigned ORDINANCE NO. 29407

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1283

Item 80: Zoning Case Z134-205(CG)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for IR Industrial Research uses and additional signage on property zoned an IR Industrial Research District on the southwest line of John Carpenter Freeway, northwest of Dividend Drive.

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

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. 29408

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1284

Item 81: Zoning Case Z134-213(MW)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the east side of Tufts Road, north of Rylie Road.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1285

Item 82: Zoning Case Z134-217(WE)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1767 for an alcoholic beverage establishment limited to a bar, lounge or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, north of Commerce Street, east of South Good Latimer Expressway.

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

Councilmember Medrano requested consent zoning agenda item 82 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent zoning agenda item 82 was brought up for consideration.

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 with the following change:

- Changing the time limit from three years to two years with no automatic renewal

and pass the ordinance.

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

Assigned ORDINANCE NO. 29409

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1286

Item 83: Zoning Case Z134-218(MW)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a handicapped group dwelling unit on property zoned an R-7.5(A) Single Family District on the north side of Sutter Street, east of Crest Avenue.

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

Prior to presentation of the consent zoning docket and the item being read into the record, Councilmember Caraway moved to continue the public hearing and defer the item until the October 8, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1287

Item 84: Zoning Case Z134-221(RB)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 884 for a Public school other than an Open-enrollment charter school and R-7.5(A) Single Family District Uses on the northeast corner of Gross Road and Peavy Road.

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

Councilmember Davis requested consent zoning agenda item 84 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, consent zoning agenda item 84 was brought up for consideration.

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

Councilmember Caraway moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- The initial traffic study must be submitted to the director by March 1, 2016. After the initial traffic study, the property owner or operator shall submit updates of the traffic study to the director by March 1 of each even-numbered year

and pass the ordinance.

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

Assigned ORDINANCE NO. 29410

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1288

Item 85: Zoning Case Z134-222(WE)

The consent zoning docket, consisting of agenda items 77-85, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1757 for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, north of Elm Street and west of North Crowds Street.

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

Councilmember Medrano requested consent zoning agenda item 85 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent zoning agenda item 85 was brought up for consideration.

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 with the following change:

- The SUP is approved for a five-year period with eligibility for automatic renewals for additional five-year periods

and pass the ordinance.

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

Assigned ORDINANCE NO. 29411

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1289

Item 86: Zoning Case Z134-180(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 1972 for a convenience store with drive-through on property zoned a CR Community Retail District on the south side of West Clarendon Drive, west of South Hampton Road.

Recommendation of Staff and CPC: Denial.

David Cossum, director of sustainable development and construction, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require a favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the interim director of sustainable development and construction.

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

Tailim Song, 13140 Coit Rd., representing the applicant
Martina Alvarado, 2726 Burlington, representing Cliff Stop
Jin Kim, 13140 Coit Rd., representing the applicant (handout provided)
Martin Levine, 1101 S. Hampton Rd.
John Knott, 1402 S. Montreal Ave., representing Cliff Stop
Jeanine Morgan, 1323 S. Montreal Ave., representing Cliff Stop
Roy Rios, 1101 S. Hampton Rd.
Steve Salazar, 1033 N. Zang Blvd.
Jonathan Hriz, 443 E. Oakenwald
Jordan Witten, 5657 Amesbury Dr.
Tony Hinojosa Jr., 2909 Garapan Dr.

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

Michael Amonett, 2210 W. Tenth St.
Ellen Kreager, 809 S. Brighton Ave.
Harold L. Prestridge Jr., 605 S. Brighton Ave., representing Sunset Hill
Phil Leven, 1606 Hollywood Ave.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1289

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Councilmember Griggs moved to close the public hearing and accept the recommendation of the city plan commission to deny the item.

Motion seconded by Councilmember Kingston.

Councilmember Caraway stated for the record that he does not support drive-thrus that sell beer and wine and does not want to see any additional drive-thrus throughout Southern Dallas.

After discussion, Mayor Pro Tem Atkins moved a substitute motion to close the public hearing, reverse the city plan commission's recommendation by approving the Specific Use Permit for a one-year period and adopt the ordinance.

Motion seconded by Councilmember Davis.

After further discussion, Councilmember Griggs moved another substitute motion to close the public hearing, reverse the city plan commission's recommendation by approving a Specific Use Permit for a three-month period and adopt the ordinance.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called the voice vote on Councilmember Griggs' substitute motion to close the public hearing, reverse the city plan commission's recommendation by approving a Specific Use Permit for a three-month period and adopt the ordinance.

Mayor Rawlings declared the voice vote failed, with Mayor Pro Tem Atkins, Deputy Mayor Pro Tem Alonzo, Councilmember Hill, Councilmember Davis, Councilmember Kleinman and Councilmember Greyson voting "No."

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' substitute motion to close the public hearing, reverse the city plan commission's recommendation by approving the Specific Use Permit for a one-year extension and adopt the ordinance.

Voting Yes: [7] Hill, Caraway, Alonzo, Davis, Atkins, Kadane,
Greyson

Voting No: [8] Rawlings, Griggs, Medrano, Callahan, Allen,
Kleinman, Gates, Kingston

The city secretary declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1289

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Mayor Rawlings called the vote on Councilmember Griggs' original motion to close the public hearing and accept the recommendation of the city plan commission to deny the item:

Voting Yes: [9] Rawlings, Griggs, Medrano, Caraway, Callahan,
Allen, Kleinman, ~~Greyson~~, Gates, Kingston

Voting No: [6] Atkins, Alonzo, Hill, Davis, Kadane, Greyson

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1290

Item 87: Zoning Case Z134-195(OTH) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay on the northwest corner of Samuell Boulevard and Hunnicut Road.

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

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

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

Richard Munoz, 700 Pearl St., representing Buckner International

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

Huy Doan, 2900 Tisinger, Plano, TX

Councilmember Davis moved to close the public hearing and deny the item.

Motion seconded by Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1291

Item 88: Zoning Case Z134-203(WE) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subarea within Planned Development District No. 784, the Trinity River Corridor Special Purpose District and an ordinance granting a Specific Use Permit for a government installation other than listed limited to a flood control pump station on the southwest line of South Riverfront (Industrial) Boulevard, generally between East R.L. Thornton Freeway and Old Zang Boulevard.

Recommendation of Staff and CPC: Approval of a new subarea and approval of a Specific Use Permit for a permanent period, subject to a site plan, landscape plan and conditions.

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

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

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

Assigned ORDINANCE NOS. 29412 AND 29413

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1292

Item 89: Zoning Case Z134-209(CG) - INDIVIDUAL

A public hearing to receive comments regarding an application for a Specific Use Permit to relocate a detached non-premise sign on property zoned an MU-3 Mixed Use District along the east line of North Central Expressway, north of Churchill Way.

Recommendation of Staff: Denial.

Recommendation of CPC: Denial without prejudice.

David Cossum, director of sustainable development and construction, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require a favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the interim director of sustainable development and construction.

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

Santos Martinez, 900 Jackson St., representing Perry Company

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

Councilmember Allen moved to close the public hearing, reverse the city plan commission's recommendation to deny the item, with the ordinance to return at a later date.

Motion seconded by Mayor Pro Tem Atkins.

After discussion, Mayor Rawlings called the vote on Councilmember Allen's motion.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1293

Item 90: Zoning Case Z134-216(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an IR Industrial Research District with deed restrictions on the south side of Beckleymeade Avenue, east side of Autobahn Drive.

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

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

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:

Brandy Schott, 642 Hood Dr., representing Winfree Academy Charter Schools

Mayor Pro Tem Atkins moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

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

Assigned ORDINANCE NO. 29414

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1294

Item 91: Zoning Case Z123-332(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 820 on property generally bounded by Fitzhugh Avenue, Bennett Avenue, and Manett Street.

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

Note: This item was considered by the City Council at a public hearing on June 25, 2014, and was taken under advisement until August 13, 2014, with the public hearing open.

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

Paul Johnston, 2045 W. Northwest Highway, representing the applicant

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

Councilmember Medrano moved to remand the item to the City Plan and Zoning Commission.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1295

Item 92: Zoning Case Z134-156(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the removal of the D Liquor Control Overlay, on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, with a D Liquor Control Overlay with consideration given to granting a D-1 Liquor Control Overlay on the northwest side of Oak Lawn Avenue and the southwest side of Dickason Avenue.

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay in lieu of removal of the D Liquor Control Overlay.

Recommendation of CPC: Approval of the removal of the D Liquor Control Overlay.

Note: This item was considered by the City Council at a public hearing on May 28, 2014, and was taken under advisement until August 13, 2014, with the public hearing open

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:

Tommy Mann, 2728 N. Harwood St., representing the applicant

Councilmember Medrano moved to continue the public hearing and hold the item under advisement until the October 8, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1296

Item 93: Zoning Case Z134-172(CG) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1954 for a commercial amusement (inside) use limited to a Class A dance hall on property zoned a CR Community Retail District on the northwest corner of Singleton Boulevard and Peoria Avenue.

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

Note: This item was considered by the City Council at a public hearing on June 25, 2014, and was taken under advisement until August 13, 2014, with the public hearing open

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 and pass the ordinance.

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

Assigned ORDINANCE NO. 29415

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1297

Item 94: Zoning Case Z134-173(DJ) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for a CR Community Retail District on property zoned an MF-2(A) Multifamily District on the southwest side of Highland Road, east of Ferguson Road and an ordinance granting a NS(A) Neighborhood Service District.

Recommendation of Staff and CPC: Approval of a NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District.

Note: This item was considered by the City Council at a public hearing on June 11, 2014, and was taken under advisement until August 13, 2014, with the public hearing open

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:

Gabriela Ortiz, 2318 Highland Rd., representing the applicant

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

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

Assigned ORDINANCE NO. 29416

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1298

Item 95: Zoning Case Z134-177(CE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1879 for a late-hours establishment limited to a bar, lounge or tavern on property zoned Planned Development District No. 842 on the east side of Greenville Avenue, south of Oram Street.

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

Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewal for one additional two-year period, subject to conditions.

Note: This item was considered by the City Council at a public hearing on June 25, 2014, and was taken under advisement until August 13, 2014, with the public hearing open.

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

Councilmember Kingston moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- The Specific Use Permit to run for a period of three years, with eligibility for an automatic two year renewal

and pass the ordinance.

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

Assigned ORDINANCE NO. 29417

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1299

Item 96: Zoning Case Z134-187(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1530 for an Industrial (outside) use limited to a concrete batch plant on property zoned Tract 2, Subdistrict 1 within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the southwest corner of Joe Field Road and Denton Drive.

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

Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewal for one additional two-year period, subject to conditions.

Note: This item was considered by the City Council at a public hearing on June 25, 2014, and was taken under advisement until August 13, 2014, with the public hearing open.

David Cossum, director of sustainable development and construction, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require a favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the interim director of sustainable development and construction.

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:

Fielder F. Nelms, 9321 Canter Dr., representing the applicant

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

- The Specific Use Permit expires on August 13, 2017;
- Not eligible for automatic renewals;

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

14-1299

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

Assigned ORDINANCE NO. 29418

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1300

Item 97: Zoning Case Z134-204(DJ) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 2044 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 an MD-1 Modified Delta Overlay on the west side of Greenville Avenue, south of Sears Street.

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

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

Note: This item was considered by the City Council at a public hearing on June 25, 2014, and was taken under advisement until August 13, 2014, with the public hearing open.

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

Audra Buckley, 416 S. Ervay St., representing the applicant
Bruce Richardson, 5607 Richmond Ave.

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

Councilmember Kingston moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

- Exclusion of the back patio, the 750 square feet covered patio and 1300 uncovered patio, but include the front patio within the specific use permit for a period of three-years, with the eligibility for a two-year automatic renewal.

and pass the ordinance.

Motion seconded by Councilmember Griggs and unanimously adopted.

Assigned ORDINANCE NO. 29419

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1301

DESIGNATED ZONING CASES – INDIVIDUAL

Item 98: Zoning Case Z112-251(DM)

A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 316, the Jefferson Area Special Purpose District and an NS Neighborhood Service District with consideration being given to appropriate zoning for the area including use, development standards, parking, landscape, sign, and other appropriate regulations on property generally bounded by an alley between Tenth Street and Sunset Avenue and Jefferson Boulevard on the north, Beckley Avenue on the east, an alley between Page Avenue and Twelfth Street on the south, an alley between Polk Street and Willomet Avenue on the west and the southwest corner between South Tyler Street (northbound) and Polk Street S and an ordinance granting the amendments.

Recommendation of Staff and CPC: Approval of amendments to Planned Development District No. 316.

Prior to consideration of the consent zoning docket and the item being read into the record, Councilmember Griggs moved to continue the public hearing and defer the item until the August 27, 2014 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1302

DESIGNATED ZONING CASES – INDIVIDUAL

Item 99: Zoning Case Z123-192(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District Uses on property zoned an IR Industrial Research District, on property generally on the northwest line of Manor Way, between Maple Avenue and Denton Drive.

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."

The following individual appeared in opposition to the city plan commission's recommendation.

Pat White, 4714 Wildwood Rd., representing Love Field Citizens Action Committee

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

Tommy Mann, 2728 N. Harwood St., representing the applicant
Kirk Williams, 17318 Club Hill Dr., representing the applicant

Councilmember Medrano moved to continue the public hearing and hold the item under advisement until the August 27, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1303

DESIGNATED ZONING CASES – INDIVIDUAL

Item 100: Zoning Case Z123-193(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for multiple family uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west line of Cole Avenue, north of Hester Avenue.

Recommendation of Staff: Denial.

Recommendation of 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."

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

Joel Williams, 4700 Drexel Dr., Highland Park, TX, representing the Town of Highland Park
Dianne Kennedy, 3913 Inwood Rd.
Michael Jung, 901 Main St., representing the Town of Highland Park
Matthew Boyle, 4201 Wingrin, Irving, TX, representing the Town of Highland Park
Ken Elmgren, 4806 Abbott Ave.
Joe Williams, 2700 Fairmount
Christy Kinsler, 4719 Cole Ave.
Alexis McCrossen, 4813 Abbott Ave.
Annie Herring, Private
David McAtee, 3844 Turtle Creek Dr.
Ewing Mosely, 4719 Cole Ave.
Trina Triche, 1818 Corsicana St.

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

Leon Backes, 11616 Wonder Ln. (video presentation)
Susan Kedron, 901 Main St., representing Provident Realty Advisors
Frank Stich, 4228 N. Hall St., representing Oak Lawn Committee
Robert R. Harrell, 4805 McKinney Ave., representing Chateau HOA
William Cothrum, 900 Jackson St., representing Provident Realty

Councilmember Kingston moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

- Change Section S-106.106 to provide the first sentence to read:
 - *The only main uses permitted in this subdistrict are multi-family residential and utilities.*The rest of the paragraph is deleted.
- Change Section S-106.108(a)(2) heading "Katy Trail" to read:
 - *Except as provided in this subsection, minimum setback from the Katy Trail right-of-way is 25 feet.*
- Delete Section S-106.108(a)(3) "Projections" in its entirety.
- Modify Section S-106.108(a)(4) [renumerated to (3)] titled "Items that may be located in a required setback" to read:
 - *Retaining walls;*
 - *Except that a grade height of the lot may not be changed except to level the lot for building purposes and to comply with required drainage improvements.*
- Change Section S-106.108(d)(4) subtitled "Projections" to read:
 - *Elevator overruns and mechanical equipment of 1,000 square feet or less in the aggregate may project up 12 feet above the maximum structure height; and*
 - *Parapet walls to the height required by the building code for safety may project above the maximum structure height.*
- Delete "surface parking lots" from Section S-106.108(e)(2) to read:
 - *Except as provided in this subsection, aboveground parking structures are included in lot coverage calculations and underground parking structures are not.*
- Change Section S-106.108(e)(3) to read:
 - *An aboveground parking structure is not included in lot coverage calculations if it does not exceed a maximum height of 20 feet above grade and the top of the structure is open space accessible to occupants of the building, a minimum of 60 percent of which is landscaped with water features or living plant materials.*
- Change Section S-106.114(a) to read:
 - *Loudspeakers may not be permanently installed outdoors.*

Motion seconded by Mayor Pro Tem Atkins and Councilmember Caraway.

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14-1303

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After discussion, Councilmember Kingston further clarified his motion to include the following to the proposed changes read earlier in the meeting:

- *Except as otherwise provided, maximum structure height is 82 feet.*
- *For that portion of the lot area located between 25 feet and 43 feet from the lot line adjacent to the Katy Trail, maximum structure height is 28 feet.*
- *For that portion of the lot area located more than 43 feet but less than 64 feet from the lot line adjacent to the Katy Trail, maximum structure height is 60 feet.*

Mayor Pro Tem Atkins and Councilmember Caraway, who seconded the motion, accepted the clarification.

After further discussion, Mayor Rawlings called the vote on Councilmember Kingston's clarified motion.

Mayor Rawlings declared the item adopted on a divided vote with Councilmember Medrano, Councilmember Gates and Councilmember Greyson voting "No."

Assigned ORDINANCE NO. 29420

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1304

DESIGNATED ZONING CASES – INDIVIDUAL

Item 101: Zoning Case Z134-196(WE)

A public hearing to receive comments regarding an application for and an ordinance granting an RS-MU(E) Regional Service Mixed Use Enhanced Subdistrict on property zoned an RS-MU Regional Service Mixed Use Subdistrict, Tract 2 within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the south line of South Lamar Street between Lenway Street and McDonald Street.

Recommendation of Staff and CPC: Approval.

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 individual appeared in favor of the city plan commission's recommendation:

Karl Crawley, 900 Jackson St., representing the applicant

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 Greyson and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 29421

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1305

DESIGNATED ZONING CASES – INDIVIDUAL

Item 102: Zoning Case Z134-206(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 788 for MF-1(A) Multifamily District Uses on property on the southeast line of Skillman Street, north of Walling Lane.

Recommendation of Staff and CPC: Approval, subject to a revised development 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 the city plan commission's recommendation.

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

Karl Crawley, 900 Jackson St., representing the owner

At the request of Councilmember Allen, the following individual addressed the city council on the item:

David Dierkes, 6947 Abbey Ct., representing the applicant

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

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

Assigned ORDINANCE NO. 29422

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1306

DEVELOPMENT CODE AMENDMENTS - UNDER ADVISEMENT - INDIVIDUAL

Item 103: A public hearing to receive comments regarding consideration of an amendment to the Dallas Development Code, Chapter 51A of the Dallas City Code, to amend the Handicapped Group Dwelling Unit regulations to increase the number of unrelated handicapped persons living in a handicapped group dwelling unit.

Recommendation of Staff and CPC: No change.

Note: This item was considered by the City Council at a public hearing on June 25, 2014, and was taken under advisement until August 13, 2014, with the public hearing open.

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

Councilmember Gates moved to close the public hearing and accept the recommendation of the city plan commission of no change.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1307

MISCELLANEOUS HEARINGS

Item 104: A public hearing to receive comments regarding a proposal to change the name of the 2700 and the 2800 Blocks of Flora Street to "Ann Williams Way" and an ordinance granting the name change - NC134-003 - Financing: No cost consideration to the City.

No one addressed the city council regarding the item.

Councilmember Kingston moved to close the public and pass the ordinance.

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

Assigned ORDINANCE NO. 29423

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1308

Addendum Addition 1: Authorize an amendment to Resolution No. 14-0916, previously approved on June 11, 2014, which authorized a settlement of one of the plaintiffs' claims in the lawsuit styled Julio Ramos and Ana Ramos, Individually and as next friends of Jessabel Ramos and Janine Ramos v. City of Dallas, Cause No. DC-13-00108-A - Financing: This action has no additional cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1309

Addendum Addition 2: Authorize **(1)** a professional services contract with Babers Group, Inc. to provide consulting services to the City of Dallas related to the City's creation and implementation of a Housing Plan to build communities and affirmatively further fair housing, for a term of one year from the date of execution of the agreement; and **(2)** an increase in appropriations in an amount not to exceed \$190,000, from \$11,182,504 to \$11,372,504 in the Housing/Community Services Department budget - Not to exceed \$190,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1310

Addendum Addition 3: An ordinance amending Section 6.102 of Chapter 51 and Chapter 51A, of the Dallas Development Code, to amend the time of day noise regulations for lawn care maintenance, repair of personal use vehicles, and home repair of place of residence activities - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29424

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1311

Addendum Addition 4: Consideration of appointment of three (3) members to the Dallas Area Rapid Transit Board of Directors for Places 01, 02, and 03, with two places to be appointed for 2 years and one place to be appointed for 1 year (Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Names of nominees are in the City Secretary's Office) - Financing: No Cost Consideration to the City

Councilmember Hill moved to appoint the following individuals to the Dallas Area Rapid Transit Board of Directors:

- James F. Adams, serving as a holdover since July 1, 2013, for a term to begin August 13, 2014 and expire June 30, 2015;
- Richard Carrizales and Robert W. Strauss, serving as holdovers since July 1, 2014, for a term to begin August 13, 2014 and expire June 30, 2016.

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

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

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Note: Pursuant to the Resolution, the city secretary assigned place numbers following appointment, as follows:

Place 1, Robert W. Strauss
Place 2, Richard Carrizales
Place 3, James F. Adams

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1312

Addendum Addition 5: A resolution designating absences by Councilmember Scott Griggs as being for "Official City Business" - Financing: No cost consideration to the City

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

Councilmember Greyson moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1313

Addendum Addition 6: An ordinance (1) appointing 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2016; and (2) establishing the salary for the associate municipal judges - Financing: This action has no cost consideration to the City.

Councilmember Hill moved to appoint the following 18 associate (part-time) municipal judges for a term ending May 31, 2016:

Cadoc Menchu
Elizabeth Srere
Carl Hays
Kristine Primrose
Roland Anderson
Daniel McDonald, Jr.
Esther Grossman
Timoteo Gonzalez
Aura Pleitez
Tonya Goffney
Marilyn Davis
Tony Martin
Michelle Buendia
Melodee Armstrong
Nina Bujosa
John McCall
William Marple
Frieda Fiske

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

Assigned ORDINANCE NO. 29425

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1314

Addendum Addition 7: A motion to reconsider Agenda Item No. 19, previously approved on June 25, 2014, which authorized **(1)** final 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 \$25,894,919 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$14,572,496; **(b)** HOME Investment Partnerships Program in the amount of \$4,815,818; **(c)** Emergency Solutions Grant in the amount of \$1,130,946; and **(d)** Housing Opportunities for Persons with AIDS in the amount of \$5,375,659; and **(2)** adoption of the FY 2013-14 Reprogramming Budget in the amount of \$1,185,650 - Financing: No cost consideration to the City

Councilmember Griggs moved to reconsider and adopt the item with the following amendments:

- Section 9 – That the City Controller is hereby authorized to reimburse to HUD any expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days of the reimbursement. Further, the City Manager shall keep the appropriate City Council Committee informed of all final HUD audit reports not later than 30 days of the receipt of the report.

Motion seconded by Councilmember Kingston.

Councilmember Hill requested a record vote.

After discussion, Councilmember Griggs corrected his motion after consulting with the city attorney as follows:

- Section 9 – That the City Controller is hereby authorized to reimburse to HUD any expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement. Further, the City Manager shall keep the appropriate City Council Committee informed of all final audit reports not later than 30 days after the receipt of the report.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2014

14-1315

Addendum Addition 8: Zoning Case Z123-290(DC)

A public hearing to receive comments regarding a City Council authorized hearing to consider a Planned Development District for R-5(A) Single Family District uses and a child-care facility; community service center; and private recreation center, club, or area on property zoned an R-5(A) Single Family District on Bernal Drive between Palacios Avenue and Singleton Boulevard and an ordinance granting a Planned Development District.

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

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 and pass the ordinance.

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

Assigned ORDINANCE NO. 29426

*Note: Addendum Addition item 8 was part of the consent zoning docket but was not presented as such; this item was therefore individually considered later in the meeting.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 13, 2014

EXHIBIT C