

“CORRECTED”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 25, 2015

15-0470

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

PRESENT: [14] Atkins, Alonzo, Griggs (*9:39 a.m.), Medrano (*9:23 a.m.), Hill, Caraway, Callahan, Davis (*9:27 a.m.), Kadane, Allen, Kleinman, Greyson (*9:22 a.m.), Gates, Kingston

ABSENT: [1] **Rawlings

The meeting was called to order at 9:11 a.m.

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

The invocation was given by Reverend Deborah Morgan Stokes, Sr. Minister, East Dallas Christian Church.

Councilmember Caraway led the pledge of allegiance.

The meeting recessed at 10:28 a.m. and reconvened at 1:09 p.m. (Griggs (*1:15 p.m.), Medrano (*1:13 p.m.), Davis (*1:13 p.m.), Kingston (*1:13 p.m.)).

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 3:28 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 and/or reconvened**
** **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, MARCH 25, 2015

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 25, 2015

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0471

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: Chantal Arashvand, 9306 Clearwater Dr. (video presentation)
REPRESENTING: Activists for Truth
SUBJECT: Fluoride

SPEAKER: William Winn, 5054 Forest Ln. (video presentation)
SUBJECT: Fluoridation

SPEAKER: Regina Imburgia, 5423 Goodwin Ave.
SUBJECT: Fluoride

SPEAKER: Raelene Stewart, 16000 Bent Tree Forest Cir. (video presentation)
SUBJECT: Fluoride

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: Malcolm X Community Council
SUBJECT: Zionism

ADDITIONAL – OPEN MICROPHONE:

SPEAKER: Melody Bell Bey, 2802 Park Row Ave.
SUBJECT: Mortgage Assistance Program

SPEAKER: Kiesha Jones, 6467 Melody Ln.
SUBJECT: Injustice/police brutality

SPEAKER: Deloris Phillips, 2385 Sweetwater Dr., Grand Prairie, TX (handout provided)
SUBJECT: Battled by white supremacy

OPEN MICROPHONE – END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: RSR lead settlement

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0471

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OPEN MICROPHONE – END OF MEETING:

(Continued)

SPEAKER: Felicia Sewell, 2607 Ripple Dr.

REPRESENTING: Cigarette Hill Crime Watch

SUBJECT: The community

SPEAKER: Christopher (Adam) Sharp, 2015 Market Center Blvd.

SUBJECT: Zoning questions

SPEAKER: Daniel Caldwell, 11029 Shady Trl.

SUBJECT: Conjunction of I-35 solutions

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0472

Item 1: Approval of Minutes of the February 25, 2015 City Council Meeting

The city secretary informed the city council the minutes were corrected to reflect that on agenda item 91, Councilmember Griggs moved to ~~continue~~ “close” the public hearing and hold the item under advisement until the March 25, 2015 voting agenda meeting of the city council.

Councilmember Kadane moved to adopt the minutes of the February 25, 2015 City Council Meeting with the correction noted by the city secretary.

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

MARCH 25, 2015

15-0473

CONSENT AGENDA

The consent agenda consisted of consent agenda items 2-41 and addendum addition consent agenda items 1-8. Consent agenda items 16 and 17 were deleted on the addendum to the agenda.

Councilmember Greyson requested consent agenda item 10 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Councilmember Kingston requested consent agenda items 10, 25 and addendum addition consent agenda items 5 and 7 be considered as individual items later in meeting; there was no objection voiced to his request.

Councilmember Gates requested addendum addition consent agenda items 7 and 8 be considered as individual items later in the meeting; there was no objection voiced to her request.

Therefore, the consent agenda, consisting of consent agenda items 2-9, 11-15, 18-24, 26-41 and addendum addition consent agenda items 1-4 and 6, was presented for consideration.

Councilmember Kadane moved to adopt all items on the consent agenda with the exception of consent agenda items 10, 16, 17, 25 and addendum addition consent agenda items 5, 7 and 8.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0474

Item 2: Authorize a service contract to conduct job analysis and examination plans for Fire-Rescue rank structure - Ergometrics & Applied Personnel Research, Inc. most advantageous proposer of three - Not to exceed \$140,928 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0475

Item 3: Authorize a two-year service contract for barricade services - Dallas Lite & Barricade, Inc., only responsive bidder of two - Not to exceed \$117,675 - Financing: Current Funds (\$2,475) and Water Utilities Current Funds (\$115,200) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0476

Item 4: Authorize a five-year service contract for elevator inspection services for Aviation and Convention and Event Services - PetroChem Inspection Services, Inc. dba TUV SUD America Chemical Oil & Gas, lowest responsible bidder of three - Not to exceed \$249,080 - Financing: Aviation Current Funds (\$124,540) and Convention and Event Services Current Funds (\$124,540) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0477

Item 5: Authorize an acquisition contract for software, hosting and a five-year service contract for maintenance and support of a budget preparation management system - Entap, Inc., most advantageous proposer of five - Not to exceed \$2,292,720 - Financing: Current Funds (\$861,143) and Municipal Lease Agreement (\$1,431,577) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0478

Item 6: Authorize a one-year master agreement for the purchase of **(1)** eighty-seven fleet vehicles and equipment – Rush Truck Centers of Texas, LP dba Rush Crane & Refuse Systems International in the amount of \$2,192,504, The Around The Clock Freightliner Group, LLC in the amount of \$2,038,730, Freedom Chevrolet in the amount of \$1,258,030, Southwest International Trucks, Inc. in the amount of \$1,076,486, Equipment Southwest, Inc. in the amount of \$784,665, RDO Equipment Company in the amount of \$803,325, Kirby-Smith Machinery, Inc. in the amount of \$596,920 and Bobcat of Dallas in the amount of \$68,136, lowest responsible bidders of sixteen; **(2)** twenty fleet vehicles and equipment – Holt Texas, Ltd. dba Holt Cat in the amount of \$1,105,672, Caldwell Country Chevrolet in the amount of \$457,350, Sam Pack's Five Star Ford, Ltd. in the amount of \$220,560 and Southwest International Trucks, Inc. in the amount of \$157,458 through Texas Association of School Boards (BuyBoard); and **(3)** one-hundred nine fleet vehicles and equipment - Sam Pack's Five Star Ford, Ltd. in the amount of \$4,279,479 through State of Texas CO-OP Program - Total not to exceed \$15,039,315 - Financing: Current Funds (\$78,130), Municipal Lease Agreement Funds (\$9,717,014), Stormwater Drainage Management Capital Construction Funds (\$1,826,413), Water Utilities Current Funds (\$1,748,368), 2005 Equipment Acquisition Contractual Obligation Notes (\$397,045), 2004 Equipment Acquisition Contractual Obligation Notes (\$382,236), 2010 Equipment Acquisition Notes (\$315,817), 2007 Equipment Acquisition Contractual Obligation Notes (\$312,717), 2003 Equipment Acquisition Contractual Obligation Notes (\$131,948), 2006 Equipment Acquisition Contractual Obligation Notes (\$88,095) and 2008 Equipment Acquisition Contractual Obligation Notes (\$41,532)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0479

Item 7: Authorize a three-year master agreement for fasteners - Grayson Industries, Inc. in the amount of \$317,700, Fastenal Company in the amount of \$71,800 and D.F. Sales in the amount of \$45,500, lowest responsible bidders of four - Total not to exceed \$435,000 - Financing: Current Funds (\$13,150), Water Utilities Current Funds (\$417,750) and Stormwater Drainage Management Current Funds (\$4,100)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0480

Item 8: Authorize supplemental agreement no. 1 to increase the service contract with TIBH Industries, Incorporated for janitorial services at various facilities for the Office of Cultural Affairs and extend the term from June 26, 2015 through June 26, 2016 - Not to exceed \$960,000, from \$1,300,471 to \$2,260,471 - Financing: Current Funds (\$942,309) and Municipal Radio Current Funds (\$17,691) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0481

Item 9: Authorize settlement of the lawsuit styled Dorothy Taylor v. City of Dallas, Cause No. DC-14-07278 - Not to exceed \$35,000 - Financing: Current Funds

Adopted as part of the consent agenda.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0482

Item 10: Authorize **(1)** an application for and acceptance of the Technical Assistance Scholarship Program Grant from the Center for Community Progress for consulting services for the period February 2, 2015 through August 27, 2015; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City

Councilmember Greyson and Councilmember Kingston requested consent agenda item 10 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, consent agenda item 10 was brought up for consideration.

Councilmember Greyson moved to adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Davis absent when vote take; Rawlings absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0483

Item 11: Authorize a twelve-month renewal service agreement for software use and support of the Socrata Open Data Portal - Alamo City Engineering Services, Inc., through the U.S. General Services Administration - Not to exceed \$460,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0484

Item 12: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0485

Item 13: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by DeSoto Real Estate Resource LLC for the construction of affordable houses; **(2)** the sale of 24 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to DeSoto Real Estate Resource LLC; and **(3)** execution of a release of lien for any non-tax liens on the 24 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0486

Item 14: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Opportunity Construction, LLC for the construction of affordable houses; **(2)** the sale of 6 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Opportunity Construction, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 6 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0487

Item 15: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Santos Coria for the construction of affordable houses; **(2)** the sale of 9 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Santos Coria; and **(3)** execution of a release of lien for any non-tax liens on the 9 properties that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0488

Note: Item Nos. 16 and 17 must be considered collectively.

Item 16: Authorize a contract for construction of improvements to include: resurfacing of the greens and tee improvements, bunker restoration, putting greens, and short game area at Cedar Crest Golf Course located at 1800 Southerland Avenue - Frontier Construction Company, Inc. dba Frontier Golf, Inc., lowest responsible bidder of one - Not to exceed \$845,430 - Financing: Golf Improvement Funds

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0489

Note: Item Nos. 16 and 17 must be considered collectively.

Item 17: Authorize an amendment to the one hundred twenty-six month concession contract with Ira McGraw dba IAMJ Enterprises, Inc. to define roles, responsibilities and compensation due to renovations and closure of Cedar Crest Golf Course - Not to exceed \$210,120 - Financing: Golf Improvement Funds

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0490

Item 18: Authorize a professional services contract with Hayden Consultants, Inc. for the engineering design services of street improvements on Canada Drive from Westmoreland Road to Hampton Road, and the development of Integrated Stormwater Management standards and training services for City staff - Not to exceed \$611,569 - Financing: 2006 Bond Funds (\$257,302), 2012 Bond Funds (\$270,000), Stormwater Drainage Management Current Funds (\$50,258) and Water Utilities Capital Improvement Funds (\$34,009)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0491

Item 19: Authorize a professional services contract with Garver, LLC for engineering services for design and construction documents for the Pavement Rehabilitation and Reconstruction Project at Dallas Love Field - Not to exceed \$1,323,890 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0492

Item 20: Authorize a construction contract with CORE Construction Services of Texas, Inc., best value proposer of five, for construction of the Fire Station No. 6 replacement facility located at 2301 Pennsylvania Avenue - Not to exceed \$5,663,210 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0493

Item 21: Authorize Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. for additional engineering design services for street reconstruction and storm drainage improvements for Montie Street from Lagow Street to Junction Street and additional water and wastewater main replacement for the Montie Street and Imperial Street projects (list attached) - Not to exceed \$84,540, from \$41,815 to \$126,355 - Financing: 2012 Bond Funds (\$52,515) and Water Utilities Capital Improvement Funds (\$32,025)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0494

Item 22: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a 2013 Highway Safety Improvement Program grant to design, upgrade and/or construct three traffic signals and associated intersection improvements at Westmoreland Road and Clarendon Drive, Jefferson Boulevard and Merrifield Road and McKinney Avenue and Maple Avenue; **(2)** a required local match in the amount of \$106,606 to be paid by warrant check at the beginning of the project; and **(3)** a required in-kind contribution for design of the signals in the amount of \$48,238 - Total not to exceed \$1,072,053 - Financing: Texas Department of Transportation Grant Funds (\$917,209), Current Funds (\$106,606) and In-Kind Contributions (\$48,238)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0495

Item 23: Authorize acquisition from Morning Park, Inc., of approximately 11,481 square feet of land located near the intersection of Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Street Improvement Project - \$13,632 (\$11,481, plus closing costs and title expenses not to exceed \$2,151) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0496

Item 24: Authorize acquisition from Richard L. Mai of approximately two acres of land located near the intersection of West Wintergreen Road and Country Ridge Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$16,775 (\$14,775, plus closing costs and title expenses not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0497

Item 25: Authorize a thirty-six month extension of the current newsrack services contract with The Dallas Morning News, Inc. for the repair, replacement, and installation of newsracks for designated existing newsrack locations and to continue the maintenance services for newsracks within the Expanded Central Business District - Not to exceed \$107,200 - Current Funds (subject to annual appropriations)

Councilmember Kingston requested consent agenda item 25 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 25 was brought up for consideration.

Councilmember Kingston moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0498

Item 26: An ordinance abandoning a portion of a water easement to SPUS6 Tollway Plaza, LP, the abutting owner, containing approximately 1,200 square feet of land, located near the intersection of Bent Tree Forest and Knoll Trail Drives - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29667

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0499

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 27: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 3.7 acres of land north of Cooke Drive and east of Fuqua Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29668

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0500

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 28: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 36.5 acres of land east of Fuqua Road and west of Chiesa Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29669

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0501

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 29: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 33.6 acres of land north of Marina Circle and southwest of Chiesa Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29670

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0502

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 30: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 30 acres of land northwest of I-30 and southeast of Chiesa Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29671

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0503

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 31: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 40.2 acres of land at the southwest corner of Chiesa Road and Dalrock Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29672

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0504

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 32: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 45.9 acres of land on both sides of I-30 at Dalrock Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29673

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0505

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 33: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 40.9 acres of land south of I-30, south of the terminus of Dalrock Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29674

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0506

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 34: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 52.2 acres of land south of I-30 and south of Launch Circle - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29675

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0507

Note: Item Nos. 27, 28, 29, 30, 31, 32, 33, 34 and 35 must be considered collectively.

Item 35: An ordinance adopting a boundary adjustment agreement with the City of Rowlett on approximately 8.7 acres of land south of I-30 and south of Cooke Drive - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29676

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0508

Item 36: Authorize Supplemental Agreement No. 2 to the professional services contract with Raftelis Financial Consultants, Inc. for Storm Drainage Management Fund financial planning services and fee study to develop associated data, systems improvements and interface, training and support for the rate structure change - Not to exceed \$675,000, from \$575,207 to \$1,250,207 - Financing: Stormwater Drainage Management Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0509

Item 37: Authorize Supplemental Agreement No. 7 to the professional services contract with Halff Associates, Inc. for the Community Rating System 2014 Recertification and the Dallas Dams Emergency Action Plan and Operation and Maintenance Plan Updates - Not to exceed \$172,973, from \$1,495,816 to \$1,668,789 - Financing: Stormwater Drainage Management Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0510

Item 38: Authorize a contract for the installation of water and wastewater mains at 20 locations (list attached) - Ark Contracting Services, LLC, lowest responsible bidder of three - Not to exceed \$13,013,619 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0511

**Installation of water and wastewater mains
at 12 locations**

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

Item 39: Authorize **(1)** an 18-month master agreement for water and wastewater small services installations at various locations in the amount of \$4,380,637; **(2)** a contract for the installation of water and wastewater mains at 12 locations in the amount of \$3,762,971 (list attached); and **(3)** an 18-month master agreement for water and wastewater mainline extensions and emergency mainline installations and relocations at various locations in the amount of \$2,838,256 with Omega Contracting, Inc., lowest responsible bidder of four - Total not to exceed \$10,981,864 - Financing: Water Utilities Capital Improvement Funds (\$3,762,971) and Water Utilities Capital Construction Funds (\$7,218,893)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0512

**Installation of water and wastewater mains
at 12 locations**

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

Item 40: Authorize a Pipeline Crossing Agreement with Union Pacific Railroad Company to allow the City of Dallas to construct, maintain, and operate a proposed water pipeline under railroad tracks and right-of-way in Urban Avenue at the Union Pacific Railroad crossing - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0513

**Installation of water and wastewater mains
at 12 locations**

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

Item 41: Authorize a Pipeline Crossing Agreement with Union Pacific Railroad Company to allow the City of Dallas to construct, maintain, and operate a proposed water pipeline under railroad tracks and right-of-way north of the alley between Red Bud Drive and Lovett Avenue at the Union Pacific Railroad crossing - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0514

Item 42: 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 March 25, 2015.

The city secretary noted the report indicated nominees for individual appointments cleared for city council action met all qualifications for service.

Councilmember Kadane moved to appoint:

- Manulita Tafalla, 55+ years of age, to the Senior Affairs Commission; and
- nominees to “individual appointment” positions.

Motion seconded by Councilmember Kleinman and unanimously adopted. (Griggs, Callahan, Davis, Allen absent when vote taken; Rawlings absent)

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

15-5651	CDC	COMMUNITY DEVELOPMENT COMMISSION
15-5652	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
13-5653	SAC	SENIOR AFFAIRS COMMISSION

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0515

Item 43: A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the May 9, 2015 general election and submit a canvass report to the full City Council on Wednesday, May 20, 2015 - Financing: No cost consideration to the City

The city secretary stated Mayor Rawlings was proposing to appoint the following members to the Ad Hoc City Council Canvassing Committee:

Mayor Pro Tem Tennell Atkins – Chair
Councilmember Dwaine Caraway
Councilmember Carolyn R. Davis
Councilmember Jerry Allen
Councilmember Sheffie Kadane – Alternate

Councilmember Caraway moved to adopt the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0516

Item 44: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Aghdas Eshgh Torki Foroushani and Samadian Family Limited Partnership, of a subsurface easement under approximately 6,471 square feet of land located on South Haskell Avenue at its intersection with Terry Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$9,765 (\$7,765 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced agenda item 44 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 Aghdas Eshgh Torki Foroushani and Samadian Family Limited Partnership, a subsurface easement under approximately 6,471 square feet of land, located on South Haskell Avenue at its intersection with Terry Street in City of Dallas Block 3/807, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0517

Item 45: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Monica Huerta, of a subsurface easement under approximately 3,202 square feet of land located on Alcalde Street near its intersection with Victor Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$3,772 (\$1,972 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced agenda item 45 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 Monica Huerta, a subsurface easement under approximately 3,202 square feet of land, located on Alcalde Street near its intersection with Victor Street in City of Dallas Block D/802-1/2, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0518

Item 46: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Pure Ice and Cold Storage Company, of a subsurface easement under approximately 3,105 square feet of land located on South Haskell Avenue at its intersection with Parry Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$4,938 (\$2,938 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

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

Later in the meeting, the city secretary read agenda item 46 into the record.

The city secretary announced agenda item 46 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 Pure Ice and Cold Storage Company, a subsurface easement under approximately 3,105 square feet of land, located on South Haskell Avenue at its intersection with Parry Avenue in City of Dallas Block 25/1266, 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 Hill moved to adopt the item.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt the item:

Voting Yes: [11] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Allen, Kleinman,
Greyson, Gates, Kingston

Voting No: [0]

Abstain: [1] Kadane

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the item adopted.

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0519

Kimberly-Clark Global Sales, LLC

Note: Item Nos. 47 and 48
must be considered collectively.

Item 47: Authorize a real property tax abatement agreement with Prologis, L.P., a Delaware limited partnership, for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property for the development of a new distribution and warehouse facility located on the east side of the 4800 block of Mountain Creek Parkway, north of Merrifield Road in Dallas, Texas in accordance with the City’s Public/Private Partnership Program - Revenue: First year revenue estimated at \$17,534; ten-year revenue estimated at \$175,340 (Estimated revenue forgone for the ten-year real property abatement estimated at \$1,578,060)

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 47-48.

Motion seconded by Councilmember Kadane and Councilmember Kleinman and unanimously adopted. (Griggs, Callahan absent when vote taken; Rawlings absent)

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0520

Kimberly-Clark Global Sales, LLC

Note: Item Nos. 47 and 48
must be considered collectively.

Item 48: Authorize a Chapter 380 economic development grant agreement with Kimberly-Clark Global Sales, LLC, a Wisconsin limited liability company, associated with the operation of a new distribution and warehouse facility located on the east side of the 4800 block of Mountain Creek Parkway, north of Merrifield Road in Dallas, Texas in accordance with the City’s Public/Private Partnership Program - Not to exceed \$350,000 - 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,” 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 47-48.

Motion seconded by Councilmember Kadane and Councilmember Kleinman and unanimously adopted. (Griggs, Callahan absent when vote taken; Rawlings absent)

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0521

Item 49: Authorize a Chapter 380 economic development grant agreement with Comparex USA, Inc., in an amount up to \$350,000 in consideration of the relocation of the company’s operations to 600 North Pearl Street, in Dallas pursuant to the Public/Private Partnership Program - Not exceed to \$350,000 - 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,” 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 Kingston moved to adopt the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0522

Item 50: Authorize a 75 percent business personal property tax abatement agreement for 8 years with Pioneer Frozen Foods, Inc., a Texas corporation in consideration of the acquisition of 4616 Langdon Road for the purpose of establishing a food production facility of approximately 132,000 square feet located on approximately 50 acres within an Enterprise Zone in Dallas pursuant to the City’s Public/Private Partnership Program - Revenue: First year revenue estimated at \$19,948; eight-year revenue estimated at \$159,584 (Estimated revenue foregone for eight-year real property tax abatement estimated at \$478,740)

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 the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0523

The consent zoning docket consisted of agenda items 51-53.

Prior to presentation of the consent zoning docket and agenda item 52 being read into the record, Councilmember Hill moved to continue the public hearing and defer agenda item 52 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 Caraway and unanimously adopted. (Davis, Kingston absent when vote taken; Rawlings absent)

Therefore, the consent zoning docket, consisting of agenda items 51 and 53, was presented for consideration.

Agenda item 51: Zoning Case Z145-119(AF)
~~Agenda item 52: Zoning Case Z145-133(OTH) [deferred]~~
Agenda item 53: Zoning Case Z145-137(WE)

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

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

Marvin Crenshaw, 5134 Malcolm X Blvd., spoke in opposition to agenda item 51

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

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 Kingston and unanimously adopted. (Davis absent when vote taken; Rawlings absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0524

Item 51: Zoning Case Z145-119(AF)

The consent zoning docket, consisting of agenda items 51 and 53, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a new tract within Planned Development District No. 730 on property zoned Subdistrict R-5(A) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District and Planned Development District No. 730 on the northwest line of Hooper Street, west of Bexar Street.

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

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

Marvin Crenshaw, 5134 Malcolm X Blvd.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29677

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0525

Item 52: Zoning Case Z145-133(OTH)

The consent zoning docket, consisting of agenda items 51-53, was presented for consideration.

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

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

Prior to approval of the consent zoning docket and the item being read into the record, Councilmember Hill 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 Caraway and unanimously adopted. (Davis, Kingston absent when vote taken; Rawlings absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0526

Item 53: Zoning Case Z145-137(WE)

The consent zoning docket, consisting of agenda items 51 and 53, was presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting a new Planned Development Subdistrict for a medical clinic or ambulatory surgical center on property zoned Tract 2, Subdistrict 1A of Planned Development District No. 830, the Davis Street Special Purpose District on the east side of North Bishop Avenue, north of Neches Street.

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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 29678

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0527

Item 54: Zoning Case Z112-316(LHS) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the northwest corner of Cleveland Road and Bonnie View Road.

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

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

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

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

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

Assigned ORDINANCE NO. 29679

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0528

Item 55: Zoning Case Z134-188(LHS) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a vehicle display, sales, and service use on property zoned Tract 1, Subdistrict 2 in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3 on the southwest corner of C.F. Hawn Freeway and Thelma Street.

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

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

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

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

Santos Martinez, 900 Jackson St., representing the applicant

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

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

Assigned ORDINANCE NO. 29680

Note: The presiding officer allowed Deputy Mayor Pro Tem Alonzo to clarify the motion made by Councilmember Hill.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0529

Item 56: Zoning Case Z134-291(CG) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for residential uses on property zoned an R-7.5(A) Single Family District generally on the west line of North Hampton Road, on the east and west sides of North Boulevard Terrace and north of West Davis Street.

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

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

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0530

Item 57: Zoning Case Z134-337(WE) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple-family Subdistrict uses on property zoned an MF-3 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Fairmount Street at the terminus of Enid Street.

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

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

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

Barry Knight, 2728 N. Harwood St., representing the applicant

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

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

Assigned ORDINANCE NO. 29681

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0531

Item 58: Zoning Case Z145-122(AF) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2003 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District on the northeast corner of Ryan Road and Luna Road.

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

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

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

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

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

Assigned ORDINANCE NO. 29682

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0532

Item 59: Zoning Case Z145-125(OTH) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1571 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District northeast of the intersection of Lancaster Road and Kiest Boulevard.

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

Staff notified the city council there was a notification change and requested the item be remanded to the City Plan and Zoning Commission.

Councilmember Caraway moved to continue the public hearing and remand the item to the City Plan and Zoning Commission.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0533

Item 60: Zoning Case Z145-130(OTH) - INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the north line of Samuell Boulevard, west of South Buckner Boulevard.

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

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

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

Marvin Crenshaw, 5134 Malcolm X Blvd.
Daniel Caldwell, 11029 Shady Trl.

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

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

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

Assigned ORDINANCE NO. 29683

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0534

DESIGNATED - ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 61: Zoning Case Z067-203(VM) ~~UNDER ADVISEMENT INDIVIDUAL~~

An ordinance granting an amendment to, and expansion of, Planned Development District No. 468 and a resolution accepting the termination of deed restrictions Z812-227 (located at the northwest corner of East 8th Street and North Marsalis Avenue), Z834-399 (located at the southwest corner of East 5th Street and North Crawford Street), and Z867-185 (property bounded by East 6th Street, North Beckley Avenue, West Neely Street and North Zang Boulevard) for a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 468, the Oak Cliff Special Purpose District, with deed restrictions on a portion, Specific Use Permit No. 10 for a nursing home, Specific Use Permit No. 1032 for a utility or government installation, Specific Use Permit No. 1623 for a financial institution with a drive-in window, and Specific Use Permit No. 1679 for a financial institution with a drive-in window, H/84 Lake Cliff Historic District, H/71 Betterton House Historic District; Planned Development District No 160 with Specific Use Permit 2079 for a child-care facility; Planned Development District No 340; Planned Development District No 364; Planned Development District No 830; an R-5(A) Single Family District; an R-7.5(A) Single Family District; a TH-2(A) Townhouse District; a CH Clustered Housing District; an MF-2(A) Multifamily District; a CR Community Retail District with deed restrictions; an IR Industrial/Research District; a CS Commercial Service District with deed restrictions; an LO-1 Office District with deed restrictions; an RR Regional Retail District; an MU-1 Mixed-Use District with deed restrictions; an MU-2 Mixed-Use District; and a P(A) Parking District the property is generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0534

Page 2

Recommendation of Staff: Approval of amendments to and expansion of Planned Development District No. 468, subject to a street hierarchy plan and approval of the termination of deed restrictions Z812-227, Z834-399, and Z867-185 with retention of Historic Overlay District No. 84 Lake Cliff, Historic Overlay District No. 71 Betterton House, Specific Use Permit Nos. 10, 1032, 1623, and 1679, and existing deed restrictions Z034-301, Z801-168, Z890-182, Z923-112, Z923-183, Z945-113 and no change of zoning on: 1) a portion of Tract 1C within Planned Development District No. 160 on the east side of Elsbeth Avenue between Neely Street and 5th Street; 2) an R-5(A) Single Family District on the east side of Elsbeth Avenue between 5th Street and Neches Street; 3) a portion of Subdistrict 6 within Planned Development District No. 830 on the northeast corner of Davis Street and Elsbeth Avenue; 4) a CR Community Retail District and an MF-2(A) Multifamily District south of Davis Street between Beckley Avenue and Patton Avenue; and 5) Planned Development District No. 340

Recommendation of CPC: Approval of amendments to and expansion of Planned Development District No. 468, subject to a yard, lot, space chart; a parking chart; and a street hierarchy plan and approval of the termination of deed restrictions Z812-227, Z834-399, and Z867-185 with retention of H/84 Lake Cliff Historic District and H/71 Betterton House Historic District, Specific Use Permit Nos. 10, 1032, 1623, 1679, and deed restrictions Z034-301, Z801-168, Z890-182, Z923-112, Z923-183, Z945-113 and no change of zoning on: 1) a portion of Tract 1C within Planned Development District No. 160 on the east side of Elsbeth Avenue between Neely Street and 5th Street; 2) a portion of Subdistrict 6 within Planned Development District No. 830 on the northeast corner of Davis Street and Elsbeth Avenue; and 3) Planned Development District No. 340.

Note: This item was considered by the City Council at a public hearing on February 25, 2015, and was taken under advisement until March 25, 2015, with the public hearing closed.

The item was corrected on the addendum to be considered as a Designated Zoning Cases – Under Advisement – Individual. Therefore, the city secretary was required to read the following statement:

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."

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0534

Page 3

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

Councilmember Griggs moved to reopen the public hearing and hold the item under advisement until the April 22, 2015 voting agenda meeting of the city council.

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

Note: Two seconds were not required as the item was not motioned for approval.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0535

Item 62: Zoning Case Z134-245(DJ) - UNDER ADVISEMENT – INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1763 for a community service center on property zoned an R-5(A) Single Family District on the southeast corner of Gallagher Street and Winnetka Avenue.

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

Note: This item was considered by the City Council at public hearings on August 27, 2014 and December 10, 2014, and was taken under advisement until March 25, 2015, with the public hearing open.

Prior to approval of the consent zoning docket and the item being read into the record, Deputy Mayor Pro Tem Alonzo moved to continue the public hearing and defer the item until the May 27, 2015 voting agenda meeting of the city council. Therefore, no speakers were called to speak on the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0536

Item 63: Zoning Case Z134-314(WE) - UNDER ADVISEMENT – INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 16 for O-2 Office Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of McKinnon Street and Wolf Street.

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

Note: This item was considered by the City Council at a public hearing on February 25, 2015, and was taken under advisement until March 25, 2015, with the public hearing open.

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

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

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

Assigned ORDINANCE NO. 29684

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0537

DESIGNATED ZONING CASES - INDIVIDUAL

Item 64: Zoning Case Z134-116(CG)

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District uses on property zoned a TH-1(A) Townhouse District and a CR Community Retail District with deed restrictions along the south line of Clarkwood Drive, the east line of Clark Springs Drive, and north of West Camp Wisdom Road.

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

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

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

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

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

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

Assigned ORDINANCE NO. 29685

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0538

DESIGNATED ZONING CASES - INDIVIDUAL

Item 65: Zoning Case Z134-323(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 183 for certain MU-3 Mixed Use District uses on the east line of North Central Expressway, south of Haskell Avenue.

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

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

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

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

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

- Reducing the total parking required on site to 3,200;
- Only requiring 3,000 parking spaces below grade;

and pass the ordinance.

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

Assigned ORDINANCE NO. 29686

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0539

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Item 66: A public hearing to receive comments regarding consideration of and an ordinance granting amendments to Chapters 51 and Chapter 51A of the Dallas Development Code, Section 51-4.215, “Animal Related Uses,” to amend Farm or Ranch regulations and Section 51A-4.201, “Agricultural Uses,” to amend regulations pertaining to Animal Production and Crop Production and an ordinance granting an amendment to Chapter 52, Section 301.2.1, "Building".

Recommendation of Staff and CPC: Approval

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:

Susie Marshall, 3866 Highgrove Dr., representing GROW North Texas

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

Motion seconded by Councilmember Kadane.

During discussion, Councilmember Greyson moved a substitute motion to remand the item to the Quality of Life Council Committee.

Motion seconded by Councilmember Kingston.

Councilmember Caraway requested a record vote.

Mayor Pro Tem Atkins called the record vote on Councilmember Greyson’s substitute motion to remand the item to the Quality of Life Council Committee:

Voting Yes: [7] Alonzo, Medrano, Caraway, Callahan, Kadane,
Greyson, Gates

Voting No: [7] Atkins, Griggs, Hill, Davis, Allen, Kleinman, Kingston

Absent: [1] Rawlings

The city secretary declared the item failed.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

15-0539

Page 2

Mayor Pro Tem Atkins called the record vote on Councilmember Caraway’s original motion to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance:

Voting Yes: [8] Atkins, Griggs, Medrano, Hill, Davis, Allen,
Kleinman, Kingston

Voting No: [6] Alonzo, Caraway, Callahan, Kadane, Gresyon, Gates

Absent: [1] Rawlings

The city secretary declared the item adopted.

Assigned ORDINANCE NOS. 29687 and 29688

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0540

MISCELLANEOUS HEARINGS

Item 67: A public hearing to receive comments on Substantial Amendment No. 2 to the Neighborhood Stabilization Program 3 (NSP3) for the construction of homes, associated administrative and soft costs using \$600,000 in program income received as part of the Neighborhood Stabilization Program 3; and at the close of the public hearing, authorize **(1)** final adoption of Substantial Amendment No. 2 to the NSP3; and **(2)** an increase in appropriations in the amount of \$600,000, from \$1,020,000 to \$1,620,000 - Financing: 2010-11 Neighborhood Stabilization Program 3 Funds

The following individual addressed the city council regarding the item:

Daniel Caldwell, 11029 Shady Trl.

Councilmember Hill moved to close the public hearing and adopt the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0541

MISCELLANEOUS HEARINGS

Item 68: 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 Uplift Education located near the intersection of Elm Street and Crowds Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Uplift Education 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 individuals addressed the city council:

Scott Kolodlies, 11855 Lockwood Blvd., Professional Geoscientist
Daniel Caldwell, 11029 Shady Trl.
Richard Sheridan, 11301 Dennis Rd.

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

Motion seconded by Councilmember Kingston and unanimously adopted. (Caraway absent when vote taken; Rawlings absent)

Assigned ORDINANCE NO. 29689

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0542

MISCELLANEOUS HEARINGS

Item 69: A public hearing to receive comments on the proposed FY 2015-16 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City.

The following individuals addressed the city council regarding the item:

Marvin Crenshaw, 5134 Malcolm X Blvd.

William Hopkins, 2011 Leath St.

Kate Park, 412 N. Oak Cliff Blvd., representing Friends of the Dallas Public Library

Richard Sheridan, 11301 Dennis Rd.

Daniel Caldwell, 11029 Shady Trl.

Thomas Buck, 10606 Wyatt St., representing Lochwood Neighborhood Association

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

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0543

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 70: An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Mountain Creek Parkway from Eagle Ford Drive to Clark Road from a six-lane divided roadway {M-6-D(A)} within 100 feet of right-of-way to a special four-lane divided roadway (SPCL 4D) with a bicycle facility within 100 feet right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City.

Councilmember Hill moved to adopt the item.

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

Assigned ORDINANCE NO. 29690

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0544

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Item 71: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, James B. Bonham Elementary School, as required by Section 6-4 of the Dallas City Code to allow a mixed beverage permit for a restaurant without drive-in or drive-through service with a food and beverage certificate [Pie Tap Henderson LLC, dba Pie Tap] on the northeast line of North Henderson Avenue south of Bonita Avenue - AV145-002 - Financing: No cost consideration to the City.

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

The following individuals addressed the city council regarding the item:

Mark Rieves, 5530 Goodwin Ave.
Allen Mondell, 5211 Homer St.
Stevelyn Pickens, 5602 Richmond Ave.
Kim Comerford, 5623 Richmond Ave.
Arlene Colbert, 5206 Alcott St.
Santos Martinez, 900 Jackson St., representing the applicant
Richard Sheridan, 11301 Dennis Rd.
Daniel Campbell, 5228 Bonita Ave.
William Hopkins, 2011 Leath St.

Councilmember Medrano moved to deny the item.

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

Note: Two seconds were not required as the item was not motioned for approval.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0545

Addendum Addition 1: A resolution authorizing **(1)** amendments and updates to the City's Title VI/Nondiscrimination policy statement, plan, assurances, and complaint procedures, in order to strengthen the City's commitment to nondiscrimination in city programs and activities and assure nondiscrimination in Federally-assisted programs and activities; and **(2)** the designation of a Title VI Coordinator to ensure proper monitoring of Title VI activities - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0546

Addendum Addition 2: Authorize a public hearing to be held on April 22, 2015, pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3 (b,c,d) of the 2015 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors to receive comments concerning the application with The Texas Department of Housing and Community Affairs (TDHCA) for 4% housing tax credits in the approximate amount of \$4,286,460 with tax-exempt bonds in the approximate amount of \$10 Million to be issued by the Dallas Housing Finance Corporation (DHFC) for the proposed Martha's Vineyard Place Apartment Development, consisting of a new 100-unit, 4-story multi-family structure to be located at 3115 Crestview Road, including the demolition of existing structures; and at the close of the public hearing, authorize: **(1)** DHFC to issue tax exempt bonds in an amount not to exceed \$10 Million to the Deaf Action Center, its successors and assigns, in tax-exempt Multi-family Housing Mortgage Revenue Bonds Series, to finance the new construction of 100 units for families; **(2)** a resolution to support the TDHCA's award of the 4% housing tax credits for the new construction of the Martha's Vineyard Apartments to be located at 3115 Crestview Road, Dallas, Texas; **(3)** DHFC to form a subsidiary single-purpose entity, to be the General Partner of the limited partnership, that will develop and own the improvements to be constructed on 3115 Crestview Road; and **(4)** DHFC to acquire the land at 3115 Crestview Road and ground lease the land to the limited partnership which will develop and own the improvements to ensure that the project is exempt from ad valorem taxes - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0547

Addendum Addition 3: Authorize **(1)** an application for and acceptance of a grant from The Heritage Program by Fireman's Fund to provide training and education for Fire Station 56; and **(2)** execution of the grant agreement - Not to exceed \$12,927 - Financing: Fireman's Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0548

Addendum Addition 4: Authorize an application for an Urban Outdoor Recreation Grant in the amount of \$1,000,000 from the Texas Parks and Wildlife Department for development of the Bachman Lake Park Trail Renovation, Phase III Project located at 3500 West Northwest Highway - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)

Adopted as part of the consent agenda.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0549

Addendum Addition 5: Authorize Supplemental Agreement No. 7 to exercise the option of a one-year renewal to the contract with Xerox, State and Local Solutions, Inc. (formerly ACS State and Local Solutions, Inc) for services related to meter operations and a parking management information system for the period May 2, 2015 through May 1, 2016 - Estimated Net Annual Parking Revenue: \$7,500,000

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

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

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Hill.

Mayor Pro Tem Atkins called the vote on the motion and declared the item adopted on a divided vote with Councilmember Griggs, Councilmember Medrano* and Councilmember Kingston voting “No.” (Rawlings absent)

*Note: Later in the meeting, the city secretary announced for clarification Councilmember Medrano voted “No” on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0550

Addendum Addition 6: Authorize **(1)** an Encroachment Agreement between the City of Dallas and DF Market 2, LLC; and **(2)** an Encroachment Agreement between the City of Dallas and FM Harvest, Ltd, to encroach upon a 15' Drainage Easement located near the intersection of Harwood and Taylor Streets - Revenue: \$2,500

Adopted as part of the consent agenda.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0551

Addendum Addition 7: An ordinance amending Chapter 29A, “Neighborhood Farmers Markets,” of the Dallas City Code by amending Sections 29A-5, 29A-6, 29A-8, and 29A-11 to: **(1)** increase application fees; **(2)** waive application fees for new neighborhood farmers markets for one year; **(3)** allow an applicant to apply for more than one neighborhood farmers market annually; **(4)** allow 40 neighborhood farmers markets at each location annually; **(5)** allow 70 vendors at each neighborhood farmers market; **(6)** allow stalls to be a maximum 10 feet by 15 feet; **(7)** provide a penalty not to exceed \$500; **(8)** provide a saving clause; **(9)** provide a severability clause; and **(10)** provide an effective date - Financing: No cost consideration to the City

Councilmember Gates and Councilmember Kingston requested addendum addition consent agenda item 7 be considered as an individual item later in the meeting; there was no objection voiced to their request.

Later in the meeting, addendum addition consent agenda item 7 was brought up for consideration.

Councilmember Gates moved to adopt the item with the following change:

- A neighborhood farmers market permit expires one year after issuance

and pass the ordinance.

Motion seconded by Councilmember Greyson and unanimously adopted. (Davis absent when vote taken; Rawlings absent)

Assigned ORDINANCE NO. 29691

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0552

Addendum Addition 8: Authorize **(1)** the establishment of appropriations in an amount not to exceed \$9,502 in the Community Garden Donation Fund, to encourage and support the creation or expansion of community gardens, food donation and water conservation practices; and **(2)** approval of the application process and Program Guidelines for qualified applicants to apply for a grant to create a community garden or expand an existing garden using organic growing methods and/or rain water harvesting and drip irrigation - Not to exceed \$9,502 - Financing: Community Garden Donation Funds

Councilmember Gates requested addendum addition consent agenda item 8 be considered as an individual item later in the meeting; there was no objection voiced to her request.

Later in the meeting, addendum addition consent agenda item 8 was brought up for consideration.

Councilmember Gates moved to adopt the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0553

Addendum Addition 9: An ordinance amending Ordinance No. 29662 to change certain election day polling locations and certain early voting locations, dates, and times for the Saturday, May 9, 2015, general election - Financing: No cost consideration to the City

The city secretary read the following election day polling location changes into the record:

Precinct	Council District	County	Current Location	New Location
3011	2	Dallas	St. Edwards Catholic Church, 4033 Elm St., Dallas, TX 75226	Exall Park Recreation Center, 1355 Adair St., Dallas, TX 75204
3090	2, 7	Dallas	St. Edwards Catholic Church, 4033 Elm St., Dallas, TX 75226	Exall Park Recreation Center, 1355 Adair St., Dallas, TX 75204
1303	7	Dallas	Tosch Elem. School, 2424 Larchmont Dr., Mesquite, TX 75150	George W. Truett Elem. School, 1811 Gross Rd., Dallas, TX 75215
3027	7	Dallas	Lincoln Instructional Center, 5000 Malcolm X Blvd., Dallas, TX 75215	Lincoln High School – CHM, 2826 Elsie Faye Higgins, Dallas, TX 75215

Deputy Mayor Pro Tem Alonzo moved to adopt the item with the changes read by the city secretary.

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

Assigned ORDINANCE NO. 29692

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0554

Addendum Addition 10: A resolution approving the appointment of citizens to serve as election judges for the May 9, 2015, joint election and the June 13, 2015, runoff election, if necessary - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Alonzo announced she had a conflict of interest and would abstain from voting or participating in any discussion. Deputy Mayor Pro Tem Alonzo left the city council chamber.

Councilmember Caraway moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Griggs, Callahan absent when vote taken; Rawlings absent)

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0555

Addendum Addition 11: A resolution authorizing an increase in the joint elections agreement and election services contract between the City of Dallas and Dallas County for the May 9, 2015 general election - Not to exceed \$586,665, from \$573,814 to \$1,160,479 - Financing: Contingency Reserve Funds

Councilmember Davis moved to adopt the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0556

Addendum Addition 12: A resolution designating absences by Mayor Pro Tem Tennell Atkins, Deputy Mayor Pro Tem Monica Alonzo, Councilmember Dwaine R. Caraway and Councilmember Lee Kleinman as being for "Official City Business" - Financing: No cost consideration to the City

Prior to the item being read into the record and as discussed with the presiding officer, the city secretary announced the item would be split to two votes in order to maintain a presiding officer at the meeting. There was no objection voiced by the city council.

Deputy Mayor Pro Tem Alonzo, Councilmember Caraway and Councilmember Kleinman announced they had a conflict of interest and would abstain from voting or participating in any discussion. Deputy Mayor Pro Tem Alonzo, Councilmember Caraway and Councilmember Kleinman left the city council chamber.

The city secretary read the following item into the record for the first vote:

A resolution designating absences by ~~Mayor Pro Tem Tennell Atkins~~, Deputy Mayor Pro Tem Monica Alonzo, Councilmember Dwaine R. Caraway and Councilmember Lee Kleinman as being for "Official City Business" - Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Griggs, Callahan absent when vote taken; Rawlings absent)

Mayor Pro Tem Atkins announced he had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Atkins left the city council chamber.

The city secretary read the following item into the record for the second vote:

A resolution designating absences by Mayor Pro Tem Tennell Atkins, ~~Deputy Mayor Pro Tem Monica Alonzo, Councilmember Dwaine R. Caraway and Councilmember Lee Kleinman~~ as being for "Official City Business" - Financing: No cost consideration to the City

Councilmember Davis moved to adopt the item.

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

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0557

Addendum Addition 13: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Daniel Rivas Properties, of a subsurface easement under approximately 1,899 square feet of land located on Alcalde Street near its intersection with Victor Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,870 (\$1,170 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 13 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 Daniel Rivas Properties, a subsurface easement under approximately 1,899 square feet of land, located on Alcalde Street near its intersection with Victor Street in City of Dallas Block D/802-1/2, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0558

Addendum Addition 14: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from FRIS CHKN, LLC, of a subsurface easement under approximately 9,686 square feet of land located on Gaston Avenue at its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$26,215 (\$24,215 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds.

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 14 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 FRIS CHKN, LLC, a subsurface easement under approximately 9,686 square feet of land, located on Gaston Avenue at its intersection with Peak Street in City of Dallas Block 6/774, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0559

Addendum Addition 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 4-Golden Properties, LLC, of a subsurface easement under approximately 3,073 square feet of land located on Peak Street near its intersection with Junius Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$7,846 (\$6,146 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds.

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 15 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 4-Golden Properties, LLC, a subsurface easement under approximately 3,073 square feet of land, located on Peak Street near its intersection with Junius Street in City of Dallas Block 6/774, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0560

Addendum Addition 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James C. DeLay and Danny G. Lewis, of a subsurface easement under approximately 5,621 square feet of land located on East Side Avenue near its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$12,961 (\$10,961 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 16 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 James C. DeLay and Danny G. Lewis, a subsurface easement under approximately 5,621 square feet of land, located on East Side Avenue near its intersection with Haskell Avenue in City of Dallas Block 803-1/2, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0561

Addendum Addition 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rainier Swiss Avenue Investors, LLC, of a subsurface easement under approximately 29,401 square feet of land located on Swiss Avenue at its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$103,463 (\$99,963 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 17 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 Rainier Swiss Avenue Investors, LLC, a subsurface easement under approximately 29,401 square feet of land, located on Swiss Avenue at its intersection with Haskell Avenue in City of Dallas Block 10/740, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0562

Addendum Addition 18: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from AT&T Corp., of a subsurface easement under approximately 14,702 square feet of land located on San Jacinto Street at its intersection with Apple Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$50,046 (\$47,046 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 18 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 AT&T Corp., a subsurface easement under approximately 14,702 square feet of land, located on San Jacinto Street at its intersection with Apple Street in City of Dallas Block 4/642, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0563

Addendum Addition 19: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Bryan/Haskell, Ltd., of a subsurface easement under approximately 12,070 square feet of land located on Haskell Avenue at its intersection with Bryan Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$47,159 (\$44,659 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 19 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 Bryan/Haskell, Ltd., a subsurface easement under approximately 12,070 square feet of land, located on Haskell Avenue at its intersection with Bryan Street in City of Dallas Block 2/645, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill's motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0564

Addendum Addition 20: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Catherine L. Tan, of a subsurface easement under approximately 2,464 square feet of land located on Ross Avenue near its intersection with Caddo Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$11,117 (\$9,117 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 20 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 Catherine L. Tan, a subsurface easement under approximately 2,464 square feet of land, located on Ross Avenue near its intersection with Caddo Street in City of Dallas Block 641, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill's motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0565

Addendum Addition 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gordon W. Elden, Trustee of the Gordon W. Elden Trust, of a subsurface easement under approximately 4,515 square feet of land located on Ross Avenue near its intersection with Caddo Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$19,705 (\$16,705 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds.

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 21 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 Gordon W. Elden, Trustee of the Gordon W. Elden Trust, a subsurface easement under approximately 4,515 square feet of land, located on Ross Avenue near its intersection with Caddo Street in City of Dallas Block 641, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes:	[12]	Atkins, Alonzo, Medrano, Hill, Caraway, Davis, Kadane, Allen, Kleinman, Greyson, Gates, Kingston
Voting No:	[0]	
Absent when vote taken:	[2]	Griggs, Callahan
Absent:	[1]	Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0566

Addendum Addition 22: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Sarkis J. Kechejian Trust, of a subsurface easement under approximately 390 square feet of land located on Ross Avenue near its intersection with Caddo Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,943 (\$1,443 plus closing costs and title expenses not to exceed \$1,500) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 22 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 Sarkis J. Kechejian Trust, a subsurface easement under approximately 390 square feet of land, located on Ross Avenue near its intersection with Caddo Street in City of Dallas Blocks 641 and 1/642, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

Councilmember Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0567

Addendum Addition 23: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from DP Ross 3808 LLC, of a subsurface easement under approximately 18,412 square feet of land located on Ross Avenue at its intersection with Washington Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$71,124 (\$68,124 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary read agenda items 44-45 and addendum addition agenda items 13-23 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. Agenda Item 46 would be considered separately as Councilmember Kadane has a conflict of interest on the item. Following the reading of agenda items 44-45 and addendum addition agenda items 13-23, no council member indicated any other item(s) be pulled for individual vote.

The city secretary announced addendum addition agenda item 23 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 DP Ross 3808, LLC, a subsurface easement under approximately 18,412 square feet of land, located on Ross Avenue at its intersection with Washington Avenue in City of Dallas Block 641, 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 Hill moved to adopt agenda items 44-45 and addendum addition agenda items 13-23.

Motion seconded by Councilmember Kingston.

Mayor Pro Tem Atkins called the record vote on Councilmember Hill’s motion to adopt agenda items 44-45 and addendum addition agenda items 13-23:

Voting Yes: [12] Atkins, Alonzo, Medrano, Hill,
Caraway, Davis, Kadane, Allen,
Kleinman, Greyson, Gates, Kingston

Voting No: [0]

Absent when vote taken: [2] Griggs, Callahan

Absent: [1] Rawlings

The city secretary declared the items adopted.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 25, 2015

15-0568

DESIGNATED ZONING CASES INDIVIDUAL

Addendum Item 24: Zoning Case Z145-164(RB)

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the Subarea D-3 portion within Subdistrict D, West Mixed Use Subzone, West Zone of Planned Development District No. 305, bounded by Blackburn Street, Oak Grove Avenue, Cityplace West Boulevard, and Noble Avenue.

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

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

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

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

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

Jonathan Vinson, 6342 Vickery Blvd., representing the applicant

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

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

Assigned ORDINANCE NO. 29693

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 25, 2015

EXHIBIT C