

**“CORRECTED”**  
MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 11, 2016

16-0710

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

PRESENT: [15] Rawlings, Alonzo, Wilson, Griggs, Medrano, Thomas, Arnold, Callahan, Young, Clayton, McGough, Kleinman, Greyson (\*9:11 a.m.), Gates, Kingston

ABSENT: [0]

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

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

The invocation was given by Lead Pastor Von Minor, Restoration Community Church in Dallas.

Councilmember Griggs led the pledge of allegiance.

The meeting agenda, 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 3:15 p.m.

ATTEST:

\_\_\_\_\_  
Mayor

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

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

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 11, 2016

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 11, 2016

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0711

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: Marvin Crenshaw, 5134 Malcolm X Blvd. (handout provided)  
SUBJECT: Southlake

SPEAKER: Scott Rohrman, 2105 Commerce St.  
SUBJECT: Development Services

**ADDITIONAL – OPEN MICROPHONE:**

There were no speakers in this category.

**OPEN MICROPHONE – END OF MEETING:**

There were no speakers in this category.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0712

Item 1: Approval of Minutes of the April 27, 2016 City Council Meeting

Councilmember Callahan moved to adopt the minutes as presented.

Motion seconded by Councilmember Griggs and unanimously adopted.

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0713

### CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-42 and addendum addition consent agenda items 1 and 2. Consent agenda item 7 was deleted on the addendum. Consent agenda item 34 was corrected on the addendum.

The assistant city secretary announced Councilmember Kingston had deferred consideration of consent agenda item 22 in accordance with Subsection 7.11 of the City Council Rules of Procedure prior to the meeting.

Councilmember Kingston requested consent agenda items 3, 8-10, 12, 14, 18, 19 and 24 be considered as individual items later in the meeting; there was no objection voiced to his request.

Councilmember Arnold requested consent agenda items 3, 13, and 39 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Young requested consent agenda items 12 and 19 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Gates requested consent agenda items 25 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Councilmember Greyson requested consent agenda items 13, 14, and 25-27 be considered as individual items later in the meeting; there was no objection voiced to her request.

Councilmember Kleinman requested consent agenda items 26 and 27 be considered as individual items later in the meeting; there was no objection voiced to his request.

The assistant city secretary announced the city manager was deleting consent agenda item 34; therefore, the item was not read into the record. There was no objection voiced by the city council.

Therefore, the consent agenda, consisting of consent agenda items 2, 4-6, 11, 15-17, 20, 21, 23, 28-33, 35-38, 40-42 and addendum addition consent agenda items 1 and 2, was presented for consideration.

Councilmember Griggs moved to adopt all items on the consent agenda.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0714

Item 2: Authorize a three-year professional services contract, with two one-year renewal options, for independent medical review services - ExamWorks, Inc., most qualified respondent of three - Not to exceed \$100,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0715

Item 3: Authorize a five-year service contract for beverage services - The American Bottling Company dba Dr Pepper Snapple Group, most advantageous proposer of three - Estimated Revenue: \$2,222,980

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

Later in the meeting, the item was presented for consideration.

Councilmember Gates moved to adopt the item.

Motion seconded by Councilmember Callahan.

Mayor Rawlings declared the item adopted on a divided vote with Deputy Mayor Pro Tem Wilson, Councilmember Arnold and Councilmember Kingston voting “No.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0716

Item 4: Authorize a three-year master agreement for law enforcement badges - V.H. Blackinton, Inc., most advantageous proposer of four - Not to exceed \$125,170 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0717

Item 5: Authorize the purchase of **(1)** eleven pieces of fleet vehicles and equipment - Briggs Equipment in the amount of \$157,610, Darr Equipment in the amount of \$92,726, Southwest International Trucks, Inc. in the amount of \$156,547, Kirby-Smith Machinery in the amount of \$649,693, RDO Equipment in the amount of \$88,875, Austin Truck and Equipment, LTD dba Freightliner of Austin in the amount of \$347,425, Central Texas Heavy Equipment Co., Inc. in the amount of \$167,000 through The Texas Association of School Boards (Buyboard); **(2)** four pieces of fleet vehicles - Sam Pack's Five Star Ford in the amount of \$76,080 through Texas Smartbuy; **(3)** two pieces of fleet equipment - Rush Truck Centers of Texas, LP in the amount of \$384,030 through the Houston Galveston Area Council of Governments; and **(4)** two fleet vehicles - Freedom Dodge dba Duncanville Automotive in the amount of \$52,200 through the Tarrant County Interlocal - Total not to exceed \$2,172,186 - Financing: Street and Alley Improvement Funds (\$649,693), Water Utilities Current Funds (\$1,469,624) and Aviation Current Funds (\$52,869)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0718

Item 6: Authorize the preparation of plans for an issuance of Waterworks and Sewer System Revenue Refunding Bonds, Series 2016A and Taxable Series 2016B in an amount not to exceed \$640,000,000 - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0719

Item 7: An ordinance amending Chapter 17 of the Dallas City Code **(1)** adopting new food establishment rules promulgated by the Texas Department of State Health Services; **(2)** providing additional requirements for certain equipment; **(3)** providing additional requirements for mobile food establishments; **(4)** providing additional requirements for variances for dog friendly patios; **(5)** providing certain Heimlich Maneuver poster display requirements; and **(6)** making conforming changes; and providing a penalty not to exceed \$2,000 - Financing: No cost consideration to the City

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0720

Item 8: Authorize an Interlocal Agreement to establish concurrent jurisdiction of the municipal courts of the City of Rowlett and the City of Dallas for cases punishable by fine only on the bridges and causeways for the areas adjacent to Lake Ray Hubbard as authorized by 4.14(f) and 4.14(g) of the Texas Code of Criminal Procedure and sections 29.003(h) and 29.003(i) of the Texas Government Code - Financing: No cost consideration to the City

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

Later in the meeting, the item was presented for consideration.

Councilmember Medrano moved to adopt the item.

Motion seconded by Councilmember Griggs.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0721

Item 9: A resolution authorizing a Property Assessed Clean Energy (“PACE”) Program for financing water conservation and energy-efficient improvements to commercial, industrial and multi-family properties within the city; and approval of the terms of the program as defined in the Dallas PACE Report for the City of Dallas pursuant to the Property Assessed Clean Energy Act (“PACE Act”), as amended (Texas Local Government Code Chapter 399) - Financing: No cost consideration to the City

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

Later in the meeting, the assistant city secretary presented agenda items 9 and 10 for collective consideration; there was no objection voiced by the city council.

Councilmember Callahan moved to adopt the items.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0722

Item 10: Authorize a one-year service contract, with four one-year renewal options, to administer the City of Dallas Property Assessed Clean Energy (PACE) program - Texas Property Assessed Clean Energy Authority dba Texas PACE Authority, most advantageous proposer of four - Financing: No cost consideration to the City

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

Later in the meeting, the assistant city secretary presented agenda items 9 and 10 for collective consideration; there was no objection voiced by the city council.

Councilmember Callahan moved to adopt the items.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0723

Item 11: Authorize **(1)** a public hearing to be held on June 15, 2016, in accordance with Chapter 372 of the Texas Local Government Code to consider the advisability of renewing the Oak Lawn-Hi Line Public Improvement District (District), for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District to receive comments, and, at the close of the public hearing; **(2)** a resolution approving renewal of the District for seven years and approval of the District's Service Plan for calendar years 2017-2023 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0724

Item 12: Authorize a professional services contract with Brunk Government Relations, LLC for transportation interagency consultation services for the period May 11, 2016 through September 30, 2017 - Not to exceed \$104,033 - Financing: Current Funds (subject to annual appropriations)

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

Later in the meeting, the item was presented for consideration.

Councilmember Kleinman moved to adopt the item.

Motion seconded by Mayor Pro Tem Alonzo and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0725

Item 13: Authorize **(1)** an increase to the contract with Nielsen Audio, Inc. for radio audience measurement and research reports, in an amount not to exceed \$8,694, from \$44,872 to \$53,566, and to extend the term of the contract through September 30, 2016; and **(2)** a three-year service contract with Nielsen Audio, Inc., sole source, for radio audience measurement and research reports in an amount not to exceed \$316,337 for the period October 1, 2016 through September 30, 2019 - Total not to exceed \$325,031 - Financing: Municipal Radio Current Funds (subject to annual appropriations)

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

Later in the meeting, the item was presented for consideration.

Mayor Pro Tem Alonzo moved to adopt the item.

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

**“CORRECTED 5-25-16”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0726

Item 14: Authorize **(1)** preliminary adoption of the FY 2016-17 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$24,992,770 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,258,321; **(b)** HOME Investment Partnerships Program in the amount of \$4,113,859; **(c)** Emergency Solutions Grant in the amount of \$1,211,466; **(d)** Housing Opportunities for Persons with AIDS in the amount of \$6,409,124; and **(e)** estimated Program Income in the amount of \$1,675,000; **(2)** preliminary adoption of the FY 2015-16 Reprogramming Budget in the amount of \$1,064,334; and **(3)** a public hearing to be held on May 25, 2016 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

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

Later in the meeting, the item was presented for consideration.

At Mayor Rawlings' request, the city manager clarified (1) the item sought to begin the public hearing process on the use of funds in the noted categories; (2) the agenda posting would be changed in the future to eliminate any confusion as to its purpose; (3) the item would be briefed to the city council the following week; (4) the public hearing would be held (if item approved); and (5) the city council could modify budget allocations.

Deputy Mayor Pro Tem Wilson moved to adopt the item.

Motion seconded by Councilmember Thomas.

After discussion, Councilmember Kleinman moved a substitute motion to remand the item to the City Council Housing Committee with the following stipulations:

- Return with a budget with significantly less line items and financial enhancements for the remaining line items;
- No services to be shifted to the general fund; and
- Provide a zero based budget showing both financial and service delivery justification for each program (CDBG, HOME, HOPWA and ESG).

Substitute motion seconded by Councilmember Griggs.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-0726

Page 2

Councilmember McGough requested Councilmember Kleinman accept a friendly amendment to preclude the Nuisance Abatement Program as one of the items.

Councilmember Kleinman did not accept the friendly amendment as he did not want to call out particular programs.

Councilmember McGough moved a secondary substitute motion to remand the item to the City Council Housing Committee with the following stipulations:

- Return with a budget with significantly less line items and financial enhancements for the remaining line items;
- No services to be shifted to the general fund;
- Provide a zero based budget showing both financial and service delivery justification for each program (CDBG, HOME, HOPWA and ESG); and
- Preclude the Nuisance Abatement Program officers and funding previously allocated in CDBG.

Secondary substitute motion seconded by Councilmember Arnold.

After discussion on the three motions currently on the floor, Councilmember Greyson asked for the acceptance of a friendly amendment to not “stipulate” the restrictions, but simply to “recommend.”

Councilmember McGough accepted the friendly amendment.

Councilmember Kingston, who seconded Councilmember McGough’s secondary substitute motion, also accepted the friendly amendment.

In order to clarify any confusion on the motion to be considered, Mayor Rawlings asked for a motion that would accomplish the following:

- Remand the item to the City Council Housing Committee for a recommendation to the city council on May 25, 2016;
- \*Direct staff to keep the budget the same; [See motion on Page 3];
- \*Limit the line items and not pay for anything out of the general budget; [See motion on Page 3];
- City Council to make its final determination on May 25, 2016.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-0726

Page 3

Councilmember Kingston moved a summary substitute motion as stated by Mayor Rawlings.

Summary substitute motion seconded by Councilmember Thomas.

Mayor Rawlings called the vote on Councilmember Kingston's summary substitute motion and declared the item adopted on a divided vote with Mayor Pro Tem Alonzo and Deputy Mayor Pro Tem Wilson voting "No."

**\*Note:** On May 25, 2016, the minutes were corrected to provide for clarification of the final motion, duly adopted, to clearly reflect the intent of the motion.

- Remand the item to the City Council Housing Committee for a recommendation to the city council on May 25, 2016;
- Recommend the following:
  - \*Direct staff to keep the budget the same;
  - \*Limit the line items and not pay for anything out of the general budget;
- City Council to make its final determination on May 25, 2016.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0727

Item 15: Authorize a public hearing to be held on May 25, 2016 to receive comments on the FY 2016-17 Operating, Capital, and Grant/Trust budgets - Financing:  
No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0728

Item 16: Authorize a contract with Hellas Construction, Inc., lowest responsible bidder of two, for tennis court resurfacing at Fair Oaks Tennis Center located at 7501 Merriman Parkway, Fretz Tennis Center located at 6998 Beltline Road, Kiest Tennis Center located at 2324 West Kiest Boulevard, and L.B. Houston Tennis Center located at 11225 Luna Road - Not to exceed \$390,940 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0729

Item 17: Authorize a contract with Henneberger Construction, Inc., lowest responsible bidder of two, for renovation of historic roque courts at Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed \$353,682 - Financing: 2006 Bond Funds (\$322,682) and 2003 Bond Funds (\$31,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0730

Item 18: Authorize a public hearing to be held on May 25, 2016, to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with state law - Financing: No cost consideration to the City

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

Later in the meeting, the item was presented for consideration.

Councilmember Medrano moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and unanimously adopted. (Arnold, Clayton absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0731

Item 19: Authorize payment to the Dallas County Sheriff's Office for reimbursement of program expenses associated with the Dallas County Highway Traffic Program for the period October 1, 2015 through September 30, 2016 - Not to exceed \$600,000 - Financing: Current Funds

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

Later in the meeting, the item was presented for consideration.

Councilmember Medrano moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson.

Mayor Rawlings declared the item adopted on a divided vote with Councilmembers Griggs and Kingston voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0732

Item 20: Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design of complete street improvements for Henderson Avenue from US 75 to Ross Avenue - Not to exceed \$251,851- Financing: 2012 Bond Funds (\$226,006) and Water Utilities Capital Improvement Funds (\$25,845)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0733

Item 21: Authorize a contract with Gibson & Associates, Inc., lowest responsible bidder of four, for bridge repair and rehabilitation for the Houston Street Viaduct, Phase II Project - Not to exceed \$7,677,780 - Financing: 2012 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0734

Item 22: Authorize a construction services contract with Unified Services of Texas, Inc. for replacement of underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street, and at the I.C. Harris Service Center located at 5620 Parkdale Drive - Not to exceed \$970,171 - Financing: 2006 Bond Funds (\$480,298) and Capital Construction Funds (\$489,873)

The assistant city secretary announced Councilmember Kingston 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

MAY 11, 2016

16-0735

Item 23: Authorize an increase in the contract with Camino Construction, L.P. for Street Reconstruction Group 12-634 to increase the quantities of some bid items necessary for the installation of new water main lines - Not to exceed \$84,300, from \$3,176,740 to \$3,261,040 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0736

Item 24: Authorize an increase in the construction contract with Gibson & Associates, Inc. for unforeseen utility relocations for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue - Not to exceed \$172,662, from \$4,709,103 to \$4,881,765 - Financing: 2012 Bond Funds

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

Later in the meeting, the item was presented for consideration.

Councilmember Kleinman moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0737

Item 25: Authorize the disbursement of additional funds to Dallas Area Rapid Transit (DART) for the construction of the Dallas Streetcar Extension Project - Not to exceed \$1,200,000, from \$30,872,531 to \$32,072,531 - Financing: 2006 Bond Funds

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

Later in the meeting, the item was presented for consideration.

Councilmember Kleinman moved to adopt the item.

Motion seconded by Councilmember Griggs.

Following discussion, the item was unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0738

**Sidewalk Improvement Group 2014**

**Note:** Item Nos. 26 and 27  
must be considered collectively.

Item 26: Authorize Supplemental Agreement No. 1 to the professional services contract with LIM & ASSOCIATES, Inc. for additional engineering and surveying services for Sidewalk Improvement Group 2014 - Not to exceed \$118,033, from \$150,000 to \$268,033 - Financing: 2012 Bond Funds

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

Later in the meeting, the item was presented for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Arnold and unanimously adopted. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0739

**Sidewalk Improvement Group 2014**

**Note:** Item Nos. 26 and 27  
must be considered collectively.

Item 27: Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation for the construction of sidewalk improvements in the Oak Cliff Gardens area; **(2)** the receipt and deposit of Regional Toll Revenue Funds from the Texas Department of Transportation in an amount not to exceed \$1,000,000; and **(3)** the establishment of appropriations in the amount of \$1,000,000 in the Regional Toll Revenue Fund - Not to exceed \$1,000,000 - Financing: Regional Toll Revenue Funds

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

Later in the meeting, the item was presented for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Arnold and unanimously adopted. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0740

Item 28: Authorize Supplemental Agreement No. 2 to the professional services contract with Urban Engineers Group, Inc. for additional engineering design for intersection improvements at Greenville Avenue and Ross Avenue - Not to exceed \$54,300, from \$452,220 to \$506,520 - Financing: 2012 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0741

Item 29: Authorize the Second Amendment to the Project Supplemental Agreement with Dallas County for the design and construction of the SoPAC Trail, Phase IV-A and IV-B, a 14-foot wide concrete hike-and-bike-trail from Northwest Highway to just north of Royal Lane - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0742

Item 30: Authorize **(1)** Supplemental Agreement No. 2 to the contract with Hammett Excavation, Inc. for the Cell 6B1, 6D2 and Site Improvements Construction Contract at the McCommas Bluff Landfill to install a permanent leachate interceptor trench system and geomembrane lined drainage downchutes along the west side of the landfill adjacent to the perimeter road as an addition to the construction scope in the amount of \$431,164; and **(2)** an increase in appropriations in the Sanitation Capital Improvement Fund in the amount of \$431,164, from \$14,242,406 to \$14,673,570 - Not to exceed \$431,164 - Financing: Sanitation Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0743

Item 31: Authorize **(1)** an Interlocal Agreement with Collin County to install radar vehicle detectors at 27 City of Dallas signalized intersections located within Collin County (list attached); **(2)** the receipt and deposit of funds from Collin County in the amount of \$384,750; and **(3)** an increase in appropriations in the Capital Projects Reimbursement Fund in the amount of \$384,750 - Not to exceed \$384,750 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0744

Item 32: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2015 Highway Safety Improvement Program grant to design, upgrade and construct seven traffic signals and associated off system intersection improvements at Frankford Road and Marsh Lane, Cockrell Hill Road and Red Bird Lane, Ferguson Road and Peavy Road, Greenville Avenue and Lovers Lane, Illinois Avenue and Marsalis Avenue, Lake June Road and Prairie Creek Road, and Simpson Stuart Road and Bonnie View Road; **(2)** a required local match in the amount of \$220,236; and **(3)** an amendment to Resolution No. 16-0648, previously approved on April 27, 2016, to identify a required local match for design of the traffic signals in the amount of \$163,700 - Total not to exceed \$2,275,287 - Financing: Texas Department of Transportation Grant Funds (\$1,891,351) and Current Funds (\$220,236)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0745

Item 33: A resolution authorizing the conveyance of approximately 23,010 square feet of land for a public mass transit easement across City-owned land to Dallas Area Rapid Transit, located near the intersection of Camp Wisdom Road and Patrol Way - Revenue: \$25,576

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0746

Item 34: A resolution **(1)** declaring two properties unwanted and unneeded and authorizing their sale by public auction (list attached); ~~and~~ **(2)** authorizing a Purchase and Sale Agreement to be prepared for each auctioned surplus property receiving the highest qualified bid that is sold absolute; and **(3)** waiving the minimum reserve amount - Estimated Revenue: \$310,370

Corrected on the addendum.

At the time the consent agenda was presented for consideration, the assistant city secretary announced the city manager was deleting the item; therefore, the item was not read into the record. There was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0747

Item 35: An ordinance granting a revocable license to Haskell E-Bar, LLC for the use of a total of approximately 243 square feet of aerial space to occupy, maintain and utilize one sign and one awning over and above portions of Haskell Avenue right-of-way, near its intersection with Munger Avenue - Revenue: \$1,000 annually and \$100 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30078

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0748

Item 36: An ordinance granting a private license to South Tollway 3920, L.P. for the use of a total of approximately 3,116 square feet of land to occupy, maintain and utilize six street lights on portions of Maple Avenue right-of-way, near its intersection with Throckmorton Street - Revenue: \$600 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30079

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0749

Item 37: An ordinance abandoning a portion of a water and sanitary sewer easement to MSL Management, LLC, the abutting owner, containing approximately 4,350 square feet of land, located near the intersection of Dilido and John West Roads - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30080

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0750

Item 38: An ordinance abandoning two storm sewer easements, four sanitary sewer easements and one water and wastewater easement to Mockingbird Venture Partners, LLC, the abutting owner, containing a total of approximately 26,706 square feet of land, located near the intersection of West Mockingbird Lane and Forest Park Road - Revenue: \$18,695, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30081

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0751

Item 39: Authorize professional services contracts with 12 consulting firms to provide construction materials testing services during the installation of water and wastewater mains, and capital improvement projects at water and wastewater treatment facilities - East Texas Testing Laboratory, Inc., dba E TTL Engineers & Consultants, Inc., in the amount of \$241,350, Alpha Testing, Inc., in the amount of \$200,000, TEAM Consultants, Inc., in the amount of \$200,000, Mas-Tek Engineering & Associates, Inc., in the amount of \$252,000, Giles Engineering Associates, Inc., in the amount of \$252,000, Alliance Geotechnical Group, Inc., in the amount of \$320,325, Fugro Consultants, Inc., in the amount of \$252,385, Southwestern Testing Laboratories, L.L.C., dba STL Engineers, in the amount of \$253,143, Professional Service Industries, Inc., in the amount of \$263,953, Kleinfelder, Inc., in the amount of \$150,000, Terracon Consultants, Inc., in the amount of \$200,000, and HVJ Associates, Inc., in the amount of \$150,000 - Total not to exceed \$2,735,156 - Financing: Water Utilities Capital Construction Funds

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

Later in the meeting, the item was presented for consideration.

Councilmember Kingston moved to lay the item on the table.

Following discussion on the motion to lay the item on the table, Mayor Rawlings announced the item would be held to later in the meeting to allow Councilmember Arnold time to arrive as she had pulled the item for individual consideration; there was no objection voiced by the city council. As a result, Councilmember Kingston's motion to lay the item on the table was not considered.

Following the return of Councilmember Arnold, the item was presented for consideration.

Councilmember Kleinman moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0752

Item 40: Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with construction modifications to the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 - Not to exceed \$240,575, from \$18,316,000 to \$18,556,575 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0753

Item 41: Authorize an increase in the contract with Oscar Renda Contracting, Inc. for pavement restoration work associated with the installation of water and wastewater mains at five locations (list attached) - Not to exceed \$64,910, from \$13,019,813 to \$13,084,723 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0754

Item 42: Authorize Supplemental Agreement No. 1 to the engineering services contract with Gresham, Smith and Partners for additional engineering services for design and construction administration associated with major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Not to exceed \$1,770,000, from \$1,498,958 to \$3,268,958 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0755

Item 43: 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 assistant city secretary distributed a report showing nominations received for the 2015-2017 board term, ending September 30, 2017 and noted the report indicated all nominees met qualifications for service.

Councilmember Griggs moved to appoint the following:

- Phil Foster to the Board of Adjustment.

Motion seconded by Councilmember Young and unanimously adopted. (Thomas, Arnold, Callahan, Greyson absent when vote taken)

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

**16-5952 BOA BOARD OF ADJUSTMENT**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0756

Item 44: Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed \$550,105 - Financing: Current Funds (\$535,880), Stormwater Drainage Management Current Funds (\$9,740) and Aviation Current Funds (\$4,485) (subject to annual appropriations)

Following reading of the item, Mayor Rawlings announced the city manager was deferring the item until the May 25, 2016 voting agenda meeting of the city council. There was no objection voiced by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0757

Item 45: Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$2,764,000 - Financing: 2006 Bond Funds

The assistant city secretary read the item into the record.

Councilman Kleinman moved to defer agenda items 45-48 until the May 25, 2016 voting agenda meeting of the city council while staff completes the ongoing attestation audit on item 47.

As a result, the assistant city secretary proceeded to read the remaining items into the record.

Motion seconded by Councilmember Gates and unanimously deferred. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0758

Item 46: Authorize a professional services contract with Black & Veatch Corporation for construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$17,350,000 - Financing: 2006 Bond Funds

The assistant city secretary read agenda item 45 into the record.

Councilman Kleinman moved to defer agenda items 45-48 until the May 25, 2016 voting agenda meeting of the city council while staff completes the ongoing attestation audit on item 47.

The assistant city secretary proceeded to read the remaining items into the record.

Motion seconded by Councilmember Gates and unanimously deferred. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0759

Item 47: Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed \$209,894,515 - Financing: General Obligation Commercial Paper Funds (\$209,179,636), Water Utilities Capital Construction Funds (\$25,600) and Water Utilities Capital Improvement Funds (\$689,279)

The assistant city secretary read agenda item 45 into the record.

Councilman Kleinman moved to defer agenda items 45-48 until the May 25, 2016 voting agenda meeting of the city council while staff completes the ongoing attestation audit on item 47.

The assistant city secretary proceeded to read the remaining items into the record.

Motion seconded by Councilmember Gates and unanimously deferred. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0760

Item 48: Authorize Supplemental Agreement No. 5 to the contract with Half Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$6,126,500, from \$15,993,488 to \$22,119,988 - Financing: 2006 Bond Funds (\$6,105,000) and Water Utilities Capital Improvement Funds (\$21,500)

The assistant city secretary read agenda item 45 into the record.

Councilman Kleinman moved to defer agenda items 45-48 until the May 25, 2016 voting agenda meeting of the city council while staff completes the ongoing attestation audit on item 47.

The assistant city secretary proceeded to read the remaining items into the record.

Motion seconded by Councilmember Gates and unanimously deferred. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0761

Item 49: Authorize a Chapter 380 economic development grant agreement with Costco Wholesale Corporation (“Costco”) in an amount not to exceed \$3,000,000 in consideration of Costco’s development, construction, and continued operation of a new store on approximately 13.2 acres located at 12550 Coit Road in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed \$3,000,000 - Financing: Public/Private Partnership 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 assistant 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 Kleinman moved to adopt the item.

Motion seconded by Councilmember Callahan and Councilmember McGough.

Councilmember Clayton moved a friendly amendment to approve the item and direct staff to develop a program to bring back to city council, for consideration within 90 days, an initiative that would search for a major grocer to locate in a food desert (as defined by the United States Department of Agriculture) in the southern sector within the next two years.

Councilmember Kleinman accepted Councilmember Clayton’s friendly amendment.

Councilmember Callahan, who seconded Councilmember Kleinman’s motion, also accepted the friendly amendment.

Councilmember McGough, who also seconded Councilmember Kleinman’s motion, stated he accepted the friendly amendment as it relates to a food desert but with no requirement that it be in the southern sector.

Following discussion, all parties accepted the friendly amendments presented by both Councilmembers Clayton and McGough.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-0761

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During discussion, at Mayor Rawlings request, Councilmember Clayton reiterated his motion and indicated he needed to amend friendly amendment, following discussion with the city attorney's office, as follows:

To approve the item and direct staff to develop a program to bring back to city council, for consideration within 90 days, an initiative that would search for a major grocer to locate in a food desert (as defined by the United States Department of Agriculture) within the next two years with an amount of no less than \$3 million.

Councilmember Kleinman accepted the amendment presented by Councilmember Clayton.

Councilmember Callahan, who seconded Councilmember Kleinman's motion, also accepted the amendment by Councilmember Clayton.

Deputy Mayor Pro Tem Wilson provided the required secondary second to Councilmember Kleinman's motion as amended by the amendment from Councilmember Clayton.

Mayor Rawlings called a record vote on Councilmember Kleinman's amended motion:

Voting Yes: [10] Rawlings, Alonzo, Wilson, Thomas, Arnold, Callahan, Clayton, McGough, Kleinman, Gates

Voting No: [5] Griggs, Medrano, Young, Greyson, Kingston

The assistant city secretary declared the amended motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0762

Item 50: Authorize a Chapter 380 economic development grant agreement with Saatchi & Saatchi North America, Inc. (doing business as Saatchi and Saatchi LA Team One) in an amount up to \$75,000 to encourage relocation and stimulate business development activity in the City of Dallas in conjunction with the location of its new office at 2021 McKinney Avenue, pursuant to the Public/Private Partnership Program - Not to exceed \$75,000 - Financing: Public/Private Partnership 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 assistant 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 Callahan moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and Councilmember Kleinman.

After discussion, Councilmember Callahan called the question.

By show of hands, with the minority raised in favor, Mayor Rawlings declared the call failed.

After further discussion, Councilmember Thomas called the question.

By a show of hands, with the majority raised in favor, Mayor Rawlings declared the call adopted.

Mayor Rawlings called a record vote on Councilmember Callahan's motion to adopt the item:

Voting Yes: [8] Rawlings, Alonzo, Wilson, Thomas, Callahan, McGough, Kleinman, Gates

Voting No: [7] Griggs, Medrano, Arnold, Young, Clayton, Greyson, Kingston

The assistant city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0763

Item 51: Authorize **(1)** the Seventh Amendment to the Loan Agreement between the City of Dallas and the Oak Cliff Foundation (OCF) to convert the Section 108 Term Loan Agreement (the "Term Loan") in the original amount of \$400,000 from one with partial repayment and forgiveness terms to a secured, zero percent interest forgivable loan, where all principal and interest will be forgiven under the loan by June 1, 2026 or over a period of 10 years from the date of execution of the Seventh Amendment whichever is later, subject to the OCF meeting certain conditions and requirements of the City; **(2)** the City to subordinate the City 's loans with the OCF to a third party lender in order for the OCF to obtain third party bank financing, subject to the OCF meeting certain conditions and requirements of the City; **(3)** the City Manager to execute a Partial Release of Lien with respect to the 1.2 million Section 108 funded Loan Agreement between the City and the OCF; and **(4)** modifications to the Loan Agreement and the Loan documents to comport with these requirements - Financing: CDBG Program Income Foregone (\$467,888)

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 assistant 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 Callahan moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Wilson and Councilmember Griggs and unanimously adopted. (Thomas absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0764

The consent zoning docket consisted of agenda items 52-57.

- Agenda item 52: Zoning Case Z145-291(LHS)
- Agenda item 53: Zoning Case Z145-360(LHS)
- Agenda item 54: Zoning Case Z156-167(RB)
- Agenda item 55: Zoning Case Z156-173(SH)
- Agenda item 56: Zoning Case Z156-177(JM)
- Agenda item 57: Zoning Case Z156-201(OTH)

Consent zoning agenda items 52 and 55 were removed from the consent zoning docket to be considered as individual hearings.

Therefore, the consent zoning docket, consisting of agenda items 53, 54, 56 and 57, was presented for consideration.

- Agenda item 53: Zoning Case Z145-360(LHS)
- Agenda item 54: Zoning Case Z156-167(RB)
- Agenda item 56: Zoning Case Z156-177(JM)
- Agenda item 57: Zoning Case Z156-201(OTH)

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

Motion seconded by Councilmember Griggs and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0765

Item 52: Zoning Case Z145-291(LHS)

The consent zoning docket, consisting of agenda items 53, 54, 56 and 57, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1814 for a vehicle display, sales, and service use and a commercial motor vehicle parking lot on property zoned Subdistrict 5A within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the northeast line of C.F. Hawn Service Road, west of Southeast Drive.

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

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 May 25, 2016 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0766

Item 53: Zoning Case Z145-360(LHS)

The consent zoning docket, consisting of agenda items 53, 54, 56 and 57, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial/Research District on property zoned an MF-1(A) Multifamily District, generally north of South Belt Line Road and northeast of Foothill Road.

Recommendation of Staff and CPC: Approval.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30082

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0767

Item 54: Zoning Case Z156-167(RB)

The consent zoning docket, consisting of agenda items 53, 54, 56 and 57, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property zoned an IR Industrial/Research District, on public right-of-way crossing Denton Drive, west of Wyman Street, and crossing Wyman Street, south of Denton Drive.

Recommendation of Staff and CPC: Approval for a forty-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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30083

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0768

Item 55: Zoning Case Z156-173(SH)

The consent zoning docket, consisting of agenda items 53, 54, 56 and 57, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea D of Planned Development District No. 758 on the east line of Skillman Street, south of Sedgwick Drive.

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

Councilmember McGough requested the item be removed from the consent zoning docket to be considered as an individual hearing later in the meeting; there was no objection voiced to his request.

Later in the meeting, the item was presented for consideration.

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

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

- A minimum of 15,000 square feet of common area must be provided in the shared access development in Subarea D.
- A final plat for a shared access development may make minor deviations from the lot and shared access area configuration shown on the conceptual lot layout plan provided that the final plat does not increase the number of lots or provide additional access points.
- Subject to a revised conceptual lot layout plan.

and pass the ordinance.

Motion seconded by Councilmember Callahan.

At Councilmember McGough's request, the following individual addressed the city council; there was no objection voiced by the city council.

Rob Baldwin, 6035 Vanderbilt

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-0768

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With no further discussion, Mayor Rawlings called the vote and announced the motion unanimously adopted.

Assigned ORDINANCE NO. 30084

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0769

Item 56: Zoning Case Z156-177(JM)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Hotel or motel on property zoned a CR Community Retail District, on property on the south line of Forest Lane, east of Dennis Road.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30085

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0770

Item 57: Zoning Case Z156-201(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the east side of North St. Augustine Drive, south of Lake June Road.

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 30086

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0771

ZONING CASES - INDIVIDUAL

Item 58: Zoning Case Z145-183(WE)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District and mini-warehouse uses and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-2 Mixed Use District on the south side of Meadow Road, west of Greenville Avenue.

Recommendation of Staff: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan and conditions.

Recommendation of CPC: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for automatic renewals for additional fifteen-year periods, subject to a site plan and conditions.

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

Councilmember Gates moved to hold the public hearing open and hold the item under advisement until the May 25, 2016 voting agenda meeting of the city council.

Motion seconded by Councilmember Kingston and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0772

ZONING CASES - INDIVIDUAL

Item 59: Zoning Case Z156-191(ND)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District uses on property zoned an MU-3 Mixed Use District, within the northeast quadrant of Churchill Way and Coit Road.

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

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

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

Jennifer Murillo, 9 Corporate Park, Irvine, CA

Councilmember Kleinman moved to close the public hearing and adopt the item with the following changes:

- The elevations shown on Exhibits 960C and 960D may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3). The City Plan Commission shall authorize changes in an elevation if the amendment is submitted in conjunction with a minor amendment to the development plan and is in compliance with the requirements for approval of a minor amendment to a development plan in Section 51A-4.702. Elevation changes must follow the City Plan Commission procedure.

with the ordinance to come back at a later date.

Motion seconded by Councilmember Callahan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0773

Item 60: Zoning Case Z156-189(SM) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict 3 of Planned Development District No. 887, the Valley View-Galleria Area Special Purpose District on the south line of James Temple Drive, east of Noel Road.

Recommendation of Staff: Denial.

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

In accordance with Section 7.13 of the City Council Rules of Procedure, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters," the assistant 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 the city plan commission's recommendation.

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

Jonathan Vinson, 6342 Vickery Blvd., representing the applicant

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

- Public art is not required to be approved by the director of cultural affairs or the cultural affairs commission.
- Art or improvements located in the public right-of-way are subject to review and approval by the city.

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

16-0773

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Motion seconded by Councilmember Callahan and Councilmember Gates.

Mayor Rawlings declared the item adopted on a divided vote with Councilmembers Griggs, Arnold and Greyson voting “No.”

Assigned ORDINANCE NO. 30087

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0774

Addendum Addition 1: An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division, and authorizing increased rates to be charged by Atmos as negotiated pursuant to its January 15, 2016 Dallas Annual Rate Review filing - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 30088

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 11, 2016

16-0775

Addendum Addition 2: A resolution **(1)** authorizing a sale of surplus property by public auction without a minimum reserve amount; and **(2)** authorizing a Purchase and Sale Agreement to be prepared for the auctioned surplus property upon receiving the highest qualified bid sold absolute on approximately 73,311 square feet of unwanted and unneeded City-owned land improved with an industrial building located near the intersection of Westmoreland Road and Platinum Way - Estimated Revenue: \$833,950

Adopted as part of consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 11, 2016

EXHIBIT C