

“CORRECTED”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 11, 2015

15-0260

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

PRESENT: [14] Atkins, Alonzo, Griggs (*9:44 a.m.), Medrano, Hill, Caraway, Callahan (*9:08 a.m.), Davis (*9:18 a.m.), Kadane, Allen, Kleinman, Greyson (*9:17 a.m.), Gates, Kingston (*9:12 a.m.)

ABSENT: [1] **Rawlings

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

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

The invocation was given by Councilmember Hill.

Councilmember Kleinman led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 1:57 p.m.

Mayor Pro Tem

ATTEST:

City Secretary

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

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

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

* **Indicates arrival time after meeting called to order**

** **Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015**

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 11, 2015

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 11, 2015

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0261

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: James Lacy, 1245 Lonsdale Ave. (handout provided)
SUBJECT: Street improvements

SPEAKER: Mark York, 1408 N. Washington Ave.
SUBJECT: Rest break ordinance

SPEAKER: Daniel Caldwell, 11029 Shady Trl. (handout provided)
SUBJECT: Speaker rules/agenda items

SPEAKER: Ruth Wyrick, 3655 Maryland Rd.
SUBJECT: Dogs in the community

SPEAKER: Juanita Wallace, 2816 Park Row Ave.
SUBJECT: March for the right to vote

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Deloris Phillips, 2385 Sweetwater Dr., Grand Prairie, TX (handout provided)
SUBJECT: Escalating corruption of USA

OPEN MICROPHONE – END OF MEETING:

There were no speakers under this category.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0262

Item 1: Approval of Minutes of the January 28, 2015 City Council Meeting

Councilmember Caraway moved to adopt the minutes of the January 28, 2015 City Council Meeting.

Motion seconded by Councilmember Medrano and unanimously adopted. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0263

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-23 and addendum addition consent agenda items 1-4.

Councilmember Kingston requested consent agenda item 11 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Therefore, the consent agenda, consisting of consent agenda items 2-10, 12-23 and addendum addition consent agenda items 1-4, was presented for consideration.

Councilmember Davis moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda item 11.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0264

Item 2: Authorize a two-year, ten-month lease agreement and rent abatement with DTG Operations, Inc. at Dallas Love Field for approximately 106,137 square feet for improved land and building, and other improvements in consideration of and conditional to DTG retrofitting the office building, maintenance building, car wash and other improvements at the lessee's expense in an amount not to exceed \$1,000,000 - Foregone Revenue - \$261,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0265

Item 3: Authorize **(1)** a five-year service contract for ongoing hosting for the Fleet Data Management System and related hardware in the amount of \$452,549; and **(2)** a five-year service contract for maintenance and support for the FuelFocus software in the amount of \$66,414 - AssetWorks, LLC, sole source - Total not to exceed \$518,963 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0266

Item 4: Authorize a five-year service contract, with three one-year renewal options, for waste collection and disposal services for City facilities – Moore Disposal Corporation, lowest responsible bidder of four - Not to exceed \$2,359,325 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0267

Item 5: Authorize **(1)** an acquisition contract for the purchase and implementation of a fire alarm and fire suppression system in the amount of \$129,466; and **(2)** a two-year service contract for the inspection, recharge and recertification of the fire suppression system in the amount of \$31,749 - Bacon Equipment Company, lowest responsible bidder of three - Total not to exceed \$161,215 - Financing: Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0268

Item 6: Authorize **(1)** an acquisition contract for the purchase and implementation of an electronic document management system for the Aviation Department in the amount of \$51,356 - V.P. Imaging, Inc. dba DocuNav Solutions; **(2)** a three-year service contract, with two three-year renewal options, for maintenance and support of an electronic document management system in the amount of \$57,777 - V.P. Imaging, Inc. dba DocuNav Solutions, through the Texas Association of School Boards (BuyBoard); and **(3)** a three-year service contract, with two three-year renewal options, for hosting service of an electronic document management system for the Aviation Department in the amount of \$170,847 - M&A Technology, Inc., through the Texas Association of School Boards (BuyBoard) - Total not to exceed \$279,980 - Financing: Aviation Current Funds (\$184,019) (subject to annual appropriations) and Aviation Capital Construction Funds (\$95,961)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0269

Item 7: Authorize **(1)** a three-year master agreement for the purchase of fitness and exercise equipment for use throughout the City – MFAC, LLC in the amount of \$166,481, BSN Sports in the amount of \$163,965, Promaxima MFG in the amount of \$163,038, Comm-Fit LP in the amount of \$109,521, Team Marathon Fitness, Inc. in the amount of \$19,671 and Fitness In Motion South Texas LLC in the amount of \$9,760; and **(2)** a three-year service contract for repair of fitness equipment throughout the City – Leah Wheeler dba Service First in the amount of \$224,250 and Comm-Fit LP in the amount of \$124,055, lowest responsible bidders of eleven – Total not to exceed \$980,741 - Financing: Current Funds (\$646,559), EBS Fitness Facility Funds (\$300,877), Texas Higher Education Coordinating Board Funds (\$30,775) and Water Utilities Current Funds (\$2,530) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0270

Item 8: Authorize settlement of a claim filed by State Farm Insurance Company as subrogee of Benjamin Bracken, Claim No. 14472699 - Not to exceed \$33,758 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0271

Item 9: Authorize the preparation of plans for the issuance of Waterworks and Sewer System Revenue Refunding Bonds, New Series 2015A (Tax Exempt) and New Series 2015B (Taxable) in an amount not to exceed \$1,135,000,000 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0272

Item 10: Authorize a contract 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 to develop and implement the Lactation Resource and Training Center Strategic Expansion Program for the period February 15, 2015 through August 31, 2016 - Not to exceed \$390,000 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0273

Item 11: Authorize a Memorandum of Understanding between the City of Dallas and Unlocking DOORS To Reduce Recidivism dba DOORS, to: **(1)** collect and report evidence-based data regarding re-entry rates and recidivism by zip codes/City Councilmember districts; and **(2)** conduct assessments on clients with criminal backgrounds referred by the City of Dallas, Homeless Services Program using the Texas Reentry Assessment Tool for the period January 1, 2015 through December 31, 2015 - Not to exceed \$50,000 - Financing: Current Funds

Councilmember Kingston requested consent agenda item 11 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 11 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

Motion seconded by Councilmember Caraway.

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

Christina Melton Crane, 17101 Preston Rd., representing the applicant

Mayor Pro Tem Atkins called the vote on Councilmember Kingston’s motion and declared the item unanimously adopted. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0274

Item 12: Authorize **(1)** an Interlocal Agreement with Dallas County to accept FY2013 Emergency Solutions Grant funds in the amount of \$86,014 and an Interlocal Agreement with Dallas County to accept FY2014 Emergency Solutions Grant funds in the amount of \$88,163, for a total of \$174,177; and **(2)** a tenth amendment to the Management Services Contract, Phase II, with Bridge Steps to: **(a)** allow Bridge Steps to count Dallas County and Emergency Solutions Grant funds towards Bridge Steps' required contribution to the Bridge operating budget through September 30, 2015; **(b)** require Bridge Steps to comply with all conditions of the Interlocal Agreements and matching funds requirements; and **(c)** increase the Bridge Steps FY 2014-15 contract amount from \$6,105,239 to \$6,279,416 - Total not to exceed \$174,177 - Financing: Intergovernmental Revenue - Dallas County

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0275

Item 13: Authorize **(1)** an amendment to the FY2013 Continuum of Care Grant Agreement with the U.S. Department of Housing and Urban Development for the Shelter Plus Care Grant providing tenant-based rental assistance for permanent housing and supportive services for homeless persons with disabilities, to create a new budget line item for Supportive Services, and shift funds in the amount of \$65,040 from Rental Assistance to Supportive Services; and **(2)** establishment of a new Caseworker II position funded by the grant - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0276

Item 14: Authorize **(1)** an amendment to the FY2013 Continuum of Care Grant Agreement with the U.S. Department of Housing and Urban Development for the Hillcrest House project providing permanent supportive housing for homeless persons living with HIV/AIDS, to create a new budget line item for Supportive Services, and shift funds in the amount of \$132,096 from Rental Assistance to Supportive Services; and **(2)** Supplemental Agreement No. 1 to the contract with Hillcrest House Partnership, Ltd. (Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (Subrecipient), to reallocate the budget - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0277

Item 15: Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2014 through September 30, 2015 - Not to exceed \$569,746, from \$16,000,170 to \$16,569,916 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0278

Item 16: Authorize **(1)** the acceptance of a grant in the amount of \$61,000 from the Texas Commission on the Arts to provide cultural services for the period October 1, 2014 through August 31, 2015; **(2)** a local match in the amount of \$61,000; and **(3)** execution of the grant agreement – Total not to exceed \$122,000 - Financing: Texas Commission on the Arts Grant Funds (\$61,000) and Current Funds (\$61,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0279

Item 17: Authorize a professional services contract with McAfee3 Architects for schematic design through construction administration phases for renovations to property located at 1400 Guard Drive for relocation of the Park and Recreation Department Maintenance District 2 Service Center – Not to exceed \$221,475 - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0280

Item 18: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Jaime Apolinar, et al., Cause No. CC-14-02105-B, pending in Dallas County Court at Law No. 2, to acquire approximately 109,710 square feet of land (57,551 square feet for a Wastewater Easement and 52,159 square feet for a Temporary Construction Easement) located near the intersection of Ravenview Road and Interstate Highway 175 for the Hickory Creek Wastewater Main Replacement Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$100, increased from \$10,000 (\$8,468, plus closing costs and title expenses not to exceed \$1,532) to \$10,100 (\$8,568, plus closing costs and title expenses not to exceed \$1,532) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0281

Item 19: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B, pending in Dallas County Court at Law No. 2, to acquire approximately 122,789 square feet of land located near the intersection of Interstate Highway 20 and Hazelcrest Drive for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$92,000, increased from \$72,444 (\$70,470, plus closing costs and title expenses not to exceed \$1,974) to \$164,444 (\$162,167, plus closing costs and title expenses not to exceed \$2,277) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0282

Item 20: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Raleigh Investment Group, LP, et al., Cause No. CC-13-06290-A, pending in Dallas County Court at Law No. 1, to acquire 82,849 square feet of land a fee simple easement located near the intersection of Kate Road and Interstate Highway 20 for the Southwest 120-96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$56,979, increased from \$284,255 (\$278,607, plus closing costs and title expenses not to exceed \$5,648) to \$341,234 (\$335,586, plus closing costs and title expenses not to exceed \$5,648) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0283

Item 21: A resolution authorizing the conveyance of a drainage easement containing approximately 833 square feet of land to the City of Rowlett for the construction and maintenance of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Scenic Drive and State Highway 66 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0284

Item 22: A resolution authorizing the conveyance of a water and wastewater easement containing approximately 25,560 square feet of land to the City of Rowlett for the construction and maintenance of water facilities across City-owned land at Lake Ray Hubbard located near the intersection of Scenic Drive and State Highway 66 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0285

Item 23: An ordinance amending Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code; and an ordinance amending Chapter 56, “Dallas Electrical Code,” as amended; adopting with certain changes the 2014 Edition of the National Electrical Code of the National Fire Protection Association, Inc.; regulating the construction, enlargement, alteration, repair, use, and maintenance of construction work in the city; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NOS. 29632 AND 29633

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0286

Item 24: 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 February 11, 2015.

The city secretary noted the report indicated nominees for individual appointments met all qualifications for service and the vice-chair appointment to the Park and Recreation Board was also being presented for appointment which would be done through a ballot vote. Therefore, the votes would be handled separately.

Councilmember Kadane moved to appoint the following:

- Michael Przekwas to the Community Development Commission; and Ginger Greenberg, Historian, to the Landmark Commission.

Motion seconded by Councilmember Caraway and unanimously adopted. (Rawlings absent)

The city secretary announced (1) the Park and Recreation Board vice-chair nominee Matt L. Houston had been withdrawn by Councilmember Caraway, (2) Staff was amending the ballot to remove Mr. Houston in order to alleviate confusion, and (3) the ballot vote would be held until later in the meeting.

The city secretary announced 3 (re)nominees remained on the ballot for appointment as vice-chair of the Park and Recreation Board: Celina Barajas, Jesus A. Moreno Jr. and Gerald Worrall II.

Deputy Mayor Pro Tem Alonzo withdrew Celia Barajas, her vice-chair nominee, from consideration.

Councilmember Kadane also withdrew Gerald Worrall III, his vice-chair nominee, from consideration.

With only Jesus A. Moreno Jr. remaining as the nominee for vice-chair of the Park and Recreation Board, Councilmember Medrano moved to appoint Mr. Moreno to that position.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

PAGE 2

15-0286

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

15-5430	CDC	COMMUNITY DEVELOPMENT COMMISSION
15-5431	LMC	LANDMARK COMMISSION
15-5432		BOARD OFFICERS

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0287

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kambiz Khadivi, of a subsurface easement located under approximately 9,440 square feet of land on Junius Street at its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project – Not to exceed \$11,140 (\$9,440 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The city secretary read agenda items 25-26 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 25-26, 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 *Kambiz Khadivi*, a subsurface easement containing approximately 9,440 square feet, located on Junius Street at its intersection with Peak Street in City of Dallas Block 4/792, 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 25-26.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Davis’ motion to adopt the agenda items 25-26:

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

Voting No: [0]

Absent: [1] Rawlings

The city secretary declared the items adopted.

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0288

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lue Jean White and Evelyn Marie Alexander, of a subsurface easement under approximately 3,275 square feet of land located on Collins Avenue at its intersection with Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,060 (\$360 plus closing costs and title expenses not to exceed \$1,700) – Financing: 2006 Bond Funds

The city secretary read agenda items 25-26 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 25-26, 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 Lue Jean White and Evelyn Marie Alexander, a subsurface easement containing approximately 3,275 square feet, located on Collins Avenue at its intersection with Foreman Street in City of Dallas Block 2/2413, 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 25-26.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Davis’ motion to adopt the agenda items 25-26:

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

Voting No: [0]

Absent: [1] Rawlings

The city secretary declared the items adopted.

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0289

Item 27: Authorize (1) a development agreement with M&M Hotel Venture, LLC, to dedicate future TIF revenues for reimbursement of eligible project costs related to infrastructure and utility improvements, and an Economic Development Grant to encourage construction of a hotel at 2345 West Mockingbird Lane, near the intersection of Maple and Forest Park Lane located in Tax Increment Financing Reinvestment Zone Eighteen (Maple/Mockingbird TIF District); and (2) the Maple/Mockingbird TIF District Board of Directors to dedicate an amount not to exceed \$1,650,000 plus an Economic Development TIF Grant in an amount not to exceed \$3,350,000 for a total not to exceed \$5,000,000 from future Maple/Mockingbird TIF District revenues, in accordance with the development agreement - Total not to exceed \$5,000,000 - Financing: Maple/Mockingbird TIF District Funds (subject to appropriations)

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

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

Councilmember Medrano moved to adopt the item.

Motion seconded by Councilmember Allen and Councilmember Kingston and unanimously adopted. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0290

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

Note: Item Nos. 28 and 29
must be considered collectively.

Item 28: A resolution designating the approximately 15.1 acres of property located on the West side of Mountain Creek Parkway, in Dallas, Texas, Mountain Creek Neighborhood Empowerment Zone No. 1 (“Mountain Creek NEZ No. 1”), 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,” City Secretary Rios read the following certification into the record:

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

Councilmember Hill moved to adopt agenda items 28-29.

Motion seconded by Councilmember Caraway and Councilmember Kleinman and unanimously adopted. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0291

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

Note: Item Nos. 28 and 29
must be considered collectively.

Item 29: Authorize a 75 percent real property tax abatement agreement for 8 years with PIHV Mountain Creek, LLC, a Delaware Limited Partnership affiliated with The Pauls Corporation for the development of a speculative warehouse development consisting of approximately 225,000 square feet located within Mountain Creek NEZ No. 1, in Dallas, Texas pursuant to Chapter 378 of the Local Government Code - Revenue: First year revenue estimated at \$23,910; eight-year revenue estimated at \$191,280 (Estimated revenue foregone for eight-year real property tax abatement estimated at \$573,840)

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

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

Councilmember Hill moved to adopt agenda items 28-29.

Motion seconded by Councilmember Caraway and Councilmember Kleinman and unanimously adopted. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0292

The consent zoning docket consisted of agenda items 30-32.

Agenda item 32 was removed from the consent zoning docket to be considered as an individual hearing.

Therefore, the consent zoning docket, consisting of agenda items 30-31, was presented for consideration.

Agenda item 30: Zoning Case Z145-116(WE)
Agenda item 31: Zoning Case Z145-117(WE)
~~Agenda item 32: Zoning Case Z145-121(DJ)~~ **[considered individually]**

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 Caraway 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 Hill and unanimously adopted. (Griggs, Callahan, Kingston absent when vote taken; Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0293

Item 30: Zoning Case Z145-116(WE)

The consent zoning docket, consisting of agenda items 30-31, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 894 for MF-2(A) Multifamily District uses on the southeast corner of South Zang Boulevard and West Louisiana Avenue.

Recommendation of Staff and CPC: Approval, subject to 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. 29634

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0294

Item 31: Zoning Case Z145-117(WE)

The consent zoning docket, consisting of agenda items 30-31, 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 A(A) Agricultural District on the south line of Ravenview Road and the west line of South Belt Line 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. 29635

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0295

Item 32: Zoning Case Z145-121(DJ)

The consent zoning docket, consisting of agenda items 30-31, 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. 1783 for a bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, west of North Crowds Street.

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

Councilmember Medrano requested consent zoning agenda item 32 be considered as an individual item later in the meeting; there was no objection voiced to his request.

Later in the meeting, consent zoning agenda item 32 was brought up for consideration.

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

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

- Loud music is permitted one day a week, Monday to Sunday

and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted. (Rawlings absent)

Assigned ORDINANCE NO. 29636

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0296

Item 33: Zoning Case Z134-332(AF) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the east side of Preston Road, south of Frankford Road.

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

Note: This item was considered by the City Council at public hearings on January 14, 2015 and January 28, 2015, and was taken under advisement until February 11, 2015, with the public hearing open.

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Greyson moved to continue the public hearing and defer the item until the April 8, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

Motion seconded by Deputy Mayor Pro Tem Alonzo and unanimously adopted. (Griggs, Callahan, Kingston absent when vote taken; Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0297

DESIGNATED ZONING CASES - INDIVIDUAL

Item 34: Zoning Case Z134-242(OTH)

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District, an ordinance granting a D-1 Liquor Control Overlay, an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and a resolution accepting the termination of deed restrictions on property zoned an MF-1(A) Multifamily District with a D Liquor Control Overlay and deed restrictions on the south side of Lake June Road, west of Oak Hill Circle.

Recommendation of Staff: Denial

Recommendation of CPC: Approval of CR and D-1; approval of a Specific Use Permit for a two-year period, subject to a site 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,” City Secretary Rios read the following certification into the record:

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

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

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

Tailim Song, 13140 Coit Rd., representing the applicant

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

Motion seconded by Deputy Mayor Pro Tem Alonzo and Councilmember Medrano and unanimously adopted. (Hill, Caraway, Davis absent when vote taken; Rawlings absent)

Assigned ORDINANCE NO. 29637, 29638 AND 29639

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0298

DESIGNATED ZONING CASES - INDIVIDUAL

Item 35: Zoning Case Z134-267(CE)

A public hearing to receive comments regarding an application for the creation of a new subdistrict within Planned Development District No. 708, the Dallas Arts District Extension Area, north corner of Routh Street and Ross Avenue.

Recommendation of Staff: Approval, subject to a location plan, elevations, details plan, illustrations and conditions.

Recommendation of CPC: Denial

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

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

Prior to the item being read into the record, Councilmember Kingston moved to continue the public hearing and defer the item until the April 8, 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. (Rawlings absent)

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0299

STREET NAME CHANGE

Item 36: A public hearing to receive comments regarding a proposal to change the name of Grand Avenue, between Cockrell Avenue and Robert B. Cullum Boulevard, to “Al Lipscomb Way” and an ordinance granting the name change - NC145-001 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost).

The following individuals addressed the city council in favor of the item:

Zan Holmes, 6034 Boca Raton Dr.
Diane Ragsdale, 4907 Spring Ave., representing South Dallas Fair Park
Connection Alliance
John Fullinwider, 1851 Fuller Dr.
Ronald Wright, 7513 Olusta Dr., representing Justice Seekers Texas
Mary Hasan, 3425 Hacienda Dr.

The following individuals addressed the city council in opposition to the item:

Louis Cruz, 2816 S. Ervay St.
Daniel Caldwell, 11029 Shady Trl.
William Freeman, 13815 Kleberg Rd.
Ron Surley, 6019 Ridgecrest
Harry Hall, 1503 S. Ervay St., representing Pastime Tavern

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

Motion seconded by Councilmember Caraway.

Councilmember Hill requested a record vote on the item.

Mayor Pro Tem Atkins called the record vote on Councilmember Davis’ motion:

Voting Yes: [9] Atkins, Alonzo, Griggs, Medrano, Hill,
Caraway, Callahan, Davis, Kingston
Voting No: [5] Kadane, Allen, Kleinman, Greyson, Gates
Absent: [1] Rawlings

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29640

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0300

MISCELLANEOUS HEARINGS

Item 37: 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 Old Monk Corner, LLC located near the intersection of Willis Avenue and North Henderson Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Old Monk Corner, 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:

Kevin Almaguer, 703 McKinney Ave., Professional Geoscientist

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

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

Assigned ORDINANCE NO. 29641

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0301

MISCELLANEOUS HEARINGS

Item 38: 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 City of Dallas and Oncor Electric Delivery Company, LLC generally located near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street; and an ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas 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:

Kent Belaire, 1201 N. Bowser Rd., Richardson, TX, Professional Geoscientist
James Paris, 100 Parkhouse St.

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

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

Assigned ORDINANCE NO. 29642

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0302

MISCELLANEOUS HEARINGS

Item 39: 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 McKinney OH LLC located near the intersection of McKinney Avenue and Fairmount Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to McKinney OH 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:

Lance Crabtree, 8901 Carpenter Frwy., Professional Geoscientist

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

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

Assigned ORDINANCE NO. 29643

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0303

Addendum Addition 1: Authorize settlement of the lawsuit styled Paul Heller et al. v. City of Dallas, Civil Action No. 3:13-CV-4000-L - Not to exceed \$270,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0304

Addendum Addition 2: Authorize a public hearing to be held on February 25, 2015, to receive comments concerning the City of Dallas's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303 Texas Government Code as revised effective August 11, 2007, in order to allow the nomination of United Parcel Service, Inc., 10155 Monroe Drive as an Enterprise Zone Project - Financing: No cost consideration to the City

Adopted as part of consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0305

Addendum Addition 3: Authorize an extension through September 30, 2015 for Community Development Block Grant (CDBG) funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0306

Addendum Addition 4: Authorize a professional services contract with Brunk Government Relations Services for transportation interagency consultation services for the period February 11, 2015 through February 10, 2016 - Not to exceed \$75,000 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 11, 2015

15-0307

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

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

Councilmember Hill moved to adopt the item.

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

*Note: Absent as “Official City Business” per Resolution 15-0887 adopted on May 13, 2015.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 11, 2015

EXHIBIT C