

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 22, 2014

14-1770

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

PRESENT: [15] Rawlings, Atkins, Alonzo (*9:13 a.m.), Griggs, Medrano, Hill, Caraway (*9:13 a.m.), Callahan, Davis (*9:26 a.m.), Kadane, Allen, Kleinman (*9:18 a.m.), Greyson, Gates, Kingston (*9:15 a.m.)

ABSENT: [0]

The meeting was called to order at 9:08 a.m.

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

The invocation was given by Pastor Melvin Gipson of Freedom Outreach Ministries.

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 1:56 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, OCTOBER 22, 2014

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 22, 2014

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1771

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: Gabriel Letcher, Private
SUBJECT: November as Math Rocks Month

SPEAKER: Mary Grace Altizer, Private
SUBJECT: November as Math Rocks Month

SPEAKER: Terry McManus, 6127 Gaston Ave. (handout provided)
SUBJECT: Dallas Lighthouse for the Blind

SPEAKER: Albert Navifar, 15889 Preston Rd.
SUBJECT: Uber

SPEAKER: LaKolya London, 1411 N. Cockrell Hill Rd.
SUBJECT: DPD/Apartment complex

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Elena London, 2696 Bickers St.
SUBJECT: Dallas County Housing

OPEN MICROPHONE – END OF MEETING:

There were no speakers present under this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1772

Item 1: Approval of Minutes of the October 8, 2014 City Council Meeting

Mayor Pro Tem Atkins moved to adopt the minutes of the October 8, 2014 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1773

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-53 and addendum addition consent agenda item 1.

Councilmember Kingston requested consent agenda items 5, 13, 25 and 26 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Davis requested consent agenda items 5 and 7 be considered as individual items later in the meeting; there was no objection voiced to her request.

Mayor Pro Tem Atkins requested consent agenda item 5 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Therefore, the consent agenda, consisting of consent agenda items 2-4, 6, 8-12, 14-24, 27-53 and addendum addition consent agenda item 1, was presented for consideration.

Mayor Pro Tem Atkins moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 5, 7, 13, 25 and 26.

Motion seconded by Councilmember Medrano and unanimously adopted.

Later in the meeting, Councilmember Hill moved to reconsider the consent agenda to allow Councilmember Griggs to abstain from voting on consent agenda item 45 due to a conflict of interest on that item.

Motion seconded by Councilmember Greyson and unanimously adopted.

Councilmember Griggs announced he had a conflict of interest on consent agenda item 45 and would abstain from voting or participating in any discussion. Councilmember Griggs left the city council chamber.

Mayor Pro Tem Atkins moved to adopt all items on the consent agenda as previously read by the city secretary.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1774

Item 2: Authorize payment for janitorial services furnished by Andrews Building Service, Inc. for various Aviation locations - Not to exceed \$268,380 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1775

Item 3: Authorize a consultant contract to design and deliver a comprehensive citywide Continuity of Operations Plan - Tidal Basin Government Consulting, LLC, most advantageous proposer of eight - Not to exceed \$299,184 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1776

Item 4: Authorize a service contract for the demolition and removal of a radio communications tower - Tower King II, Inc., most advantageous proposer of two - Not to exceed \$189,478 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1777

Item 5: Authorize a three-year service contract, with three one year renewal options, for the collection of delinquent fines and fees for violations of City ordinances, traffic, and state laws, excluding parking violations - Gila LLC dba Municipal Services Bureau, most advantageous proposer of seven - Estimated Annual Net Revenue: \$4,257,000

Councilmember Kingston, Councilmember Davis and Mayor Pro Tem Atkins requested consent agenda item 5 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 5 was brought up for consideration.

The following individual addressed the city council on the item:

Bridget Moreno Lopez, 6258 Velasco Ave., representing Linebarger Goggan Blair & Sampson, LLP (handout provided)

Councilmember Kingston moved to remand the item to city council for a briefing.

Motion seconded by Mayor Pro Tem Atkins.

Councilmember Kadane requested a record vote.

Mayor Rawlings called the record vote on Councilmember Kingston's motion to remand the item to city council for a briefing:

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

Voting No: [1] Kadane

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1778

Item 6: Authorize a three-year service contract for licenses, maintenance and support for McAfee VirusScan Threat Management Portfolio software - World Wide Technology, Inc., most advantageous proposer of three - Not to exceed \$495,921 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1779

Item 7: Authorize a three-year service contract for temporary information technology professionals - EJES, Inc. in the amount of \$2,661,237, Global Information Systems, Inc. in the amount of \$992,478 and Sierra Infosys, Inc. in the amount of \$351,228, most advantageous proposers of twenty-one - Total not to exceed \$4,004,943 - Financing: Current Funds (subject to annual appropriations)

Councilmember Davis requested consent agenda item 7 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 7 was brought up for consideration.

Councilmember Davis requested the item be held until later in the meeting to ensure her questions had been answered by staff; there was no objection voiced to her request.

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1780

Item 8: Authorize the sale of one 2005 Peterbilt semi-truck through a live public auction on September 29, 2014 to Marks Motors, highest bidder - Revenue: \$24,250

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1781

Item 9: Authorize the purchase of 137 squad cars for Police - Dallas Dodge Chrysler Jeep through the Houston-Galveston Area Council of Governments - Not to exceed \$3,489,858 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1782

Item 10: Authorize **(1)** the rejection of bids received for cardiac and injectable drugs for Fire-Rescue; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1783

Item 11: Authorize a two-year master agreement for sodium hypochlorite (bleach) - Petra Chemical Company in the amount of \$267,300 and FSTI, Inc. in the amount of \$82,500, lowest responsible bidders of two - Total not to exceed \$349,800 - Financing: Current Funds (\$82,500) and Water Utilities Current Funds (\$267,300)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1784

Item 12: Authorize a three-year master agreement for salt and magnesium chloride de-icer for Street Services - The Bargain Source in the amount of \$354,073 and Southwest Envirotx Partners, LLC in the amount of \$548,700, lowest responsible bidders of two - Total not to exceed \$902,773 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1785

Item 13: Authorize supplemental agreement no. 4 to increase the service contract with Xerox, State and Local Solutions, Inc. for automated red light camera enforcement extending the contract term from January 1, 2017 through March 31, 2017 - Sole Source - Not to exceed \$4,911,300, from \$29,106,906 to \$34,018,206 - Financing: Current Funds (subject to annual appropriations)

Councilmember Kingston requested consent agenda item 13 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 13 was brought up for consideration.

Councilmember Kingston moved to deny the item.

Motion seconded by Councilmember Griggs.

Councilmember Greyson moved a substitute motion to adopt the item.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Greyson's substitute motion to adopt the item:

Voting Yes: [10] Rawlings, Atkins, Alonzo, Hill,
Callahan, Davis, Kadane, Allen,
Kleinman, Greyson

Voting No: [4] Griggs, Medrano, Caraway, Kingston

Absent when vote taken: [1] Gates

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1786

Item 14: Authorize settlement of the lawsuit styled Jose G. Ramirez v. City of Dallas, Cause No. DC-12-12519-C - Not to exceed \$65,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1787

- Item 15: Authorize a public hearing to be held on November 12, 2014, to receive comments on boundary amendments to City Center TIF District (the “Zone”): (1) removing certain properties from the City Center Sub-district of the Zone; (2) thereby reducing the tax increment base of the City Center Sub-district and increasing city general fund contributions to the Zone over the term of the TIF; and (3) making any other corresponding adjustments to the District’s Project and Financing Plans necessary to accommodate the boundary amendments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1788

Item 16: Authorize **(1)** the acceptance of a grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program (FHAP) to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2014 through September 30, 2015; and **(2)** the execution of any and all documents related to the grant - Not to exceed \$293,750 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1789

Item 17: Authorize **(1)** the sale of one vacant lot located at 3510 Cauthorn Drive from the Dallas Housing Acquisition and Development Corporation to Jessica Garcia; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1790

Item 18: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by New Vision Properties & Land for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to New Vision Properties & Land; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1791

Item 19: Authorize an extension of the development loan agreement with Builders of Hope CDC, Ten Land Bank Lots Project for construction costs of 10 unimproved properties from April 25, 2014 to March 31, 2015 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1792

Item 20: Authorize **(1)** an Interlocal Agreement with Dallas County to accept quarterly advance payments in the amount of \$250,000 for three quarters and the final quarter payment within thirty days of expiration of contract period of October 1, 2014 through September 30, 2015, total amount not to exceed \$1,000,000 for providing homeless assistance services at The Bridge through the City's contractor, Bridge Steps; **(2)** the acceptance of a grant from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP), in an amount not to exceed \$756,818 for the period October 1, 2014 through September 30, 2015 and execution of the required grant agreements; **(3)** increase of the City's FY 2014-15 contribution for the operating budget of Bridge Steps in the amount of \$150,000, from \$3,800,000 to \$3,950,000; **(4)** use of the FY 2014-15 Emergency Solutions Grant Funds for Homeless Assistance Center-Operations for the operating budget of Bridge Steps in the amount of \$378,279; and **(5)** a ninth amendment to the Management Services Contract, Phase II, with Bridge Steps to: **(a)** allow Bridge Steps to count both the Dallas County and TDHCA funds towards Bridge Steps' required contribution to the Bridge operating budget for the period October 1, 2014 through September 30, 2015; **(b)** require Bridge Steps to comply with all conditions of the Interlocal Agreement and TDHCA grant agreements; and **(c)** increase the FY 2014-15 budget agreement with Bridge Steps from \$3,800,000 to \$6,085,097 - Total not to exceed \$2,285,097 - Financing: Current Funds (\$1,150,000), Texas Department of Housing and Community Affairs Grant Funds (\$756,818), and 2014-15 Emergency Solutions Grant Funds (\$378,279)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1793

Item 21: Authorize a secured, no interest (0%), forgivable loan in the amount of \$40,076 to Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, to provide for non-substantial rehabilitation of Ewing Center located at 731 North Ewing Avenue for the period October 1, 2014 through September 30, 2015 - Not to exceed \$40,076 - 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

OCTOBER 22, 2014

14-1794

Item 22: Authorize a secured, no interest (0%), forgivable loan in the amount of \$67,613 to Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, to provide for non-substantial rehabilitation of Spencer Gardens located at 717 Comal Street, for the period October 1, 2014 through September 30, 2015 - Not to exceed \$67,613 - 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

OCTOBER 22, 2014

14-1795

Item 23: Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Services Contracts Program (list attached) - Not to exceed \$4,250,109 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1796

Item 24: Authorize adoption of the City of Dallas State Legislative Program for the 84th Session of the Texas Legislature - Financing: No Cost Consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1797

Trinity River Corridor Project Legislative Services

Note: Item Nos. 25 and 26
must be considered collectively.

Item 25: Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project for the period October 1, 2014 through September 30, 2015 - Not to exceed \$73,800 - Financing: Current Funds

Councilmember Kingston requested consent agenda items 25-26 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 25-26 were brought up for consideration.

Councilmember Hill moved to adopt consent agenda items 25-26.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1798

Trinity River Corridor Project Legislative Services

Note: Item Nos. 25 and 26
must be considered collectively.

Item 26: Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project for the period October 1, 2014 through September 30, 2015 - Not to exceed \$43,650 - Financing: Current Funds

Councilmember Kingston requested consent agenda items 25-26 be considered as individual items later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent agenda items 25-26 were brought up for consideration.

Councilmember Hill moved to adopt consent agenda items 25-26.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1799

Item 27: Authorize a personal services contract with Jesse Romero for state legislative services for the period October 1, 2014 through September 30, 2015 - Not to exceed \$30,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1800

Item 28: Authorize a personal services contract with Kwame Walker for state legislative services for the period October 1, 2014 through September 30, 2015 - Not to exceed \$45,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1801

Item 29: Authorize a personal services contract with Randy C. Cain for state legislative services for the period October 1, 2014 through September 30, 2015 - Not to exceed \$83,100 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1802

Item 30: Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2014 through September 30, 2015 - Not to exceed \$160,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1803

Item 31: Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2014 through September 30, 2015 - Not to exceed \$86,250 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1804

Item 32: Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: additional flume, drainage inlet, retaining walls, new water line, landscaping and other miscellaneous items for the Trinity Strand Trail, Phase I and Phase II located between Farrington Street to Oak Lawn Avenue - Not to exceed \$56,304, from \$5,550,607 to \$5,606,911 - Financing: North Central Texas Council of Governments Grant Funds (\$31,902) and Water Utilities Capital Improvement Funds (\$24,402)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1805

Item 33: Authorize a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas City Design Studio for the period October 1, 2014 through September 30, 2015 - Not to exceed \$85,000 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1806

Item 34: Authorize a professional services contract with Kleinfelder Central Inc. for the engineering design of Alley Reconstruction Group 12-2033 (list attached) - Not to exceed \$265,682 - Financing: 2012 Bond Funds (\$211,722), General Obligation Commercial Paper Funds (\$23,045) and Water Utilities Capital Improvement Funds (\$30,915)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1807

Item 35: Authorize an increase in the contract with Turner Construction Company for additional scope of work including modifications to the fire, electrical, roof drainage and public address systems, for the construction of the Highland Hills Branch Library replacement facility, located at 6200 Bonnie View Road - Not to exceed \$164,157, from \$5,033,047 to \$5,197,204 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1808

Item 36: Authorize the second twelve-month renewal option to the service contract for the processing and sale of recycled materials for the period January 1, 2015 through December 31, 2015 - Greenstar Mid-America, LLC - Estimated Revenue: \$2,100,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1809

Item 37: Authorize Supplemental Agreement No. 4 to the contract with Moore Disposal Corporation to extend the contract term for four months from November 30, 2014 through March 31, 2015 for solid waste refuse removal and rental of refuse containers for City facilities - Not to exceed \$130,747, from \$2,592,990 to \$2,723,737 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1810

Item 38: Authorize **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation suit styled City of Dallas v. Robert L. Kelsoe, et al., Cause No. CC-13-06469-B, pending in Dallas County Court at Law No. 2, to acquire approximately 2,173 square feet of land located on the south side of IH-20, near the intersection of Seagoville Road and Horizon Hills Drive for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation suit for an amount not to exceed the award - Not to exceed \$164,568, increased from \$7,432 (\$5,432, plus closing costs and title expenses not to exceed \$2,000) to \$172,000 (\$170,000, plus closing costs and title expenses not to exceed \$2,000) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1811

Item 39: Authorize **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Ronald Dale Rains, et al., Cause No. 90714CC, pending in Kaufman County Court at Law to acquire approximately 99,166 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project; and **(2)** settlement of the lawsuit arising from the condemnation proceedings for an amount not to exceed the award - Not to exceed \$187,000, increased from \$280,000 (\$275,636, plus closing costs and title expenses not to exceed \$4,364) to \$467,000 (\$463,000, plus closing costs and title expenses not to exceed \$4,000) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1812

Item 40: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 4,002 square feet from Jessie Foster located near the intersection of US HWY 175 and Kleberg Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$79,628, increased from \$35,206 (\$33,091, plus closing costs and title expenses not to exceed \$2,115) to \$114,834 (\$111,834, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1813

Item 41: Authorize moving expense and replacement housing payments for Jesus V. Ugalde in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 716 Pontiac Avenue for future City facilities - Not to exceed \$63,100 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1814

Item 42: Authorize moving expense and replacement housing payments for Jorge Tiburcio and Lesvia Arias in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2946 Gloyd Street for future City facilities - Not to exceed \$70,300 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1815

Item 43: An ordinance abandoning a portion of a drainage easement to ATA Apartments Limited Partnership, the abutting owner, containing approximately 1,399 square feet of land, located near the intersection of Greenbriar Lane and Dealey Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29508

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1816

Item 44: An ordinance abandoning a portion of a water easement to IMT Capital III Prestonwood LP, the abutting owner, containing approximately 12,366 square feet of land, located near the intersection of Arapaho Road and Dallas North Tollway, and providing for the dedication of approximately 18,037 square feet of land needed for a water easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29509

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1817

Item 45: An ordinance abandoning portions of Darien and Pollard Streets to Cross Street Services, Inc., the abutting owner, containing approximately 13,322 square feet of land, located near the intersection of Commerce and Hearne Streets, and authorizing the quitclaim - Revenue: \$19,983, plus the \$20 ordinance publication fee

Councilmember Griggs announced he had a conflict of interest on consent agenda item 45 and would abstain from voting or participating in any discussion. Councilmember Griggs left the city council chamber.

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29510

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1818

Item 46: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. PNYX, Ltd., a Texas Limited Partnership, et al., Cause No. CC-14-02822-A, pending in Dallas County Court at Law No. 1, to acquire approximately 988 square feet of land, including any improvements, located on Continental Avenue at its intersection with North Riverfront Boulevard for the reconstruction of Continental Avenue; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$44,696 (\$41,496 being the amount of the award, plus closing costs and title expenses not to exceed \$3,200); an increase of \$3,557 from the amount Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1819

Item 47: Authorize a construction contract with METCO Engineering, Inc., lowest responsible bidder of four, for construction of the Emergency Backup Generator (2255 Irving Boulevard) and Cole Park Switchgear (Cole Park Pump Station) Projects - Not to exceed \$249,300 - Financing: Stormwater Drainage Management Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1820

Item 48: Authorize an increase in the contract with Ratliff Hardscape, Ltd. for the installation of entry enhancements and for additional miscellaneous items along the project for the AT&T Trail Project - Not to exceed \$379,107, from \$ 2,005,343 to \$2,384,450 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1821

Item 49: Authorize Interlocal Agreements with the City of Lancaster, the City of DeSoto, and the City of Cedar Hill to allow the City of Dallas to construct, own, and operate a 96-inch water transmission main within the corporate limits of Lancaster, DeSoto, and Cedar Hill - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1822

Item 50: Authorize **(1)** a thirty-year contract with the City of Cedar Hill to continue providing treated water services, from September 26, 2014 through September 25, 2044, with estimated annual revenue in the amount of \$3,146,686; and **(2)** a Reciprocal Agreement for Water and or Wastewater Services, with an estimated annual expenditure of \$1,250 - Financing: Water Utilities Current Funds: (\$1,250, annually) (subject to annual appropriations) and Estimated Annual Revenue: \$3,146,686

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1823

Item 51: Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water and wastewater main relocations and appurtenance adjustments in Northwest Highway (Loop 12) from west of Harry Hines Boulevard to west of Midway Road - Not to exceed \$1,753,000 - Financing: Water Utilities Capital Construction Funds (\$23,000) and Water Utilities Capital Improvement Funds (\$1,730,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1824

Item 52: Authorize a contract for roof maintenance and repair service at all Dallas Water Utilities owned buildings - Texas Roof Management, Inc., lowest responsible bidder of two - Not to exceed \$1,065,983 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1825

Item 53: Authorize Supplemental Agreement No. 1 to the engineering contract with CH2M HILL Engineers, Inc., for additional engineering services to provide construction management services for construction contracts related to (1) water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant; and (2) relocation of a 48-inch wastewater main just north of the Bachman Lake Dam - Not to exceed \$3,963,775, from \$3,611,650 to \$7,575,425 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1826

Item 54: 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 October 22, 2014.

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

Mayor Pro Tem Atkins moved to appoint the following:

- Evan L. Beattie, Agent of Property Owner in District, to the Reinvestment Zone Five Board (City Center) and Reinvestment Zone Eleven Board (Downtown Connection); Brian Driesse, Dallas County Resident, to the Reinvestment Zone Nine Board (Vickery Meadow).

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

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

14-6906 RZ05 REINVESTMENT ZONE FIVE BOARD (CITY CENTER)
14-6907 RZ09 REINVESTMENT ZONE NINE BOARD (VICKERY MEADOW)
14-6908 RZ11 REINVESTMENT ZONE ELEVEN BOARD (DOWNTOWN CONNECTION)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1827

Item 55: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the owners (list attached), of three tracts of land totaling approximately 3,429 square feet consisting of two single family residences and a vacant lot located near the intersection of Meek Street and Brownsville Avenue for the Meek Street Paving and Drainage Improvement Project - Not to exceed \$17,117 (\$11,117, plus closing costs and title expenses not to exceed \$6,000) - Financing: 2003 Bond Funds

The city secretary read agenda items 55-59 into the record; and stated if any council member wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 55-59, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 55 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 *Edward Crowder and Willie Roberson*, a tract of land containing approximately 1,135 square feet; *Johnny Crowder*, a tract of land containing approximately 179 square feet; *Dallas Neighborhood Alliance for Habitat*, a tract of land containing approximately 2,115 square feet; located near the intersection of Meek Street and Brownsville Avenue in City of Dallas Blocks B/7636 and 7637, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for Meek Street Paving and Drainage Improvement.

Mayor Pro Tem Atkins moved to adopt agenda items 55-59.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt agenda items 55-59:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Griggs,
Medrano, Hill, Caraway, Davis,
Kadane, Allen, Kleinman, Greyson,
Kingston

Voting No: [0]

Absent when vote taken: [2] Callahan, Gates

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1828

Item 56: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the owners (list attached), of three tracts of land totaling approximately 4,390 square feet, consisting of two single family residences and one vacant lot located near the intersection of Bexar Street and Bethurum Avenue for the Bexar Street Improvement Project - Not to exceed \$11,706 (\$5,706, plus closing costs and title expenses not to exceed \$6,000) - Financing: 2003 Bond Funds

The city secretary read agenda items 55-59 into the record; and stated if any council member wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 55-59, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 56 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 *Cinthia Hinojosa Collazo*, a tract of land containing approximately 385 square feet; *Lula Cornelius and Earl Cornelius*, a tract of land containing approximately 179 square feet; *Sherita Briscoe, Leon D. Thompson, Rebert K. Thompson, Chinequa Cole, and Adrian Colet*, a tract of land containing approximately 2,702 square feet; located near the intersection of Bexar Street and Bethurum Avenue in City of Dallas Blocks 14/2556, 13/2555, and 5/2547, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for Bexar Street Improvement Project.

Mayor Pro Tem Atkins moved to adopt agenda items 55-59.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt agenda items 55-59:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Griggs,
Medrano, Hill, Caraway, Davis,
Kadane, Allen, Kleinman, Greyson,
Kingston

Voting No: [0]

Absent when vote taken: [2] Callahan, Gates

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1829

Item 57: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a subsurface easement under approximately 4,691 square feet of land located at the intersection of Metropolitan Avenue and Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project (list attached) - Not to exceed \$2,222 (\$422 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 55-59 into the record; and stated if any council member wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 55-59, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 57 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 *Rosey Doyle, Ida Nash, Lurlee Green, Bessie Still, Lola Taylor, Issac Lane, Monroe Lane, Truedy Lane, Gustray Simon, Herman Simon, James Simon, Zula Henderson, John Simon, Burel Simon, Artie Crump, Eddie Woods and Earnest West Riley*, a subsurface easement located under approximately 4,691 square feet, located at the intersection of Metropolitan Avenue and Foreman Street in City of Dallas Blocks A/2443 and 2447, 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 55-59.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt agenda items 55-59:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway, Davis, Kadane, Allen, Kleinman, Greyson, Kingston

Voting No: [0]

Absent when vote taken: [2] Callahan, Gates

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1830

Item 58: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from MGB INVESTMENTS, of a subsurface easement under approximately 2,060 square feet of land located on Hamilton Avenue at its intersection with Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$1,911 (\$111 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 55-59 into the record; and stated if any council member wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 55-59, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 58 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 *MGB INVESTMENTS*, a subsurface easement located under approximately 2,060 square feet, located on Hamilton Avenue at its intersection with Foreman Street in City of Dallas Block 2447, 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 55-59.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt agenda items 55-59:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Griggs,
Medrano, Hill, Caraway, Davis,
Kadane, Allen, Kleinman, Greyson,
Kingston

Voting No: [0]

Absent when vote taken: [2] Callahan, Gates

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1831

Item 59: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Thung Van Tran, of a subsurface easement under approximately 6,230 square feet of land located on Dixon Avenue near its intersection with Scyene Road for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,426 (\$3,426 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 55-59 into the record; and stated if any council member wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the reading of agenda items 55-59, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 59 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 *Thung Van Tran*, a subsurface easement located under approximately 6,230 square feet, located on Dixon Avenue near its intersection with Scyene Road in City of Dallas Block 2/6124, 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 55-59.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the record vote on Mayor Pro Tem Atkins' motion to adopt agenda items 55-59:

Voting Yes: [13] Rawlings, Atkins, Alonzo, Griggs,
Medrano, Hill, Caraway, Davis,
Kadane, Allen, Kleinman, Greyson,
Kingston

Voting No: [0]

Absent when vote taken: [2] Callahan, Gates

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1832

Item 60: A resolution consenting to the condemnation and acceptance of the award of the Special Commissioners of approximately 16,169 square feet of City-owned land to Union Pacific Railroad Company v. City of Dallas, et al, Cause No. CC-14-01387-D, located at 8414 Forney Road - Revenue: \$27,134

Councilmember Davis moved to postpone the item indefinitely.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1833

The consent zoning docket consisted of agenda items 61-66.

Agenda items 61, 62, 63, 65 and 66 were removed from the consent zoning docket to be considered as individual hearings.

Therefore, the consent zoning docket, consisting of agenda item 64, was presented for consideration.

~~Agenda item 61: Zoning Case Z123-375(OTH) [considered individually]~~
~~Agenda item 62: Zoning Case Z134-190(MW) [considered individually]~~
~~Agenda item 63: Zoning Case Z134-230(RB) [considered individually]~~
Agenda item 64: Zoning Case Z134-268(CE)
~~Agenda item 65: Zoning Case Z134-277(AF) [considered individually]~~
~~Agenda item 66: Zoning Case Z134-288(CG) [considered individually]~~

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

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 on the consent zoning case and pass the ordinance.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1834

Item 61: Zoning Case Z123-375(OTH)

The consent zoning docket, consisting of agenda item 64, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1285 for a child-care facility on property zoned an R-7.5(A) Single Family District on the south line of Forney Road, east of Urban Avenue.

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

Councilmember Davis requested consent zoning agenda item 61 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 61 was brought up for consideration.

Mayor Rawlings stated the item would be held until later in the meeting to allow Councilmember Davis to arrive.

Following the arrival of Councilmember Davis, the city secretary read the item into the record.

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

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

Motion seconded by Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 29511

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1835

Item 62: Zoning Case Z134-190(MW)

The consent zoning docket, consisting of agenda item 64, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1717 for a vehicle display, sales, and service use on property zoned Subdistrict 1 in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3 on the northwest corner of C.F. Hawn Freeway and Haymarket Road.

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

Councilmember Caraway requested consent zoning agenda item 62 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 62 was brought up for consideration.

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

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

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 29512

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1836

Item 63: Zoning Case Z134-230(RB)

The consent zoning docket, consisting of agenda item 64, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and an ordinance granting a Specific Use Permit for an Auto Auction on property zoned an IR Industrial Research District, on the west line of Composite Drive, south of Walnut Hill Lane.

Recommendation of Staff and CPC: Approval of a CS District, and approval of a Specific Use Permit for an Auto Auction for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

Deputy Mayor Pro Tem Alonzo requested consent zoning agenda item 63 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 63 was brought up for consideration.

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 city plan commission with the following change:

- The specific use permit expires in five years, but it is eligible for automatic renewals for two additional five-year periods.

and pass the ordinance.

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

Assigned ORDINANCE NOS. 29513 AND 29514

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1837

Item 64: Zoning Case Z134-268(CE)

The consent zoning docket, consisting of agenda item 64, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR-D1 Community Retail District with a D-1 Liquor Control Overlay, generally northeast of Lawnview Avenue and Military Parkway.

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site 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. 29515

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1838

Item 65: Zoning Case Z134-277(AF)

The consent zoning docket, consisting of agenda item 64, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District on property zoned an IR Industrial Research District on the north side of Northwest Highway, east of Luna Road.

Recommendation of Staff and CPC: Approval.

Deputy Mayor Pro Tem Alonzo requested consent zoning agenda item 65 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 65 was brought up for consideration.

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, adopt the zoning change to a Commercial Service District in lieu of the city plan commission's recommendation and pass the ordinance.

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

Assigned ORDINANCE NO. 29516

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1839

Item 66: Zoning Case Z134-288(CG)

The consent zoning docket, consisting of agenda item 64, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tattoo studio and a body piercing studio on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the north line of Main Street, west of Exposition Avenue.

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.

Councilmember Medrano requested consent zoning agenda item 66 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 66 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 specific use permit expires on October 22, 2016 with no automatic renewals.

and pass the ordinance.

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

Assigned ORDINANCE NO. 29517

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1840

Item 67: Zoning Case Z134-186(OTH) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the west corner of Great Trinity Forest Way and Haas Drive.

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

Recommendation of CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

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 staff with the following changes:

- approve a D-1 Liquor Control Overlay,
- approve a specific use permit for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions; and
- the use must comply with Chapter 12B of the Dallas City Code.

and pass the ordinance.

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

Assigned ORDINANCE NOS. 29518 AND 29519

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1841

Item 68: Zoning Case Z134-210(MW) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1995 for an open-enrollment charter school on property zoned a CR Community Retail District and an NO(A) Neighborhood Office District on the north side of West Camp Wisdom Road and the east side of South Westmoreland Road.

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1842

Item 69: Zoning Case Z134-215(RB) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Transit passenger station or transfer center on property zoned an NS(A) Neighborhood Service District and an R-5(A) Single Family District, along the east line of University Hills Boulevard, north of Killough Boulevard.

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

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

Martin Krueger, 4306 Cannock Dr., McKinney, TX, representing the applicant

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

Mayor Pro Tem Atkins moved to close the public hearing, accept the recommendation of the city plan commission subject to:

- a revised site plan that does not provide for screening of off-street parking; and
- a landscape plan that does not require a landscape buffer

and pass the ordinance.

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

Assigned ORDINANCE NO. 29520

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1843

Item 70: Zoning Case Z134-271(WE) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for RR Regional Retail District uses and a truck stop on property zoned an RR Regional Retail District on the northwest corner of R.L. Thornton Freeway and West Wheatland Road.

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

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

Karla Livingston, 110 High Harvest Rd.
Angela Martin, 111 High Harvest Rd.
Sandy Jordan, 115 High Harvest Rd.
LaKolya London, 1411 N. Cockrell Hill Rd.

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

Santos Martinez, 900 Jackson St., representing the applicant

Mayor Pro Tem Atkins moved to continue the public hearing and hold the item under advisement until the December 10, 2014 voting agenda meeting of the city council.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1844

Item 71: Zoning Case Z134-272(OTH) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private school on property zoned an R-7.5(A) Single Family District on the northeast corner of East Lovers Lane and Skillman Street .

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 ten-year period with eligibility for automatic renewals for additional ten-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:

Karl Crawley, 900 Jackson St., representing the applicant

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

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

Assigned ORDINANCE NO. 29521

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1845

Item 72: Zoning Case Z134-261 (OTH) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting an amendment to deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the west side of Marvin D. Love Freeway, south of West Pentagon Parkway.

Recommendation of Staff and CPC: Approval, subject to amended deed restrictions volunteered by the applicant.

Note: This item was considered by the City Council at a public hearing on October 8, 2014, and was taken under advisement until October 22, 2014, with the public hearing open.

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

Councilmember Caraway moved to continue the public hearing and hold the item under advisement until the November 12, 2014 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1846

Closed Session

6ES

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

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

Section 418.183(f) of the Texas Government Code

- Recent developments regarding emergency management issues involving the Ebola virus and reported cases.

At 11:39 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

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

Mayor Rawlings reconvened the city council meeting after the closed session at 1:07 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1847

Addendum Addition 1: Authorize a second amendment to the maintenance and support contract with Xerox Transportation Solutions, Inc., formally known as ASCOM Transportation Systems, Inc., for the Turnkey Parking Garage Revenue Control System at Dallas Love Field to extend the term of the contract from October 22, 2014 through June 1, 2015 - Not to exceed \$138,232, from \$1,600,273 to \$1,738,505 - Financing: Aviation Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1848

Addendum Addition 2: Authorize **(1)** preliminary adoption of Substantial Amendment No.1 to amend the FY 2014-15 Action Plan for the Community Development Block Grant, HOME Investment Partnerships Program, and the Housing Opportunities for Persons with AIDS grant to **(a)** increase appropriations in the HOME Investment Partnerships Program made possible by unanticipated program income and refunds in the amount of \$1,688,052; **(b)** reprogram prior year unspent HOME Investment Partnerships Program funds in the amount of \$350,000 to the Housing Development Loan Program; **(c)** use of HOME Investment Partnerships Program funds for the Housing Development Loan Program; **(d)** decrease appropriations in the FY 2014-15 Housing Opportunities for Persons with AIDS grant due to revision in the total award amount by \$405 from \$5,375,659 to \$5,375,254; and **(e)** transfer Community Development Block Grant Neighborhood Enhancement Program and Neighborhood Investment Program Infrastructure activities, and associated appropriations, from the Housing/Community Services Department to the newly created Planning and Neighborhood Vitality Department; and **(2)** a public hearing to be held on December 10, 2014 to receive comments on Substantial Amendment No. 1 to amend the FY 2014-15 Action Plan - Not to exceed \$2,038,052 - Financing: FY 2014-15 HOME Program Income #1 (\$1,688,052), 2012-13 HOME Investment Partnerships Program Grant Funds (\$350,000)

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1849

Addendum Addition 3: Consideration of a resolution temporarily modifying the taxicab age limits set out in Section 45-7.2.1(a) of the Dallas City Code due to special circumstances - Financing: No cost consideration to the City

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1850

Sports Arena TIF - West Dallas Sub-district

Note: Item Nos. 4 and 5
must be considered collectively.

Addendum Addition 4: Authorize a development agreement with Trinity Groves Residential I, L.P., to reimburse project costs related to the development of Trinity Groves mixed-use development in the West Dallas Sub-district of Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District), in an amount not to exceed \$13,950,000 (of which \$7,606,727 is in the form of an Economic Development TIF Grant) from revenues accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) - Not to exceed \$13,950,000 - Financing: Sports Arena TIF District Funds (subject to appropriations)

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."

Deputy Mayor Pro Tem Alonzo moved to adopt addendum addition agenda items 4-5.

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

Note: Councilmember Gates, although originally required to file a conflict of interest form on addendum addition agenda items 4-5, was not present at the time the item was presented for consideration and adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 22, 2014

14-1851

Sports Arena TIF - West Dallas Sub-district

Note: Item Nos. 4 and 5
must be considered collectively.

Addendum Addition 5: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Seven (Sports Arena TIF District) to reimburse Trinity Groves Residential I, L.P., up to \$13,950,000, for TIF-eligible project costs pursuant to the development agreement with Trinity Groves Residential I, L.P.,
- 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."

Deputy Mayor Pro Tem Alonzo moved to adopt addendum addition agenda items 4-5.

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

Note: Councilmember Gates, although originally required to file a conflict of interest form on addendum addition agenda items 4-5, was not present at the time the item was presented for consideration and adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 22, 2014

EXHIBIT C