

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 10, 2015

15-1040

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR PRO TEM TENNELL ATKINS PRESIDING

PRESENT: [14] Atkins, Alonzo, Griggs [\*9:15 a.m.], Medrano, Hill, Caraway, Callahan [\*9:15 a.m.], Davis [\*9:36 a.m.], Kadane, Allen, Kleinman, Greyson [\*9:19 a.m.], Gates, Kingston [\*9:18 a.m.]

ABSENT: [1] \*\*Rawlings

The meeting was called to order at 9:10 a.m.

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

The invocation was given by Carly Dittert of The Village Church Dallas Northway Campus.

Councilmember Caraway led the pledge of allegiance.

The meeting recessed for the afternoon session at 11:09 a.m. and reconvened at 1:10 p.m. (Hill [\*1:14 p.m.], Callahan [\*1:12 p.m.], Greyson [\*1:26 p.m.]; Caraway, Davis not present).

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 1:32 p.m.

\_\_\_\_\_  
Presiding Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Date Approved

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

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

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

\* **Indicates arrival time after meeting called to order and/or reconvened.**

\*\* **Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 10, 2015

EXHIBIT A

**ANNOTATED AGENDA  
CITY COUNCIL MEETING  
JUNE 10, 2015  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBER, CITY HALL  
DALLAS, TEXAS 75201  
9:10 A. M. – 1:32 P.M.  
[15-1040; HELD]**

Invocation and Pledge of Allegiance (Council Chamber)

Agenda Item/Open Microphone Speakers  
**[15-1041]**

VOTING AGENDA

1. Approval of Minutes of the May 27, 2015 City Council Meeting  
**[15-1042; APPROVED]**

CONSENT AGENDA  
**[15-1043; APPROVED]**

**Business Development & Procurement Services**

2. Authorize a three-year service contract for electric motor repair services - Evans Enterprises, Inc., lowest responsible bidder of three - Not to exceed \$3,370,854 - Financing: Current Funds (\$160,804), Water Utilities Current Funds (\$3,124,550) and Aviation Current Funds (\$85,500) (subject to annual appropriations)  
**[15-1044; APPROVED]**
3. Authorize a five-year service contract, with three one-year renewal options, for maintenance and support of a large scale hazardous containment system for Aviation - CP&Y, Inc., only proposer - Not to exceed \$1,356,216 - Financing: Aviation Current Funds (subject to annual appropriations)  
**[15-1045; APPROVED]**
4. Authorize a five-year professional services contract for audit of the City's financial operations and grant activities - Grant Thornton, LLP, most advantageous proposer of five - Not to exceed \$4,459,678 - Financing: Current Funds (subject to annual appropriations)  
**[15-1046; APPROVED]**

**CONSENT AGENDA** (Continued)

**Business Development & Procurement Services** (Continued)

5. Authorize (1) the rejection of bids received for scale repair and maintenance for various City weigh stations; and (2) the re-advertisement for new bids - Financing: No cost consideration to the City  
**[15-1047; APPROVED]**
  
6. Authorize an increase to the master agreement for industrial equipment, tools and supplies with Simba Industries in the amount of \$366,241, from \$1,464,965 to \$1,831,206, SID Tool Co., Inc. dba MSC Industrial Supply Co. in the amount of \$356,257, from \$1,425,028 to \$1,781,285, Colonial Hardware Corporation in the amount of \$158,208, from \$632,835 to \$791,043, Fort Worth Bolt & Tool Co. in the amount of \$126,387, from \$505,550 to \$631,937, Midway Auto Supply Co. in the amount of \$68,513, from \$274,053 to \$342,566, Big D Supply & Tool Center in the amount of \$40,461, from \$161,845 to \$202,306, McGee Company in the amount of \$21,275, from \$85,100 to \$106,375, Joe Jeter Sales in the amount of \$19,197, from \$76,790 to \$95,987, Tom Loftus, Inc. dba Austin Turf & Tractor in the amount of \$16,117, from \$64,470 to \$80,587, Richardson Saw & Lawnmower in the amount of \$15,875, from \$63,500 to \$79,375, Fastenal Co. in the amount of \$1,575, from \$6,300 to \$7,875 and Evco Partners LP dba Burgoon Company in the amount of \$1,250, from \$5,000 to \$6,250 - Total not to exceed \$1,191,356, from \$4,765,436 to \$5,956,792 - Financing: Current Funds (\$609,585), Water Utilities Current Funds (\$488,394), Aviation Current Funds (\$56,041) and Stormwater Drainage Management Current Funds (\$37,336)  
**[15-1048; APPROVED]**
  
7. Authorize (1) supplemental agreement no. 4 to increase the contract for additional Microsoft software licenses in the amount of \$683,147, from \$6,852,945 to \$7,536,092; and (2) the renewal of a five-year enterprise agreement for Microsoft software and services in the amount of \$16,788,927 - SHI Government Solutions, Inc., through the State of Texas Department of Information Resources - Total not to exceed \$17,472,074 - Financing: Current Funds (subject to annual appropriations)  
**[15-1049; APPROVED]**

**City Controller's Office**

8. Authorize the approval, for purposes of the Internal Revenue Code, of the project located in the City of Dallas benefitting The Dallas Arboretum & Botanical Society, Inc., to be financed by the issuance of tax exempt revenue bonds by the Red River Cultural Education Facilities Finance Corporation in an amount not to exceed \$35,000,000 - Financing: No cost consideration to the City  
**[15-1050; APPROVED AS AN INDIVIDUAL ITEM]**

**CONSENT AGENDA** (Continued)

**City Controller's Office** (Continued)

9. A resolution authorizing: **(1)** the issuance and sale of Love Field Airport Modernization Corporation General Airport Revenue Bonds, Series 2015; in an aggregate principal amount not to exceed \$130,000,000 ("2015 Aviation Revenue Bonds"); and **(2)** enacting other provisions in connection therewith - Financing: No cost consideration to the City  
**[15-1051; APPROVED]**

**Housing/Community Services**

10. Authorize the first of two twelve-month renewal options to the Memorandum of Understanding (MOU) between the City of Dallas and HHF Eban Village I & II, LLC herein referred to as Eban Village to provide project-based affordable housing to the Gateway to Permanent Supportive Housing Program for the term June 1, 2015 through September 30, 2016 - Financing: No cost consideration to the City  
**[15-1052; APPROVED]**
11. Authorize an amendment to Resolution No. 15-0272, previously approved on February 11, 2015, with the Department of State Health Services, Office of Title V and Family Health, Division for Family and Community Health Services and the City of Dallas Women, Infants and Children Program for the development and implementation of a Lactation Resource and Training Center Strategic Expansion Program to revise the contract to April 1, 2015 through August 31, 2016; and revise Schedule A - Financing: This action has no additional cost consideration to the City  
**[15-1053; APPROVED]**

**Office of Cultural Affairs**

12. Authorize a contract with the Museum of African American Life and Culture for services provided to the City through the Cultural Services Contracts Program for the period October 1, 2014 through September 30, 2015 - Not to exceed \$110,418 - Financing: Current Funds  
**[15-1054; APPROVED]**

**Office of Financial Services**

13. Authorize **(1)** final adoption of the FY 2015-16 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$24,261,552 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,457,745; **(b)** HOME Investment Partnerships Program in the amount of \$3,956,627; **(c)** Emergency Solutions Grant in the amount of \$1,209,806; and **(d)** Housing Opportunities for Persons with AIDS in the amount of \$5,637,374; and **(2)** adoption of the FY 2014-15 Reprogramming Budget in the amount of \$1,410,006 - Financing: No cost consideration to the City  
**[15-1055; APPROVED]**

**CONSENT AGENDA** (Continued)

**Office of Management Services**

14. Authorize **(1)** an application for and acceptance of the FY2015 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2014 through September 30, 2018; **(2)** execution of the Fiscal Agency and Funds Sharing Agreement between the City of Dallas, Dallas County and eligible units of local government; and **(3)** execution of the grant agreement - Not to exceed \$834,930 - Financing: U.S. Department of Justice Grant Funds  
**[15-1056; APPROVED]**

**Police**

15. Authorize an amendment to the Memorandum of Understanding (MOU) with the Dallas Children's Advocacy Center to establish general guidelines for agencies involved in the investigation of physical or sexual child abuse - Financing: No cost consideration to the City  
**[15-1057; APPROVED]**

**Public Works Department**

16. Authorize Supplemental Agreement No. 2 to the professional services contract with Freese and Nichols, Inc. for additional engineering services for revisions to stormwater alignments and adjustments to a water line for the South Lamar Street, from Interstate 45 to Emery Street project - Not to exceed \$106,200, from \$790,243 to \$896,443 - Financing: 2012 Bond Funds (\$88,644) and Water Utilities Capital Improvement Funds (\$17,556)  
**[15-1058; APPROVED]**

**Sanitation Services**

17. Authorize **(1)** Supplemental Agreement No. 2 to the contract with Biggs & Mathews Environmental, Inc. to exercise the first of three, twelve-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station and waste cell design and construction oversight at McCommas Bluff Landfill; **(2)** an amendment to the estimated annual scope of services to revise the schedule for the waste cell construction originally scheduled for year four to year three in the amount of \$577,790; and **(3)** an increase in appropriations in the amount of \$427,122, from \$9,010,338 to \$9,437,460 in the Sanitation Capital Improvement Funds - Total not to exceed \$577,790, from \$417,640 to \$995,430 - Financing: Current Funds (\$150,668) and Sanitation Capital Improvement Funds (\$427,122) (subject to annual appropriations)  
**[15-1059; APPROVED]**

CONSENT AGENDA (Continued)

**Street Services**

18. Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide reimbursement of material and labor costs for traffic signal improvements at the intersection of U.S. Highway 175 and S. M. Wright Freeway; and (2) the establishment of appropriations in the amount of \$23,712 in the Texas Department of Transportation Grant Fund - Not to exceed \$23,712 - Financing: Texas Department of Transportation Grant Funds  
**[15-1060; APPROVED]**
19. Authorize (1) an amendment to the Local Project Advance Funding Agreement (LPFA) with the Texas Department of Transportation for the design, testing, and implementation of new communication technologies at various citywide locations; (2) an increase in appropriations in the amount of \$425,600 in the Texas Department of Transportation Grant Fund; and (3) an increase in a required local match in the amount of \$106,400 - Total not to exceed \$532,000, from \$2,500,000 to \$3,032,000 - Financing: Texas Department of Transportation Grant Funds (\$425,600) and 2006 Bond Funds (\$106,400)  
**[15-1061; APPROVED]**

**Sustainable Development and Construction**

20. An ordinance granting a revocable license to CH Realty VI/R Dallas Preston Ctr, L.P., for the use of approximately 2,852 square feet of surface and aerial space to install and maintain a pedestrian skybridge and four support columns on and over a portion of Westchester Drive right-of-way located near its intersection with Berkshire Lane - Revenue: \$23,636 annually, plus the one-time \$20 ordinance publication fee  
**[15-1062; DEFERRED PRIOR TO THE MEETING IN ACCORDANCE WITH THE CITY COUNCIL RULES OF PROCEDURE BY COUNCILMEMBER GATES UNTIL JUNE 17, 2015]**
21. An ordinance abandoning a portion of a water main easement to Commodore Partners, Ltd., the abutting owner, containing approximately 4,050 square feet of land, located near the intersection of North Central Expressway and Meadow Road - Revenue: \$5,400, plus the \$20 ordinance publication fee  
**[15-1063; APPROVED; ORDINANCE 29755]**
22. An ordinance abandoning a portion of a sanitary sewer easement to Royal Oaks Country Club, Inc., the abutting owner, containing approximately 3,881 square feet of land, located near the intersection of Greenville Avenue and Meadow Road - Revenue: \$5,400, plus the \$20 ordinance publication fee  
**[15-1064; APPROVED; ORDINANCE 29756]**

## ITEMS FOR INDIVIDUAL CONSIDERATION

### **City Secretary's Office**

23. 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)  
**[15-1065; INDIVIDUAL APPOINTMENT MADE TO BOARDS AND COMMISSIONS]**

### **Business Development & Procurement Services**

24. Authorize (1) a three-year master agreement for the purchase of fitness and exercise equipment for use throughout the City - Comm-Fit LP in the amount of \$1,418,400 or \$1,368,400 (Tie Bid - Line 14), Team Marathon Fitness, Inc. dba Marathon Fitness in the amount of \$323,000, Fitcorp USA, Inc. dba Busy Body, Fitness HQ in the amount of \$257,250 and Fit Supply, LLC in the amount of \$50,000 or \$0 (Tie Bid - Line 14), lowest responsible bidders of four; and (2) a three-year master agreement for the purchase of fitness and exercise equipment for use throughout the City - Life Fitness, a division of Brunswick Corporation in the amount of \$555,000, through the Texas Multiple Award Schedule - Total not to exceed \$2,553,650 - Financing: Current Funds (\$1,546,900), Fitness Center Funds (\$945,000), Texas Higher Education Coordinating Board Funds (\$60,000) and Water Utilities Current Funds (\$1,750)  
**[15-1066; APPROVED]**

### **Trinity Watershed Management**

25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from State Fair of Texas, Inc., of a subsurface easement under approximately 6,961 square feet of land located near the intersection of Washington Avenue and Herndon Drive for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$3,392 (\$1,392 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds  
**[15-1067; APPROVED]**
26. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from State Fair of Texas, Inc., of a subsurface easement under approximately 20,480 square feet of land located between Fitzhugh Avenue and Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$6,096 (\$4,096 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds  
**[15-1068; APPROVED]**

**ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**

**Trinity Watershed Management (Continued)**

27. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from State Fair of Texas, Inc., of a subsurface easement under approximately 59,746 square feet of land located near the intersection of Fitzhugh Avenue and Gaisford Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$13,949 (\$11,949 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds  
**[15-1069; APPROVED]**

**ITEMS FOR FURTHER CONSIDERATION**

**Sustainable Development and Construction**

28. Authorize the first amendment to the Option Contract with LCS Land Partners II, Ltd. previously approved by Resolution No. 97-3998 on December 10, 1997 for a tract of land located near the intersection of Akard and Payne Streets to (1) change the effective date of the Option Period to the passage of this amendment; and (2) change the Purchase Price to \$655,000 - Financing: No cost consideration to the City  
**[15-1070; APPROVED]**

**DESIGNATED PUBLIC SUBSIDY MATTERS**

**Economic Development**

**Neighborhood Empowerment Zone and  
Real Property Tax Abatement Authorization**

**Note:** Item Nos. 29 and 30  
must be considered collectively.

29. \* A resolution designating the approximately 10.75 acres of property located at 4895 Mountain Creek Parkway in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 3 ("City of Dallas NEZ No. 3"), pursuant to Chapter 378 of the Local Government Code to promote an increase in economic development in the zone, establishing the boundaries of the Neighborhood Empowerment Zone and providing for an effective date - Financing: No cost consideration to the City  
**[15-1071; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development (Continued)**

**Neighborhood Empowerment Zone and  
Real Property Tax Abatement Authorization**

**Note:** Item Nos. 29 and 30  
must be considered collectively.

30. \* Authorize a real property tax abatement agreement with TC MT. CREEK DEVELOPMENT PARTNERS, LP, a Texas limited partnership, for the purpose of granting an eight year tax abatement of 75 percent of the taxes on added value to the real property for a speculative warehouse development consisting of approximately 192,000 square feet located on approximately 10.74 acres at the Northwest corner of Mountain Creek Parkway and Interstate 20 in Dallas, Texas, within City of Dallas NEZ No. 3, pursuant to Chapter 378 of the Local Government Code and in accordance with the City's Public/Private Partnership Guidelines and Criteria - Revenue: First year revenue estimated at \$15,940; eight-year revenue estimated at \$127,520 (Estimated revenue foregone for eight-year real property tax abatement estimated at \$382,560)  
**[15-1072; APPROVED]**

**Extension of Public Parking Lease Agreement  
at DalPark Garage**

**Note:** Item Nos. 31 and 32  
must be considered collectively.

31. \* Authorize an extension to the Parking Agreement with DalPark Partners, Ltd, owner of the DalPark Garage, previously authorized by Resolution No. 03-1923 on June 25, 2003, and previously amended by Resolution No. 10-1352 on May 26, 2010, in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) for the lease of 150 public parking spaces in the DalPark Garage for an additional five-year period commencing July 1, 2015 (pursuant to the Option Term previously authorized by Resolution No. 10-1352) in an amount not to exceed \$900,000 (not to exceed \$15,000 monthly) - Not to exceed \$900,000 - Financing: City Center TIF District Funds  
**[15-1073; APPROVED]**
32. \* Authorize the receipt and deposit of all of the City's share of monthly parking revenues (estimated monthly average parking revenue of \$11,666) from DalPark Partners, Ltd during the additional five-year period commencing July 1, 2015 - Estimated Parking Revenue: \$700,000  
**[15-1074; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development (Continued)**

33. Authorize an amendment to the development agreement with Billingsley LD, Ltd., for Cypress Waters Phase I to: (1) redirect approximately \$206,681 in savings from roadways to the temporary public safety building; (2) extend the deadlines for completion of the improvements and the execution of an operating and maintenance agreement for Phase I by seven months from December 31, 2014 to July 31, 2015; and (3) make minor design changes to the location of the private development and the final design of the public improvements - Financing: No cost consideration to the City  
**[15-1075; APPROVED]**
  
34. Authorize execution of a development agreement with Billingsley LD, Ltd., pursuant to an amendment to Resolution No. 12-2781, previously approved on November 14, 2012, for Cypress Waters Phase 2, to: (1) move Saintsbury Street construction and utility construction from Phase 2c to Phase 2a; (2) extend various project deadlines; (3) clarify that the developer will be eligible for reimbursement of each phase upon completion of, and fulfillment of all requirements for each phase; and (4) make minor design changes to the final design of the public improvements - Financing: No cost consideration to the City  
**[15-1076; APPROVED]**
  
35. Authorize various amendments to the development agreement with PetroCorrigan Towers, LP, for the redevelopment of the Tower Petroleum (1907 Elm Street) and Corrigan Tower (1900 Pacific Avenue) buildings located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) to: (1) increase TIF incentives by \$9,700,000 from \$10,300,000 to an amount not exceed \$20,000,000, of which \$19,500,000 is in the form of an Economic Development TIF Grant, in consideration of an increase in private investment; (2) separate the project into two phases; (3) change the use of the buildings from residential to hotel, retail, and/or restaurant use in the Tower Petroleum building and commercial, retail, restaurant and/or residential uses in the Corrigan Tower building; and (4) amend project requirements and deadlines to reflect the change in project scope - Not to exceed \$9,700,000 - Financing: Downtown Connection TIF District Funds  
**[15-1077; APPROVED]**

**Housing/Community Services**

36. Authorize a housing development loan in an amount not to exceed \$540,000 with Dallas Area Habitat for Humanity for construction of 18 affordable single family homes for the Joppa Neighborhood Project to be located on scattered sites in the Joppa Neighborhood area - Not to exceed \$540,000 - Financing: 2014-15 HOME Investment Partnership Program Grant Funds  
**[15-1078; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Housing/Community Services (Continued)**

37. Authorize a housing development loan in an amount not to exceed \$112,000 with Southfair Community Development Corporation, a certified Community Housing Development Organization, for construction of two affordable single family homes located at 2800 Park Row - Not to exceed \$112,000 - Financing: 2002-03 HOME Funds (\$60,000) and 2005-06 HOME Funds (\$52,000)  
**[15-1079; APPROVED]**
38. Authorize a housing development loan in an amount not to exceed \$320,000 with South Dallas Fair Park/Innercity Community Development Corporation, a certified Community Housing Development Organization, for construction of five affordable single family homes located on scattered sites in the Fair Park area - Not to exceed \$320,000 - Financing: 2005-06 HOME Funds  
**[15-1080; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction**

ZONING CASES - CONSENT

**[15-1081; APPROVED]**

39. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 456 along the south line of Forest Lane, the north line of Stults Road, west of Shepherd Road  
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, development plan for Subareas A and B, development plan for Subarea C, Phase I, and conditions  
Z145-166(WE)  
**[15-1082; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29757]**
40. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned a CR Community Retail District southeast of Cayuga Drive, northeast of Naylor Street, and north of Peavy Road  
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant  
Z145-177(SM)  
**[15-1083; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29758]**

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction**

ZONING CASES – CONSENT (Continued)

41. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1881 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842, on the northwest corner of Bell Avenue and Greenville Avenue  
Recommendation of Staff and CPC: Approval for a four-year period, subject to conditions  
Z145-189(AF)  
**[15-1084; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29759]**
  
42. A public hearing to receive comments regarding an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District, at the southeast corner of West 10<sup>th</sup> Street and South Marlborough Avenue  
Recommendation of Staff and CPC: Approval  
Z145-197(AF)  
**[15-1085; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29760]**
  
43. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1785 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 85 on the east corner of Greenville Avenue and Pineland Drive  
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewal for one additional three-year period, subject to conditions  
Z145-198(CG)  
**[15-1086; HEARING OPEN; REMANDED TO CITY PLAN AND ZONING COMMISSION BY COUNCILMEMBER GATES]**
  
44. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District south of Lake June Road, east of North Jim Miller Road  
Recommendation of Staff and CPC: Approval  
Z145-201(SM)  
**[15-1087; HEARING OPEN; DEFERRED UNTIL AUGUST 12, 2015 BY COUNCILMEMBER CALLAHAN]**

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction (Continued)**

ZONING CASES – CONSENT (Continued)

45. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit 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 District on the northeast corner of Elm Street and North Good Latimer Expressway  
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions  
Z145-207(CG)  
**[15-1088; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29761]**
46. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Form District and an ordinance granting the repeal of Shopfront Overlay No. 2 on property zoned a WMU-8 Walkable Mixed Use District on the west corner of Inwood Road and Brown Street  
Recommendation of Staff and CPC: Approval, subject to a regulating plan  
Z145-208(WE)  
**[15-1089; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29762]**  
*Note: The two referenced ordinances were combined to one.*

ZONING CASES - INDIVIDUAL

47. 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 an RR Regional Retail District with a D Liquor Control Overlay on the north side of West Camp Wisdom Road, east of Marvin D. Love Freeway  
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  
Z145-200(AF)  
**[15-1090; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 29763 AND 29764]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction (Continued)**

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

48. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane  
Recommendation of Staff: Approval for a forty-year period, subject to a site plan and conditions  
Recommendation of CPC: Approval for a fifteen-year period, subject to a site plan and conditions  
Z134-341(RB)  
Note: This item was considered by the City Council at a public hearing on May 27, 2015, and was taken under advisement until June 10, 2015, with the public hearing open  
**[15-1091; HEARING OPEN; DEFERRED UNTIL JUNE 17, 2015 BY COUNCILMEMBER GATES]**
49. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the northwest corner of Southern Boulevard and Noel Road  
Recommendation of Staff and CPC: Approval for a ten-year period, subject to a site plan, landscape plan, elevations plan and conditions  
Z145-152(OTH)  
Note: This item was considered by the City Council at public hearings on May 13, 2015, and May 27, 2015, and was taken under advisement until June 10, 2015, with the public hearing open  
**[15-1092; HEARING CLOSED; DENIED WITHOUT PREJUDICE BY COUNCILMEMBER KLEINMAN]**

DESIGNATED ZONING CASES - INDIVIDUAL

50. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned a CS Commercial Service District on the north line of East University Boulevard, east of North Central Expressway  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval, subject to a development plan and conditions; and approval of the termination of deed restrictions  
Z134-319(RB)  
**[15-1093; HEARING CLOSED; DENIED WITHOUT PREJUDICE BY COUNCILMEMBER KINGSTON]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction (Continued)**

DESIGNATED ZONING CASES – INDIVIDUAL (Continued)

51. A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the north side of West Commerce Street, east of North Westmoreland Road  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval with deed restrictions volunteered by the applicant  
Z145-115(OTH)  
**[15-1094; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29765]**

MISCELLANEOUS HEARINGS

**Office of Environmental Quality**

52. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Jon C. Loshinsky located near the intersection of Viscount Row and Monetary Drive and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Deluxe Corporation and Standard Controls, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City  
Recommendation of Staff: Approval  
**[15-1095; HEARING CLOSED; APPROVED; ORDINANCE 29766]**
53. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by LMI Park Central, LLC and LMI Park Central Two, LLC located near the intersection of Coit Road and Churchill Way and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to LMI Park Central, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City  
Recommendation of Staff: Approval  
**[15-1096; HEARING CLOSED; APPROVED; ORDINANCE 29767]**

## MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

### Economic Development

#### Farmers Market TIF District

**Note:** Item Nos. 54 and 55  
must be considered collectively.

54. \* A public hearing to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Zone Number Six (the Farmers Market TIF District) to: (1) increase the geographic area of the Farmers Market TIF District to include property located on the east side of Harwood Street, south of Canton Street (approximately 13,057 square feet); (2) adjust TIF Budget to reflect an increase in TIF collections (current dollars) from \$33,955,605 to \$48,398,724 (with no increase in NPV, \$19,238,514); and (3) other related modifications - Financing: No cost consideration to the City  
**[15-1097 HEARING CLOSED; APPROVED]**
55. \* An ordinance amending Ordinance No. 23521, previously approved on May 27, 1998, Ordinance No. 24001, previously approved on August 25, 1999, Ordinance No. 25298, previously approved on June 25, 2003, and Ordinance No. 28951, previously approved on March 27, 2013, to reflect these amendments - Financing: No cost consideration to the City  
**[15-1098; APPROVED; ORDINANCE 29768]**

#### Master Agreement with DFM Developer, Ltd.

**Note:** Item Nos. 56 and 57  
must be considered collectively.

56. \* Authorize an amendment to the Master Agreement with DFM Developer, Ltd., to extend project deadlines related to the development of an approximately 12 acre site located southeast of the intersection of Harwood Street and Marilla Street known as Dallas Farmers Market, previously approved on February 27, 2013, by Resolution No. 13-0447 - Financing: No cost consideration to the City  
**[15-1099; APPROVED]**
57. \* Authorize additional amendments to the development agreement with DFM Developer, Ltd., for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase I project, previously approved on June 26, 2013, by Resolution Nos. 13-1156 and 13-1157 and amended on June 25, 2014, by Resolution No. 14-0994, to: (a) remove the purchase of the public market parking/air rights requirement from Farmers Market Redevelopment, Phase I development agreement; and (b) include Atmos gas pipeline installation and environmental/demolition as an eligible budget category with no increase in the TIF funding - Financing: No cost consideration to the City  
**[15-1100; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development (Continued)**

58. Authorize an amendment to the development agreement with DF Market 2, LLC, for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, Shed 2 project, previously approved on December 11, 2013, by Resolution Nos. 13-2098 and 13-2099, to extend project deadlines - Financing: No cost consideration to the City  
**[15-1101; APPROVED]**
59. Authorize an amendment to the development agreement with Taylor Street 2111, LP, for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street project, previously approved on December 11, 2013, by Resolution Nos. 13-2102 and 13-2103, to extend project deadlines - Financing: No cost consideration to the City  
**[15-1102; APPROVED]**
60. Authorize an amendment to the development agreement with FM Futsal, Ltd., for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, Futsal project, previously approved on December 11, 2013, by Resolution Nos. 13-2104 and 13-2105, to extend project deadlines - Financing: No cost consideration to the City  
**[15-1103; APPROVED]**
61. Authorize an amendment to the development agreement with DFM Developer, Ltd., for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, Harvest Lofts Mixed Use project, previously approved on December 11, 2013, by Resolution Nos. 13-2100 and 13-2101, to: (1) extend project deadlines; (2) increase the TIF funding from \$8,536,486 to \$13,704,350 (an increase of \$5,167,864) to offset the cost of public parking garage and additional streetscape improvements; and (3) amend the TIF budget and include public parking garage as an eligible budget category - Not to exceed \$5,167,864 - Financing: Farmers Market TIF District Funds (subject to future appropriations)  
**[15-1104; APPROVED]**
62. Authorize a purchase and sale agreement with FM City Park, LLC for: (1) the purchase of an air rights parcel which is part of the Harvest Development Land in an amount not to exceed \$439,530; and (2) the purchase of a completed public parking structure (300 public parking spaces), to be constructed by FM City Park, LLC in accordance with the City approved plans and set specifications in an amount not exceed \$7,710,005, total amount for both purchases not to exceed \$8,149,535 - Financing: Farmers Market Area Infrastructure Funds (\$1,153,571), 2006 Bond Funds (\$1,658,089), Public Private Partnership Funds (\$670,000), Farmers Market TIF Funds (\$4,667,875) (subject to appropriations)  
**[15-1105; APPROVED]**

**PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**

**MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)**

**Economic Development (Continued)**

63. A public hearing to receive comments on amendments to Cypress Waters TIF District (the "District") to: **(1)** modify the boundaries; **(2)** adjust the base year value of the District; **(3)** decrease the District's total budget from \$65,698,683 NPV (approximately \$160,115,818 total dollars) to \$25,779,665 (approximately \$49,465,852 total dollars), a decrease of \$39,919,018 NPV (approximately \$110,649,966 total dollars) to reflect the early termination of the District after repayment of Phase I, II, DWU/Irving water/wastewater obligations, and funding of the public safety building; **(4)** correct the infrastructure/utility improvements category consistent with changes to state law to allow TIF funding to be used for infrastructure constructed outside the boundary if it benefits the District; **(5)** make corresponding modifications to the Cypress Waters TIF District boundary, budget, and Project and Reinvestment Zone Financing Plans; and **(6)** at the close of the public hearing, consideration of an ordinance amending Ordinance Nos. 28074 and 28224, previously approved on December 8, 2010 and June 8, 2011, to reflect these amendments - Financing: No cost consideration to the City  
**[15-1106; HEARING CLOSED; APPROVED; ORDINANCE 29769]**

**MISCELLANEOUS HEARINGS - UNDER ADVISEMENT**

**Sustainable Development and Construction**

64. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Henry W. Longfellow Career Exploration Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store with 10,000 square feet or more floor area [L&B Depp Inwood Village, dba CVS Pharmacy #7412] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV145-004 - Financing: No cost consideration to the City  
**[15-1107; HEARING OPEN; HELD UNDER ADVISEMENT UNTIL SEPTEMBER 23, 2015 BY COUNCILMEMBER GATES]**

**ANNOTATED ADDENDUM  
CITY COUNCIL MEETING  
JUNE 10, 2015  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBER, CITY HALL  
DALLAS, TEXAS 75201  
9:10 A. M. – 1:32 P.M.**

**ADDITIONS:**

**Closed Session  
[15-1108; HELD]**

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

- Damon Williams v. Micheal D. Waldroup and Jeffrey Kaiser, Civil Action No. 3:14-CV-4160-P  
**[BRIEFED]**
- Proposed contract for legal services with DLA Piper LLP (US), scheduled for City Council consideration on June 17, 2015.  
**[BRIEFED]**
- Legal issues regarding the marketing license agreement with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America.  
**[BRIEFED]**

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

- Discussion regarding performance evaluation of City Secretary Rosa A. Rios.  
**[NOT DISCUSSED]**

**CONSENT ADDENDUM**

**Business Development & Procurement Services**

1. Authorize a four-year service contract to provide armed and unarmed security guards to patrol and protect City facilities - Allied Barton Security Services, LLC in the amount of \$39,502,031, Ruiz Protective Service, Inc. in the amount of \$15,192,300 and Norred & Associates, Inc. in the amount of \$3,402,492, most advantageous proposers of eleven - Total not to exceed \$58,096,822 - Financing: Current Funds (\$15,933,236), Golf Improvement Funds (\$1,635,130), Convention and Event Services Current Funds (\$16,094,571), Water Utilities Current Funds (\$14,224,439), Aviation Current Funds (\$9,183,021) and Stormwater Drainage Management Current Funds (\$1,026,425) (subject to annual appropriations)  
**[15-1109; REMANDED TO BUDGET, FINANCE AND AUDIT COUNCIL COMMITTEE; ITEM TO RETURN ON JUNE 17, 2015 BY COUNCILMEMBER CALLAHAN]**

**ADDITIONS: (Continued)**

**CONSENT ADDENDUM (Continued)**

**City Attorney's Office**

2. Consideration of appointments to the Love Field Airport Modernization Corporation Board of Directors for a two-year term, expiring on September 30, 2017, or until the appointment of their successors by the City Council - Financing: No cost consideration to the City  
**[15-1110; APPROVED]**

**City Auditor's Office**

3. Authorize a detailed budget estimate of the needs and requirements of the City Auditor's Office for fiscal year 2015-16 in the amount of \$2,884,701 (subject to final funding adjustments for decisions that will be made on a citywide basis for items such as staff benefits, insurance, Communication and Information Services charges, and other items that may affect all city departmental budgets) - Financing: No cost consideration to the City  
**[15-1111; APPROVED]**

**Planning and Neighborhood Vitality**

4. Authorize (1) a Supplemental Agreement to the Master Interlocal Agreement between the City of Dallas and Dallas Area Rapid Transit (DART) for the granting of easements for hike and bike trail purposes across approximately twenty-eight miles of DART owned property in exchange for the conveyance of the Madill Corridor by the City of Dallas to DART, subject to the retention of a water transmission line easement and other terms and conditions; (2) receipt and acceptance of said hike and bike trail easements; and (3) conveyance of the Madill Corridor by the City of Dallas to DART- Financing: No cost consideration to the City  
**[15-1112; APPROVED WITH CORRECTION]**

**Trinity Watershed Management**

5. Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Sienna Court Townhomes, LLC, a Texas Limited Liability Company, et al., Cause No. CC-14-05569-C, pending in Dallas County Court at Law No. 3, to acquire approximately 4,237 square feet of land, including any improvements, located on San Jacinto Street near its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$58,500 (\$55,000 being the amount of the award, plus closing costs and title expenses not to exceed \$3,500); an increase of \$14,527 from the amount Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds  
**[15-1113; APPROVED AS AN INDIVIDUAL ITEM]**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Attorney's Office**

6. An ordinance amending Chapter 12A of the Dallas City Code to: **(1)** require that a person filing an ethics complaint swear or affirm under penalty of perjury that the complaint states a violation of Chapter 12A and is not brought for an improper purpose; **(2)** allow a person filing an ethics complaint to swear or affirm under penalty of perjury that the contentions in the complaint are supported by credible evidence; and **(3)** provide that a preliminary panel of the ethics advisory commission may assess the credibility of the evidence provided in and with a complaint in determining whether the complaint is supported by just cause - Financing: No cost consideration to the City  
**[15-1114; APPROVED; ORDINANCE 29770]**

**City Secretary's Office**

7. Consideration of appointments to the Dallas Area Rapid Transit Board of Directors for Places 03, 04, 05, 06, 07, and 08 (shared) all for two year appointments (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees in the City Secretary's Office) - Financing: No cost consideration to the City  
**[15-1115; APPOINTMENTS MADE TO BOARD]**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 10, 2015

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1041

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: Lakolya London, 1411 N. Cockrell Hill Rd.  
SUBJECT: Dallas Police Department at work

SPEAKER: Chris Luna, 2250 Lakeside Blvd.  
REPRESENTING: MetroPCS  
SUBJECT: MetroPCS Juneteenth Festival

**ADDITIONAL – OPEN MICROPHONE:**

There were no speakers under this category.

**OPEN MICROPHONE – END OF MEETING:**

There were no speakers under this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1042

Item 1: Approval of Minutes of the May 27, 2015 City Council Meeting

Councilmember Caraway moved to adopt the minutes of the May 27, 2015 City Council Meeting.

Motion seconded by Councilmember Kadane and unanimously adopted. (Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1043

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-22 and addendum addition consent agenda items 1-5.

The city secretary announced Councilmember Gates had deferred consideration of consent agenda item 20 in accordance with Subsection 7.11 of the City Council Rules of Procedure prior to the meeting.

Councilmember Kingston requested consent agenda item 8 and addendum addition consent agenda item 1 be considered as individual items later in meeting; there was no objection voiced to his request.

Councilmember Greyson requested addendum addition consent agenda item 5 be considered as an individual item later in meeting; there was no objection voiced to her request.

Therefore, the consent agenda, consisting of consent agenda items 2-7, 9-19, and 21-22 and addendum addition consent agenda items 2-4, was presented for consideration.

Councilmember Kadane moved to adopt all items on the consent agenda with the exception of consent agenda items 8 and 20 and addendum addition consent agenda items 1 and 5.

Motion seconded by Councilmember Hill and unanimously adopted. (Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1050

**Item 8:** Authorize the approval, for purposes of the Internal Revenue Code, of the project located in the City of Dallas benefitting The Dallas Arboretum & Botanical Society, Inc., to be financed by the issuance of tax exempt revenue bonds by the Red River Cultural Education Facilities Finance Corporation in an amount not to exceed \$35,000,000 - Financing: No cost consideration to the City

Councilmember Kingston requested consent agenda item 8 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 8 was brought up for consideration.

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Kleinman and unanimously adopted. (\*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1062

Item 20: An ordinance granting a revocable license to CH Realty VI/R Dallas Preston Ctr, L.P., for the use of approximately 2,852 square feet of surface and aerial space to install and maintain a pedestrian skybridge and four support columns on and over a portion of Westchester Drive right-of-way located near its intersection with Berkshire Lane - Revenue: \$23,636 annually, plus the one-time \$20 ordinance publication fee

The city secretary announced Councilmember Gates had deferred consideration of the item in accordance with Subsection 7.11 of the City Council Rules of Procedure prior to the meeting.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1065

Item 23: 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 JUNE 10, 2015.

The city secretary noted the report indicated a nominee for individual appointment met all qualifications for service.

Councilmember Gates moved to appoint the following:

- Louis A. Darrouzet, Business Development and Operations, to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Caraway and unanimously adopted. (Allen absent when vote taken; \*Rawlings absent on city business)

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

**15-6101 SDF South Dallas/Fair Park Trust Fund Board**

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1066

**Item 24:** Authorize (1) a three-year master agreement for the purchase of fitness and exercise equipment for use throughout the City - Comm-Fit LP in the amount of \$1,418,400 or \$1,368,400 (**Tie Bid - Line 14**), Team Marathon Fitness, Inc. dba Marathon Fitness in the amount of \$323,000, Fitcorp USA, Inc. dba Busy Body, Fitness HQ in the amount of \$257,250 and Fit Supply, LLC in the amount of \$50,000 or \$0 (**Tie Bid - Line 14**), lowest responsible bidders of four; and (2) a three-year master agreement for the purchase of fitness and exercise equipment for use throughout the City - Life Fitness, a division of Brunswick Corporation in the amount of \$555,000, through the Texas Multiple Award Schedule - Total not to exceed \$2,553,650 - Financing: Current Funds (\$1,546,900), Fitness Center Funds (\$945,000), Texas Higher Education Coordinating Board Funds (\$60,000) and Water Utilities Current Funds (\$1,750)

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 tying bidders for Line 14 had been placed in separate plain envelopes for Presiding Mayor Atkins to select one sealed envelope for each line. Presiding Mayor Atkins selected one sealed envelope for the line and announced the selection as follows:

- Line 14 – Fit Supply, LLC

Deputy Mayor Pro Tem Alonzo moved to adopt the item with Line 14 awarded as selected by Presiding Mayor Atkins.

Motion seconded by Councilmember Caraway and unanimously adopted. (Allen absent when vote taken; \*Rawlings absent on city business)

**Note:** On June 9, 2015, the City Secretary, Assistant City Secretary, Stephanie Cooper, Assistant Director of Business Development and Procurement Services and Carmen Esquivel (Business Development and Procurement Services) met and sealed the envelopes, all ensuring each sealed envelope contained one name for each of the tying bidders.

\*Note: Approved as “Official City Business” per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1067

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from State Fair of Texas, Inc., of a subsurface easement under approximately 6,961 square feet of land located near the intersection of Washington Avenue and Herndon Drive for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$3,392 (\$1,392 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 25-27 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 25-27, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 25 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 *State Fair of Texas, Inc.*, a subsurface easement under approximately 6,961 square feet of land, located near the intersection of Washington Avenue and Herndon Drive adjacent to City of Dallas Block C/812, 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.

Councilmember Davis moved to adopt agenda items 25-27.

Motion seconded by Councilmember Caraway.

Presiding Mayor Atkins called the record vote on Councilmember Davis' motion to adopt agenda items 25-27:

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

Voting No: [0]

Absent When Vote Taken: [1] Kleinman

Absent on City Business: [1] \*Rawlings

The city secretary declared the items adopted.

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1068

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from State Fair of Texas, Inc., of a subsurface easement under approximately 20,480 square feet of land located between Fitzhugh Avenue and Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$6,096 (\$4,096 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 25-27 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 25-27, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 26 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 *State Fair of Texas, Inc.*, a subsurface easement under approximately 20,480 square feet of land, located between Fitzhugh Avenue and Foreman Street in City of Dallas Blocks 1820 and 4491, 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.

Councilmember Davis moved to adopt agenda items 25-27.

Motion seconded by Councilmember Caraway.

Presiding Mayor Atkins called the record vote on Councilmember Davis' motion to adopt agenda items 25-27:

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

Voting No: [0]

Absent When Vote Taken: [1] Kleinman

Absent on City Business: [1] \*Rawlings

The city secretary declared the items adopted.

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1069

Item 27: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from State Fair of Texas, Inc., of a subsurface easement under approximately 59,746 square feet of land located near the intersection of Fitzhugh Avenue and Gaisford Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$13,949 (\$11,949 plus closing costs and title expenses not to exceed \$2,000) - Financing: General Obligation Commercial Paper Funds

The city secretary read agenda items 25-27 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 25-27, no council member indicated any item(s) be pulled for individual vote.

The city secretary announced agenda item 27 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 *State Fair of Texas, Inc.*, a subsurface easement under approximately 59,746 square feet of land, located near the intersection of Fitzhugh Avenue and Gaisford Street in City of Dallas Blocks 2/1435 and 3/1435, 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.

Councilmember Davis moved to adopt agenda items 25-27.

Motion seconded by Councilmember Caraway.

Presiding Mayor Atkins called the record vote on Councilmember Davis' motion to adopt agenda items 25-27:

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

Voting No: [0]

Absent When Vote Taken: [1] Kleinman

Absent on City Business: [1] \*Rawlings

The city secretary declared the items adopted.

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1070

Item 28: Authorize the first amendment to the Option Contract with LCS Land Partners II, Ltd. previously approved by Resolution No. 97-3998 on December 10, 1997 for a tract of land located near the intersection of Akard and Payne Streets to (1) change the effective date of the Option Period to the passage of this amendment; and (2) change the Purchase Price to \$655,000 - Financing: No cost consideration to the City

Councilmember Medrano moved to adopt the agenda item.

Motion seconded by Councilmember Kingston and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1071

**Neighborhood Empowerment Zone and  
Real Property Tax Abatement Authorization**

**Note:** Item Nos. 29 and 30  
must be considered collectively.

Item 29: A resolution designating the approximately 10.75 acres of property located at 4895 Mountain Creek Parkway in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 3 (“City of Dallas NEZ No. 3”), pursuant to Chapter 378 of the Local Government Code to promote an increase in economic development in the zone, establishing the boundaries of the Neighborhood Empowerment Zone and providing for an effective date - 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,” the city secretary 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 Hill moved to adopt agenda items 29-30.

Motion seconded by Councilmember Davis and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as “Official City Business” per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1072

**Neighborhood Empowerment Zone and  
Real Property Tax Abatement Authorization**

**Note:** Item Nos. 29 and 30  
must be considered collectively.

Item 30: Authorize a real property tax abatement agreement with TC MT. CREEK DEVELOPMENT PARTNERS, LP, a Texas limited partnership, for the purpose of granting an eight year tax abatement of 75 percent of the taxes on added value to the real property for a speculative warehouse development consisting of approximately 192,000 square feet located on approximately 10.74 acres at the Northwest corner of Mountain Creek Parkway and Interstate 20 in Dallas, Texas, within City of Dallas NEZ No. 3, pursuant to Chapter 378 of the Local Government Code and in accordance with the City's Public/Private Partnership Guidelines and Criteria - Revenue: First year revenue estimated at \$15,940; eight-year revenue estimated at \$127,520 (Estimated revenue foregone for eight-year real property tax abatement estimated at \$382,560)

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 Hill moved to adopt agenda items 29-30.

Motion seconded by Councilmember Davis and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1073

**Extension of Public Parking Lease Agreement  
at DalPark Garage**

**Note:** Item Nos. 31 and 32  
must be considered collectively.

Item 31: Authorize an extension to the Parking Agreement with DalPark Partners, Ltd, owner of the DalPark Garage, previously authorized by Resolution No. 03-1923 on June 25, 2003, and previously amended by Resolution No. 10-1352 on May 26, 2010, in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) for the lease of 150 public parking spaces in the DalPark Garage for an additional five-year period commencing July 1, 2015 (pursuant to the Option Term previously authorized by Resolution No. 10-1352) in an amount not to exceed \$900,000 (not to exceed \$15,000 monthly) - Not to exceed \$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," the city secretary 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 Kingston moved to adopt agenda items 31-32.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1074

**Extension of Public Parking Lease Agreement  
at DalPark Garage**

**Note:** Item Nos. 31 and 32  
must be considered collectively.

Item 32: Authorize the receipt and deposit of all of the City's share of monthly parking revenues (estimated monthly average parking revenue of \$11,666) from DalPark Partners, Ltd during the additional five-year period commencing July 1, 2015 - Estimated Parking Revenue: \$700,000

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 Kingston moved to adopt agenda items 31-32.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1075

Item 33: Authorize an amendment to the development agreement with Billingsley LD, Ltd., for Cypress Waters Phase I to: (1) redirect approximately \$206,681 in savings from roadways to the temporary public safety building; (2) extend the deadlines for completion of the improvements and the execution of an operating and maintenance agreement for Phase I by seven months from December 31, 2014 to July 31, 2015; and (3) make minor design changes to the location of the private development and the final design of the public improvements - 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," the city secretary 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 the item.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1076

Item 34: Authorize execution of a development agreement with Billingsley LD, Ltd., pursuant to an amendment to Resolution No. 12-2781, previously approved on November 14, 2012, for Cypress Waters Phase 2, to: (1) move Saintsbury Street construction and utility construction from Phase 2c to Phase 2a; (2) extend various project deadlines; (3) clarify that the developer will be eligible for reimbursement of each phase upon completion of, and fulfillment of all requirements for each phase; and (4) make minor design changes to the final design of the public improvements - 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," the city secretary 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 the item.

Motion seconded by Councilmember Callahan and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1077

Item 35: Authorize various amendments to the development agreement with PetroCorrigan Towers, LP, for the redevelopment of the Tower Petroleum (1907 Elm Street) and Corrigan Tower (1900 Pacific Avenue) buildings located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) to: (1) increase TIF incentives by \$9,700,000 from \$10,300,000 to an amount not exceed \$20,000,000, of which \$19,500,000 is in the form of an Economic Development TIF Grant, in consideration of an increase in private investment; (2) separate the project into two phases; (3) change the use of the buildings from residential to hotel, retail, and/or restaurant use in the Tower Petroleum building and commercial, retail, restaurant and/or residential uses in the Corrigan Tower building; and (4) amend project requirements and deadlines to reflect the change in project scope - Not to exceed \$9,700,000 - Financing: Downtown Connection 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," the city secretary 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 Kingston moved to adopt the item.

Motion seconded by Councilmember Medrano and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1078

Item 36: Authorize a housing development loan in an amount not to exceed \$540,000 with Dallas Area Habitat for Humanity for construction of 18 affordable single family homes for the Joppa Neighborhood Project to be located on scattered sites in the Joppa Neighborhood area - Not to exceed \$540,000 - Financing: 2014-15 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," the city secretary 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 Davis moved to adopt the item.

Motion seconded by Councilmember Callahan and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1079

**Item 37:** Authorize a housing development loan in an amount not to exceed \$112,000 with Southfair Community Development Corporation, a certified Community Housing Development Organization, for construction of two affordable single family homes located at 2800 Park Row - Not to exceed \$112,000 - Financing: 2002-03 HOME Funds (\$60,000) and 2005-06 HOME Funds (\$52,000)

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 Davis moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Callahan and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1080

Item 38: Authorize a housing development loan in an amount not to exceed \$320,000 with South Dallas Fair Park/Innercity Community Development Corporation, a certified Community Housing Development Organization, for construction of five affordable single family homes located on scattered sites in the Fair Park area - Not to exceed \$320,000 - Financing: 2005-06 HOME 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," the city secretary 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 Davis moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted. (Kleinman absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1081

The consent zoning docket consisted of agenda items 39-46.

Prior to the consent zoning docket being read into the record, Councilmember Gates moved to continue the public hearing and remand agenda item 43 to the City Plan and Zoning Commission. Therefore, no speakers were called to speak on the item. Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

Prior to the consent zoning docket being read into the record, Councilmember Callahan moved to continue the public hearing and defer agenda item 44 until the August 12, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item. Motion seconded by Councilmember Kingston and unanimously adopted. (Hill, Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

The city secretary announced agenda item 40 would be considered as an individual item as it required a favorable vote of three-fourths of all members of the city council.

Therefore, the consent zoning docket, consisting of agenda items 39, 41-42 and 45-56, was presented for consideration.

- Agenda item 39: Zoning Case Z145-166(WE)
- ~~Agenda item 40: Zoning Case Z145-177(SM) [individual consideration]~~
- Agenda item 41: Zoning Case Z145-189(AF)
- Agenda item 42: Zoning Case Z145-197(AF)
- ~~Agenda item 43: Zoning Case Z145-198(CG) [remanded to CPC]~~
- ~~Agenda item 44: Zoning Case Z145-201(SM) [deferred]~~
- Agenda item 45: Zoning Case Z145-207(CG)
- Agenda item 46: Zoning Case Z145-208(WE)

In the zoning cases 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 recommendations.

Councilmember Allen moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning docket and pass the ordinances.

Motion seconded by Councilmember Kingston and unanimously adopted. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1083

Item 40: Zoning Case Z145-177(SM)

The consent zoning docket, consisting of agenda items 39, 41-42 and 45-56, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned a CR Community Retail District southeast of Cayuga Drive, northeast of Naylor Street, and north of Peavy Road.

Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant.

The city secretary announced agenda item 40 would be considered as an individual item as it required a favorable vote of three-fourths of all members of the city council.

Neva Dean, interim assistant director of sustainable development and construction, reminded the city council that a waiver to Sec. 9.304(a)(5) of Chapter 51A: A street name may not contain more than 14 characters and a waiver to Sec. 9.304(c)(2) of Chapter 51A: A street name commemorating a person or a historic site or area is prohibited until at least 2 years after the death of the person to be honored, council approval of the application would require a favorable vote of three-fourths of all members of the city council.

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

Councilmember Kadane requested the item be held to later in the meeting to allow enough members of the city council to be present in order to meet the three-fourths vote requirement.

Later in the meeting, Councilmember Kadane moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Callahan and unanimously adopted. Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

Assigned ORDINANCE NO. 29758

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1086

Item 43: Zoning Case Z145-198(CG)

The consent zoning docket, consisting of agenda items 39, 41-42 and 45-56, 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. 1785 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 85 on the east corner of Greenville Avenue and Pineland Drive.

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

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Gates moved to continue the public hearing and remand the item to the City Plan and Zoning Commission. Therefore, no speakers were called to speak on the item.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1087

Item 44: Zoning Case Z145-201(SM)

The consent zoning docket, consisting of agenda items 39, 41-42 and 45-56, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District south of Lake June Road, east of North Jim Miller Road.

Recommendation of Staff and CPC: Approval.

Prior to approval 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 August 12, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Kingston and unanimously adopted. (Hill, Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1090

ZONING CASES - INDIVIDUAL

Item 47: Zoning Case Z145-200(AF)

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 an RR Regional Retail District with a D Liquor Control Overlay on the north side of West Camp Wisdom Road, east of Marvin D. Love Freeway.

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

Assigned ORDINANCE NOS. 29763 and 29764

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1091

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 48: Zoning Case Z134-341(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane.

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

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

Note: This item was considered by the City Council at a public hearing on May 27, 2015, and was taken under advisement until June 10, 2015, with the public hearing open.

Councilmember Gates moved to continue the public hearing and defer the item until the June 17, 2015 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. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1092

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 49: Zoning Case Z145-152(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the northwest corner of Southern Boulevard and Noel Road.

Recommendation of Staff and CPC: Approval for a ten-year period, subject to a site plan, landscape plan, elevations plan and conditions.

Note: This item was considered by the City Council at public hearings on May 13, 2015, and May 27, 2015, and was taken under advisement until June 10, 2015, with the public hearing open.

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

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

Motion seconded by Councilmember Kingston and unanimously denied. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1093

DESIGNATED ZONING CASES - INDIVIDUAL

Item 50: Zoning Case Z134-319(RB)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned a CS Commercial Service District on the north line of East University Boulevard, east of North Central Expressway.

Recommendation of Staff: Denial.

Recommendation of CPC: Approval, subject to a development plan and conditions; and approval of the termination of deed restrictions.

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

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

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

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

Motion seconded by Councilmember Griggs and unanimously denied without prejudice. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1094

DESIGNATED ZONING CASES - INDIVIDUAL

Item 51: Zoning Case Z145-115(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the north side of West Commerce Street, east of North Westmoreland Road.

Recommendation of Staff: Denial.

Recommendation of CPC: Approval with deed restrictions volunteered by the applicant.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Medrano and Councilmember Hill and unanimously adopted. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

Assigned ORDINANCE NO. 29765

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1095

MISCELLANEOUS HEARINGS

Item 52: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Jon C. Loshinsky located near the intersection of Viscount Row and Monetary Drive and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Deluxe Corporation and Standard Controls, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City.

Recommendation of Staff: Approval.

The city secretary read the following statement into the record:

"Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individual addressed the city council on the item:

Kelton Barr, 8500 Virginia Cir., St. Louis Park, MN, applicant

Deputy Mayor Pro Tem Alonzo moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

Assigned ORDINANCE NO. 29767

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1096

MISCELLANEOUS HEARINGS

Item 53: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by LMI Park Central, LLC and LMI Park Central Two, LLC located near the intersection of Coit Road and Churchill Way and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to LMI Park Central, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval.

The city secretary read the following statement into the record:

"Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individual addressed the city council on the item:

David Whitten, 8123 San Fernando Way, applicant  
Kenneth Tram, 5100 Thompson Terrace, Colleyville, TX, Professional Geoscientist

Councilmember Kleinman moved to close the public hearing and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Caraway, Davis, Greyson absent when vote taken; \*Rawlings absent on city business)

Assigned ORDINANCE NO. 29767

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1097

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

**Farmers Market TIF District**

**Note:** Item Nos. 54 and 55  
must be considered collectively.

Item 54: A public hearing to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Zone Number Six (the Farmers Market TIF District) to: **(1)** increase the geographic area of the Farmers Market TIF District to include property located on the east side of Harwood Street, south of Canton Street (approximately 13,057 square feet); **(2)** adjust TIF Budget to reflect an increase in TIF collections (current dollars) from \$33,955,605 to \$48,398,724 (with no increase in NPV, \$19,238,514); and **(3)** other related modifications - Financing: No cost consideration to the City

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1098

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

**Farmers Market TIF District**

**Note:** Item Nos. 54 and 55  
must be considered collectively.

Item 55: An ordinance amending Ordinance No. 23521, previously approved on May 27, 1998, Ordinance No. 24001, previously approved on August 25, 1999, Ordinance No. 25298, previously approved on June 25, 2003, and Ordinance No. 28951, previously approved on March 27, 2013, to reflect these amendments - Financing: No cost consideration to the City

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1099

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

**Master Agreement with DFM Developer**

**Note:** Item Nos. 56 and 57  
must be considered collectively.

Item 56: Authorize an amendment to the Master Agreement with DFM Developer, Ltd., to extend project deadlines related to the development of an approximately 12 acre site located southeast of the intersection of Harwood Street and Marilla Street known as Dallas Farmers Market, previously approved on February 27, 2013, by Resolution No. 13-0447 - Financing: No cost consideration to the City

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1100

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

**Master Agreement with DFM Developer**

**Note:** Item Nos. 56 and 57  
must be considered collectively.

Item 57: Authorize additional amendments to the development agreement with DFM Developer, Ltd., for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase I project, previously approved on June 26, 2013, by Resolution Nos. 13-1156 and 13-1157 and amended on June 25, 2014, by Resolution No. 14-0994, to: **(a)** remove the purchase of the public market parking/air rights requirement from Farmers Market Redevelopment, Phase I development agreement; and **(b)** include Atmos gas pipeline installation and environmental/demolition as an eligible budget category with no increase in the TIF funding - Financing: No cost consideration to the City

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1101

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

Item 58: Authorize an amendment to the development agreement with DF Market 2, LLC, for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, Shed 2 project, previously approved on December 11, 2013, by Resolution Nos. 13-2098 and 13-2099, to extend project deadlines - Financing: No cost consideration to the City

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1102

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

Item 59: Authorize an amendment to the development agreement with Taylor Street 2111, LP, for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street project, previously approved on December 11, 2013, by Resolution Nos. 13-2102 and 13-2103, to extend project deadlines - Financing: No cost consideration to the City

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1103

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

Item 60: Authorize an amendment to the development agreement with FM Futsal, Ltd., for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, Futsal project, previously approved on December 11, 2013, by Resolution Nos. 13-2104 and 13-2105, to extend project deadlines - Financing: No cost consideration to the City

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1104

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

Item 61: Authorize an amendment to the development agreement with DFM Developer, Ltd., for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, Harvest Lofts Mixed Use project, previously approved on December 11, 2013, by Resolution Nos. 13-2100 and 13-2101, to: **(1)** extend project deadlines; **(2)** increase the TIF funding from \$8,536,486 to \$13,704,350 (an increase of \$5,167,864) to offset the cost of public parking garage and additional streetscape improvements; and **(3)** amend the TIF budget and include public parking garage as an eligible budget category - Not to exceed \$5,167,864 - Financing: Farmers Market TIF District Funds (subject to future appropriations)

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1105

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

Item 62: Authorize a purchase and sale agreement with FM City Park, LLC for: (1) the purchase of an air rights parcel which is part of the Harvest Development Land in an amount not to exceed \$439,530; and (2) the purchase of a completed public parking structure (300 public parking spaces), to be constructed by FM City Park, LLC in accordance with the City approved plans and set specifications in an amount not exceed \$7,710,005, total amount for both purchases not to exceed \$8,149,535 - Financing: Farmers Market Area Infrastructure Funds (\$1,153,571), 2006 Bond Funds (\$1,658,089), Public Private Partnership Funds (\$670,000), Farmers Market TIF Funds (\$4,667,875) (subject to appropriations)

The city secretary announced at the request of Presiding Mayor Atkins, agenda items 54-62 would be read into the record and considered collectively; there was no objection to the announcement.

No one addressed the city council regarding the item.

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the city secretary 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 54-62.

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Kingston and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1106

MISCELLANEOUS HEARINGS – DESIGNATED PUBLIC SUBSIDY MATTERS

Item 63: A public hearing to receive comments on amendments to Cypress Waters TIF District (the “District”) to: (1) modify the boundaries; (2) adjust the base year value of the District; (3) decrease the District’s total budget from \$65,698,683 NPV (approximately \$160,115,818 total dollars) to \$25,779,665 (approximately \$49,465,852 total dollars), a decrease of \$39,919,018 NPV (approximately \$110,649,966 total dollars) to reflect the early termination of the District after repayment of Phase I, II, DWU/Irving water/wastewater obligations, and funding of the public safety building; (4) correct the infrastructure/utility improvements category consistent with changes to state law to allow TIF funding to be used for infrastructure constructed outside the boundary if it benefits the District; (5) make corresponding modifications to the Cypress Waters TIF District boundary, budget, and Project and Reinvestment Zone Financing Plans; and (6) at the close of the public hearing, consideration of an ordinance amending Ordinance Nos. 28074 and 28224, previously approved on December 8, 2010 and June 8, 2011, to reflect these amendments - 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,” the city secretary 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 addressed the city council regarding the item.

Deputy Mayor Pro Tem Alonzo moved to adopt the agenda item.

Motion seconded by Councilmember Kadane and Councilmember Kleinman and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

Assigned ORDINANCE NO. 29769

\*Note: Approved as “Official City Business” per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1107

MISCELLANEOUS HEARINGS – UNDER ADVISEMENT

Item 64: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Henry W. Longfellow Career Exploration Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store with 10,000 square feet or more floor area [L&B Depp Inwood Village, dba CVS Pharmacy #7412] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV145-004 - Financing: No cost consideration to the City

The city secretary announced the item required two seconds for approval as it is an alcohol variance

Councilmember Gates moved to continue the public hearing and hold the item under advisement until the September 23, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Caraway, Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1108

Closed Session

6ES

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

- Damon Williams v. Micheal D. Waldroup and Jeffrey Kaiser, Civil Action No. 3:14-CV-4160-P
- Proposed contract for legal services with DLA Piper LLP (US), scheduled for City Council consideration on June 17, 2015.
- Legal issues regarding the marketing license agreement with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America.

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

- Discussion regarding performance evaluation of City Secretary Rosa A. Rios.

At 11:09 a.m., Presiding Mayor Atkins announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Damon Williams v. Micheal D. Waldroup and Jeffrey Kaiser, Civil Action No. 3:14-CV-4160-P
- Proposed contract for legal services with DLA Piper LLP (US), scheduled for City Council consideration on June 17, 2015.
- Legal issues regarding the marketing license agreement with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America.

Presiding Mayor Atkins reconvened the city council meeting after the closed session at 1:10 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1109

Addendum Addition 1: Authorize a four-year service contract to provide armed and unarmed security guards to patrol and protect City facilities - Allied Barton Security Services, LLC in the amount of \$39,502,031, Ruiz Protective Service, Inc. in the amount of \$15,192,300 and Norred & Associates, Inc. in the amount of \$3,402,492, most advantageous proposers of eleven - Total not to exceed \$58,096,822 - Financing: Current Funds (\$15,933,236), Golf Improvement Funds (\$1,635,130), Convention and Event Services Current Funds (\$16,094,571), Water Utilities Current Funds (\$14,224,439), Aviation Current Funds (\$9,183,021) and Stormwater Drainage Management Current Funds (\$1,026,425) (subject to annual appropriations)

Councilmember Kingston requested addendum addition consent agenda item 1 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, addendum addition consent agenda item 1 was brought up for consideration.

Councilmember Kleinman moved to adopt the item.

Motion seconded by Councilmember Hill.

After discussion, Councilmember Callahan moved a substitute motion to extend the service contract from 90 days to 6 months to allow for further information and review.

Motion seconded by Councilmember Medrano.

After further discussion, Deputy Mayor Pro Tem Alonzo proposed a friendly amendment to Councilmember Callahan's substitute motion to extend the service contract for 1 week and remand to the Budget, Finance and Audit Council Committee for briefing at its June 15, 2015 meeting.

Presiding Mayor Atkins presented Deputy Mayor Pro Tem Alonzo's proposed friendly amendment to Councilmember Callahan.

Councilmember Callahan and Councilmember Medrano, who seconded Councilmember Callahan's substitute motion, accepted the friendly amendment.

Councilmember Davis requested a record vote.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-1109

Page 2

Presiding Mayor Atkins called the vote on Councilmember Callahan's amended substitute motion to extend the service contract for 1 week and remand to the Budget, Finance and Audit Council Committee for briefing at its June 15, 2015 meeting:

Voting Yes: [10] Atkins, Alonzo, Griggs, Medrano, Caraway,  
Callahan, Davis, Allen, Gates, Kingston

Voting No: [4] Hill, Kadane, Kleinman, Greyson

Absent on City Business: [1] \*Rawlings

The city secretary declared the item adopted.

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1113

Addendum Addition 5: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Sienna Court Townhomes, LLC, a Texas Limited Liability Company, et al., Cause No. CC-14-05569-C, pending in Dallas County Court at Law No. 3, to acquire approximately 4,237 square feet of land, including any improvements, located on San Jacinto Street near its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$58,500 (\$55,000 being the amount of the award, plus closing costs and title expenses not to exceed \$3,500); an increase of \$14,527 from the amount Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds

Councilmember Greyson requested addendum addition consent agenda item 5 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, addendum addition consent agenda item 5 was brought up for consideration.

Councilmember Greyson moved to adopt the item.

Motion seconded by Councilmember Kingston and unanimously adopted. (Allen absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1114

Addendum Addition 6: An ordinance amending Chapter 12A of the Dallas City Code to: (1) require that a person filing an ethics complaint swear or affirm under penalty of perjury that the complaint states a violation of Chapter 12A and is not brought for an improper purpose; (2) allow a person filing an ethics complaint to swear or affirm under penalty of perjury that the contentions in the complaint are supported by credible evidence; and (3) provide that a preliminary panel of the ethics advisory commission may assess the credibility of the evidence provided in and with a complaint in determining whether the complaint is supported by just cause - Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the ordinance.

Motion seconded by Councilmember Kingston and unanimously adopted. (Davis absent when vote taken; \*Rawlings absent on city business)

Assigned ORDINANCE NO. 29770

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 10, 2015

15-1115

Addendum Addition 7: Consideration of appointments to the Dallas Area Rapid Transit Board of Directors for Places 03, 04, 05, 06, 07, and 08 (shared) all for two year appointments (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees 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 for a term to begin ~~August~~ July 1, 2015 and expire June 30, 2017:

- James F. Adams
- Jerry L. Christian, Sr.
- Pamela Dunlop Gates
- Michelle Wong Krause
- Amanda Moreno Lake
- William M. Velasco, II (shared)

Motion seconded by Councilmember Kleinman and unanimously adopted. (Davis absent when vote taken; \*Rawlings absent on city business)

\*Note: Approved as "Official City Business" per Resolution 15-1254 on June 17, 2015.

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

**15-6102      DART      DALLAS AREA RAPID TRANSIT**

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

Place 3, Jerry L. Christian  
Place 4, Michelle Wong Krause  
Place 5, William M. Velasco, II  
Place 6, Amanda Moreno Lake  
Place 7, James F. Adams  
Place 8, Pamela Dunlop Gates

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 10, 2015

EXHIBIT C