

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 13, 2011

11-0898

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
ACTING MAYOR DWAIN CARAWAY, PRESIDING

PRESENT: [14] Caraway, Medrano, Jasso, Neumann, Hill, Salazar (\*9:27 a.m.), Davis (\*9:22 a.m.), Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt

ABSENT: [0]

VACANT: [1] Place 15

The meeting was called to order at 9:04 a.m.

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

The invocation was given by Tommy Brown, Reverend, Ervay Cedar Baptist Church.

Councilmember Natinsky led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 2:52 p.m.

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Acting Mayor

ATTEST:

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City Secretary

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 13, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 13, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0899

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: Richard Sheridan, 3022 Forest Ln.  
REPRESENTING: Some citizens  
SUBJECT: Jesus "...” a Pharisee

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Trinity River, KKK and RSR Lead

SPEAKER: Gerald Britt, 511 N. Akard St.  
REPRESENTING: Anti Poverty Coalition  
SUBJECT: Pay day loan ordinance

SPEAKER: Will McCall, 3101 Greenwood St.  
REPRESENTING: Dallas Leadership Foundation  
SUBJECT: Pay day loan/auto title loans

SPEAKER: Lisa Hembry, 816 Blaylock Dr.  
REPRESENTING: United Way Metropolitan  
SUBJECT: Pay day lending

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Martha H. Dubois, 801 S. Madison Ave.  
REPRESENTING: Notre Dame Courts & IISLC  
SUBJECT: Dangerous, vicious dog

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-0899

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**OPEN MICROPHONE – END OF MEETING – SPOKE IN THE LAST 30 DAYS:**

SPEAKER: Steve Mathis, 2543 E. Ann Arbor Ave.  
REPRESENTING: D.O.O.R.S.; Lack of African Americans  
SUBJECT: People with felonies

SPEAKER: Tamara Washington, 2514 Painted Trl.  
SUBJECT: City Spending

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.  
REPRESENTING: R.A.W. (Real American Women)  
SUBJECT: Is Roseland Home Community a prison?

SPEAKER: Cedric Steele, 1818 Corsicana St.  
REPRESENTING: Central Intelligence Agency  
SUBJECT: Thrown in the snow by Ferris State University Police Officer

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter Dr.  
SUBJECT: Change

SPEAKER: Trina Triche, 1818 Corsicana St.  
SUBJECT: Government

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0900

Item 1: Approval of Minutes of the March 9, 2011 City Council Meeting

Councilmember Neumann moved to adopt the minutes.

Motion seconded by Councilmember Kadane and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0901

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-70 and addendum addition consent agenda items 1-4, was presented for consideration.

The city secretary announced the following speaker had requested to speak on all items:

Marvin Crenshaw, 5134 Malcolm X Blvd., representing J. B. Jackson Jr., Institute

The City Secretary stated for the record that consent agenda item 38 should be corrected to state "Supplemental Agreement No. 2".

Councilmember Hill requested that consent agenda item 44 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Councilmember Margolin requested that consent agenda item 29 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Hunt requested that addendum addition consent agenda item 4 be considered as an individual item. Acting Mayor Caraway stated that addendum addition consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Neumann moved to approve all items on the consent agenda with the exception of consent agenda items 29, 44 and addendum addition consent agenda item 4 which would be considered later in the meeting.

Motion seconded by Councilmember Kadane and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0902

Item 2: Authorize **(1)** acquisition, from Jimmy Lawson Wallace and Aszeta Wallace, of approximately 6,250 square feet of land improved with a one-story single-family residence located at 3303 Edwards Avenue near its intersection with Ansley Avenue for Dallas Love Field; and **(2)** an increase in appropriations in the amount of \$102,000 in the Aviation Capital Construction Fund - Not to exceed \$102,000 (\$100,000 plus closing costs not to exceed \$2,000) - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0903

Item 3: Authorize **(1)** acquisition, from Robie Thomas, IV and Rosemary Leonard, of approximately 6,250 square feet of land improved with a one-story single-family residence located at 3305 Edwards Avenue near its intersection with Ansley Avenue for Dallas Love Field; and **(2)** an increase in appropriations in the amount of \$102,000 in the Aviation Capital Construction Fund - Not to exceed \$102,000 (\$100,000 plus closing costs not to exceed \$2,000) - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0904

Item 4: Authorize **(1)** the fifth amendment to the 1985 lease agreement with TWG Aviation, Ltd. to extend the time period to expend a \$1,000,000 capital commitment by twelve months from May 1, 2011 to May 1, 2012; **(2)** the fourth amendment to the 2007 lease agreement with TWG Aviation, Ltd to extend the time period to expend a \$2,500,000 capital commitment by twelve months from May 1, 2011 to May 1, 2012; and **(3)** the combined total capital commitment of \$3,500,000 in both leases to be expended on either the 1985 or the 2007 lease premises at Dallas Love Field - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0905

Item 5: Authorize Supplemental Agreement No. 3 to Lease No. DTFASW-06-L-00022 with the Federal Aviation Administration to extend the lease for a five-year term to September 30, 2016 for approximately 450 square feet of terminal office space at Dallas Love Field - Estimated Annual Revenue: \$4,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0906

Item 6: Authorize **(1)** a service contract with Benchmark Environmental Consultants to conduct a Wildlife Hazard Assessment study in keeping with requirements of the Federal Aviation Administration (FAA) in the amount of \$67,509 which is 75% of the estimated eligible project cost and to accept future increases up to a maximum of \$100,000 for Dallas Love Field; **(2)** establish appropriations in the Federal Aviation Administration Airport Improvement Program (AIP) Grant Fund in an amount not to exceed \$90,012; and **(3)** transfer \$22,503 which is 25% of total eligible project cost including future increases from Aviation Capital Construction Funds to FAA AIP Grant Funds - Not to exceed \$90,012 - Financing: Aviation Capital Construction Funds (\$22,503) and FAA Airport Improvement Program Grant Funds (\$67,509)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0907

Item 7: Authorize a four-year service contract to provide armed and unarmed security guards to patrol and protect City facilities - Kent Security of Texas, Inc. in the amount of \$21,476,397, Giadolor Holdings, Inc. dba Dog World Services in the amount of \$4,933,686 and Diamond Detective Agency, Inc. dba Diamond Security in the amount of \$3,275,612, lowest responsible bidders of twelve - Total not to exceed \$29,685,695 - Financing: Current Funds (\$9,999,850), Aviation Current Funds (\$2,993,813), Convention and Event Services Current Funds (\$10,062,292) and Water Utilities Current Funds (\$6,629,740) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0908

Item 8: Authorize a five-year service contract for chemicals, service and testing of the Dallas Convention Center cooling and heating hydronic systems - SWE, Inc. dba Louisiana SWE Company, lowest responsible bidder of four - Not to exceed \$120,885 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0909

Item 9: Authorize **(1)** an acquisition contract for the purchase of recreation management software for the Park and Recreation Department in the amount of \$121,148; and **(2)** a five-year service contract for maintenance and support in the amount of \$81,253 - Vermont Systems, Inc., most advantageous proposer of three - Total not to exceed \$202,401 - Financing: Recreation Center Program Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0910

Item 10: Authorize the purchase of ten power ambulance cots (patient stretchers) and accessories for Dallas Fire-Rescue - Stryker EMS, lowest responsible bidder of three - Not to exceed \$100,590 - Financing: Current Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0911

Item 11: Authorize payment of an agreed judgment in the lawsuit styled Willis Wesley, III v. City of Dallas, Cause No. 09-06752-E - \$14,554 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0912

Item 12: Authorize settlement of the lawsuit styled Cynthia Lewis v. City of Dallas and Edward Lewis Parker, Cause No. 10-06122-B - Not to exceed \$6,000 -  
Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0913

Item 13: Authorize settlement of the lawsuit styled Jose Omar Ochoa and Maria Ramos, Individually and as Parents of Daniel Omar Ochoa v. City of Dallas, Cause No. 10-16726-L - Not to exceed \$16,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0914

Item 14: Authorize Supplemental Agreement No. 1 to the professional services contract with Review Med, L.P. for additional expert witness services necessary in personal injury lawsuits and claims - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0915

Item 15: Authorize a Mutual Aid Agreement with 29 governmental agencies that participate in Disaster Assistance approved by the Dallas County Fire Chief's (DCFC) Association (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0916

Item 16: Authorize renewal of the tri-party contract grant agreement between the City of Dallas, the U.S. Department of Housing and Urban Development, and the Dallas Housing Authority for the Shelter Plus Care Grant which provides rental assistance funds to be distributed by the Dallas Housing Authority for single room occupancy of homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2011 through May 11, 2012 - Total not to exceed \$384,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0917

Item 17: Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2011 through April 30, 2012; and **(2)** execution of the grant agreement - Not to exceed \$470,880 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0918

Item 18: Authorize **(1)** a public hearing to be held on April 27, 2011 to receive comments on the proposed private sale by quitclaim deed of two unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, Inc. a qualified non-profit organization; and at the close of the public hearing, **(2)** consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0919

Item 19: Authorize the acceptance of an award from the AT&T Foundation through the Friends of the Dallas Public Library, Inc. for the Teen Center Programs - \$90,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0920

Item 20: Authorize a resolution suspending the effective date and extending the City Council's decision deadline for Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment for the period April 26, 2011 through June 10, 2011 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0921

Item 21: Authorize Redistricting Guidelines unanimously approved by the Redistricting Commission for use by the Redistricting Commission during the drawing of City Council district lines based on results of the 2010 Census - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0922

Item 22: Authorize a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period May 12, 2011 through May 11, 2012 - Total not to exceed \$219,888 - Financing: Current Funds (\$165,360) (subject to appropriations) and 2010-11 Community Development Block Grant Funds (\$54,528)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0923

Item 23: Authorize a ten-year development and maintenance agreement, with a ten-year renewal option, with the White Rock Lake Conservancy for the construction of the White Rock Lake Centennial Donor Brick Recognition Plaza at White Rock Lake Park located at 8300 Garland Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0924

Item 24: Authorize a contract for erosion control improvements at Turtle Creek Parkway located from Maple Avenue to Lemmon Avenue - Ark Contracting Services, LLC, best value proposer of seven - Not to exceed \$653,085 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0925

Item 25: Authorize an increase in the contract with Ark Contracting Services, LLC for modifications to the wave structures and spectator seating; additional access routes and steps to the water; and boulder weirs for the Trinity Standing Wave located at 1900 East Eighth Street - Not to exceed \$192,249, from \$4,028,199 to \$4,220,448 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0926

Item 26: Authorize **(1)** the first twenty-four month renewal option to the consultant contract with URS Corporation for program management support services related to the implementation of the Love Field Modernization Program and associated Love Field Capital Projects in an amount not to exceed \$4,396,715; and **(2)** an increase in appropriations in the amount of \$4,396,715 in the Aviation Capital Construction Fund for the renewal option and other contract administration costs - Total not to exceed \$4,396,715 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0927

Item 27: Authorize a new ten-year master agreement with Dallas County governing major transportation capital improvement projects - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0928

Item 28: Authorize a license agreement with ONCOR for the joint use of ONCOR right-of-way to construct and maintain the proposed Spring Valley Road/Coit Road pedestrian amenities from the northwest corner of Haymeadow Drive and Coit Road (Preston Ridge Trail trailhead) along the east side of Coit Road to the southwest corner of Maham Road and Spring Valley Road (Cottonwood Trail trailhead) along the north side of Spring Valley Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0929

Item 29: Authorize an amendment to the Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation to authorize the City to mow, clean, and control litter on state highway rights-of-way (list attached) - Financing: No cost consideration to the City

Councilmember Margolin requested that consent agenda item 29 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Later in the meeting, consent agenda item 29 was brought up for consideration.

Councilmember Margolin moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0930

Item 30: Authorize a construction services contract with Denco CS Construction for the Traffic Management Center alterations at Dallas City Hall located at 1500 Marilla Street - Not to exceed \$221,329 - Financing: TxDOT Transportation Advance Management System Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0931

**Phase IV of the Katy Trail Extension**

**Note:** Item Nos. 31, 32 and 33  
must be considered collectively.

Item 31: Authorize **(1)** a contract with The Fain Group, Inc., lowest responsible bidder of nine, for the construction of Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station in an amount not to exceed \$3,945,824; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$2,425,112; and **(3)** an increase in appropriations in the amount of \$2,425,112 in the Capital Projects Reimbursement Fund - Total not to exceed \$3,945,824 - Financing: 2003 Bond Funds (\$1,520,713) and Capital Projects Reimbursement Funds (\$2,425,112)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0932

**Phase IV of the Katy Trail Extension**

**Note:** Item Nos. 31, 32 and 33  
must be considered collectively.

Item 32: Authorize payment to the Texas Department of Transportation for the City's share of engineering and contingency costs for Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station - Not to exceed \$151,333 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0933

**Phase IV of the Katy Trail Extension**

**Note:** Item Nos. 31, 32 and 33  
must be considered collectively.

Item 33: Authorize license agreements with Dallas Area Rapid Transit and Oncor for the use of their rights-of-way to construct and maintain the proposed Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0934

Item 34: Authorize **(1)** a professional services contract with Halff Associates, Inc. for engineering design and planning services for the Dallas Executive Airport Master Drainage and Grading Plan in an amount not to exceed \$498,000; and **(2)** an increase in appropriations in the amount of \$548,000 in the Aviation Capital Construction Fund - Not to exceed \$498,000 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0935

Item 35: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 06-452; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on May 25, 2011 to receive comments (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0936

Item 36: Authorize an amendment to Resolution No. 10-2358, previously approved on September 22, 2010, to: **(1)** increase the construction contract with Johnson Controls, Inc. for the Dallas Convention Center located at 650 South Griffin Street in the amount of \$56,678, from \$15,513,302 to \$15,569,980; and **(2)** correct the remaining term of the Performance Assurance Support Services agreement from 4 to 5 years in the amount of \$188,330, from \$538,373 to \$726,703 - Total not to exceed \$245,008, from \$16,051,675 to \$16,296,683 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0937

Item 37: Authorize (1) an increase in the construction contract with MACVAL Associates, LLC for additional work for the Taxi Cab Holding Area at Dallas Love Field in an amount not to exceed \$113,923, from \$791,473 to \$905,396; and (2) an increase in appropriations in the amount of \$318,202 in the Aviation Capital Construction Fund for construction, testing and other contract administration costs - Not to exceed \$113,923 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0938

Item 38: Authorize Supplemental Agreement No. 1 to the design-build contract with CORE Construction Services of Texas, Inc. for the construction of Fire Station No. 50 located at 841 South Walton Walker Boulevard - Not to exceed \$3,463,160, from \$447,200 to \$3,910,360 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0939

Item 39: Authorize Supplement Agreement No. 2 to the professional services contract with Teague Nall and Perkins, Inc. for additional survey services for Bexar Street from Brigham Lane to Myrtle Street and Henderson Avenue from Winslow Avenue to Oleander Street - Not to exceed \$62,612, from \$221,170 to \$283,782 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0940

Item 40: Authorize Supplement Agreement No. 4 to the professional services contract with Lina T. Ramey & Associates, Inc. for additional engineering and survey services for Bexar Street - Phase III, from Municipal Street to the levee - Not to exceed \$38,370, from \$212,401 to \$250,771 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0941

Item 41: Authorize Supplemental Agreement No. 5 to the professional services contract with HNTB Corporation to provide additional engineering services for geotechnical investigation, environmental studies and documentation, traffic signal study and plans, development of a catalog of standard corridor urban design and engineering treatments/standards for roadway lighting, and Flooded Roadway Warning System plan details for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - Not to exceed \$272,037, from \$5,018,335 to \$5,290,372 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0942

Item 42: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mary Banks Jordan of approximately 1,243 square feet of land located near Burbank Street and Thurston Drive for the Burbank Street Improvements Project - Not to exceed \$10,089 (\$8,589 plus closing costs not to exceed \$1,500) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0943

Item 43: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Margaret Marie Giddens and Charles A. Johnson of approximately 5,146 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$6,703 (\$5,403 plus closing costs not to exceed \$1,300) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0944

Item 44: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John H. Adams and Dolly D. Adams of approximately 11,669 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$14,752 (\$12,252 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

Councilmember Hill requested that consent agenda item 44 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Later in the meeting, consent agenda item 44 was brought up for consideration.

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

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Jasso and unanimously adopted. (Hill abstain; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0945

Item 45: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ola V. Turner, The Estate of Fred Aman Woodward, Mary Lee Woodward, Betty Jean Woodward, Carol Ann Woodward, John Blenn Woodward and Olan Ray Woodward of approximately 16,343 square feet of land located near the intersection of Garden Grove Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$15,000 (\$11,440 plus closing costs not to exceed \$3,560) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0946

Item 46: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Pecan Creek (Mesquite) Homeowners' Association, Inc. of approximately 187,175 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$22,000 (\$18,718 plus closing costs not to exceed \$3,282) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0947

Item 47: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lonnie Frank Smith and Carol Parrish Smith of approximately 46,014 square feet of land located near the intersection of Belt Line Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$26,000 (\$23,007 plus closing costs not to exceed \$2,993) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0948

Item 48: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Macario Contreras and Marcela Banuelos of approximately 67,141 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$46,141 (\$43,641 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0949

Item 49: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ridge South Dallas I, LLC of approximately 107,840 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$118,232 (\$113,232 plus closing costs not to exceed \$5,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0950

Item 50: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Milton Lloyd Hill and Audrey Janette Hill of approximately 43,429 square feet of improved land located near the intersection of Ravenview and Belt Line Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$146,000 (\$140,000 plus closing costs not to exceed \$6,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0951

Item 51: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charles Dwain Blakely of approximately 194,742 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$250,000 (\$243,743 plus closing costs not to exceed \$6,257) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0952

Item 52: A resolution declaring 12 City-owned tracts of land as unwanted and unneeded and authorizing their advertisement for sale by sealed bid with no minimum bid specified (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0953

Item 53: A resolution declaring a total of approximately 29,718 square feet of undevelopable City-owned land unwanted and unneeded located in the City of Carrollton, Texas, and authorizing its sale to Dallas Pistol Club, Inc., the abutting owner - Revenue: \$2,147

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0954

Item 54: Authorize moving expense and rental assistance payments for Marcelo DeLeon Ortiz, Rosalinda Herrera and Everardo DeLeon in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 809 Pontiac Avenue for future City facilities - Not to exceed \$14,571 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0955

Item 55: Authorize moving expense and rental assistance payments for Maria Alvarez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2963 Gloyd Street for future City facilities - Not to exceed \$24,056 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0956

Item 56: An ordinance granting a private license to the FC Continental Complex, L.P. for the use of a total of approximately 158 square feet of land to install, use and maintain two subsurface ventilation shafts under portions of St. Paul Street near its intersection with Commerce and Jackson Streets - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28151

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0957

Item 57: An ordinance abandoning two water easements, three drainage easements, and ten sanitary sewer easements to The Board of Regents of The University of Texas System, the abutting owner, containing a total of approximately 45,665 square feet of land located near the intersection of Harry Hines Boulevard and Record Crossing Road - Revenue: \$19,800 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28152

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0958

Item 58: An ordinance abandoning a portion of Irving Boulevard to Texas Pine H Company, L.L.C., the abutting owner, containing approximately 3,169 square feet of land located near its intersection with Motor Street and authorizing the quitclaim - Revenue: \$60,211 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28153



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0959

Item 59: Authorize a contract between the City and Oncor Electric Delivery Company to relocate a portion of the existing East Levee Norwood 138 kilovolt transmission line from the Sylvan Bridge to a point near Irving Boulevard and Regal Row and to consolidate the relocated line with the new West Levee Norwood 345 kilovolt transmission line - Not to exceed \$2,400,000 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0960

Item 60: Authorize a contract for the construction of erosion control improvements for 6707 Cliffwood Drive and 2617 Blackstone Drive - ABC Retaining Wall, lowest responsible bidder of seven - Not to exceed \$150,000 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0961

Item 61: Authorize Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc., to complete the design of an 875,000 gallons per minute pump station, to add items associated with the sump improvements and to comply with Federal Emergency Management Agency's redundancy requirements for pump stations of Levee Drainage System, Sump A Improvements - Not to exceed \$5,052,772, from \$4,333,000 to \$9,385,772 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0962

Item 62: Authorize Supplemental Agreement No. 2 to the professional services contract with GSWW, a division of Burgess and Niple, Inc., for the engineering design of flood gates for West Northwest Highway at Tulane Boulevard and erosion control improvements for residential properties located at 3908 and 3918 Vinecrest Drive and 3809 Sleepy Lane - Not to exceed \$75,750, from \$175,880 to \$251,630 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0963

Item 63: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Brian Giles of two tracts of land containing a total of approximately 1,030 square feet located on Patrick Drive near its intersection with Blessing Drive for the installation of drainage improvements for the Rush Creek Flood Protection and Storm Drainage Improvement Project - Not to exceed \$6,000 (\$3,743 plus closing costs not to exceed \$2,257) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0964

Item 64: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mary Massie of two tracts of land containing a total of approximately 3,063 square feet located at the intersection of Patrick and Blessing Drives for the installation of drainage improvements for the Rush Creek Flood Protection and Storm Drainage Improvement Project - Not to exceed \$14,500 (\$13,094 plus closing costs not to exceed \$1,406) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0965

Item 65: Authorize an actual reasonable moving and related expenses non-residential payment for Gatlin Motors, who will be displaced as a direct result of real property acquisition of the property at 6506 South Great Trinity Forest Way, to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$85,000 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0966

Item 66: Authorize an actual reasonable moving and related expenses non-residential payment for McDaniel Motors, who will be displaced as a direct result of property acquisition of the property at 6510 South Great Trinity Forest Way, to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$131,383 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0967

Item 67: Authorize an actual reasonable moving and related expenses-nonresidential payment for the rental division of CMC Concrete Accessories, Inc., who will be displaced as a direct result of real property acquisition of the property at 2331 Irving Boulevard, to be used in conjunction with the Baker Pump Station Project - Not to exceed \$155,468 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0968

Item 68: Authorize settlement in lieu of proceeding with condemnation of an unimproved tract of land containing approximately 7,000 square feet from Alan Coleman and Latese Coleman located on Colonial Avenue near its intersection with Starks Avenue for the Trinity Parkway - Not to exceed \$17,500 (\$15,000 plus closing costs not to exceed \$2,500) - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0969

Item 69: Authorize a contract for the installation of water and wastewater mains at 18 locations (list attached) - P & E Contractors, Inc., lowest responsible bidder of eleven - Not to exceed \$4,499,953 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0970

Item 70: Authorize the City Manager to execute an agreement granting a license to the Trinity River Authority for the purpose of operating a liquid ferrous sulfate storage and feed system on City property at the Elm Fork Treatment Plant - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0971

Item 71: 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)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0972

Item 72: Consideration and appointment of members to the Dallas Area Rapid Transit Board of Directors for Places 3, 4, 5, 6, 7, and 8 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

Councilmember Koop moved to reappoint the following individuals to the Dallas Area Rapid Transit (DART) Board of Directors, with the terms to expire June 30, 2013, as recommended by the City Council Transportation and Environment Committee:

- Place 04 - Claude R. Williams, Jr.
- Place 05 - Pamela Dunlop Gates
- Place 06 - Mingtzong "William" Tsao
- Place 07 - William M. Velasco, II
- Place 08 - Jerry L. Christian, Sr.

Motion seconded by Councilmember Hill and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

DESIGNATED PUBLIC SUBSIDY MATTERS

11-0973

Item 73: Authorize a release of lien on real property located at 1844 South Boulevard, Dallas, Texas, 75215 held as collateral for a loan made by the South Dallas/Fair Park Trust Fund to 1 Tax Man, Inc., (hereafter Tax Man) - Financing: No cost consideration to the City

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

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

Councilmember Davis moved to adopt the item.

Motion seconded by Councilmember Jasso and Councilmember Atkins and unanimously adopted. (Hill, Salazar, Allen absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0974

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 74: Authorize on-site reconstruction of ten homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 1533 Maywood Avenue in the amount of \$93,400; 2831 Burger Avenue in the amount of \$93,400; 2002 Idaho Avenue in the amount of \$93,400; 1119 Bonnie View Road in the amount of \$93,400; 3307 Jerome Street in the amount of \$93,400; 2331 Hudspeth Avenue in the amount of \$93,400; 418 Bonnie View Road in the amount of \$93,400; 3230 Reynolds Avenue in the amount of \$93,400; 4109 Marshall Drive in the amount of \$93,400; and 3529 Cauthorn Drive in the amount of \$93,400 - Total amount not to exceed \$934,000 - Financing: 2009-10 Community Development Block Grant Reprogramming Funds (\$467,000), 2009-10 HOME Investment Partnership Program Grant Funds (\$280,200) and 2010-11 HOME Investment Partnership Program Grant Funds (\$186,800)

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

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

Councilmember Davis moved to adopt the item.

Motion seconded by Councilmember Jasso and Councilmember Atkins and unanimously adopted. (Place 15 vacant)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0975

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 75: Authorize the execution of a conditional grant agreement from the City Center Tax Increment Financing (TIF) District Fund to Hamilton Atmos LP for conversion of the vacant office building located at 1900 Jackson Street into 107 affordable residential units and residential amenities, 53 parking spaces located in the basements of 1900 Jackson Street and 1815 Wood Street, and streetscape and repair of all first floor windows and store fronts in the entire Atmos complex located at 1900 Jackson Street, 1815 Wood Street, 1915 Wood Street, and 301 South Harwood Street - Not to exceed \$1,500,000 - Financing: City Center TIF District Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Acting Mayor Caraway 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 Hunt moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Atkins and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0976

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 76–86, was presented for consideration.

Agenda items 76, 77 and 85 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 76 Zoning Case Z090-175(RB) [considered individually]~~  
~~Agenda item 77 Zoning Case Z090-257(WF) [considered individually]~~  
Agenda item 78 Zoning Case Z101-119(MG)  
Agenda item 79 Zoning Case Z101-135(MW)  
Agenda item 80 Zoning Case Z101-137(JH)  
Agenda item 81 Zoning Case Z101-138(MW)  
Agenda item 82 Zoning Case Z101-140(MG)  
Agenda item 83 Zoning Case Z101-141(MW)  
Agenda item 84 Zoning Case Z101-142(JH)  
~~Agenda item 85 Zoning Case Z101-150(JH) [considered individually]~~  
Agenda item 86 Zoning Case Z101-152(JH)

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

Councilmember Neumann 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 Atkins and unanimously adopted. (Hill, Salazar, Natinsky, Hunt absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0977

Item 76: Zoning Case Z090-175 (RB)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

Councilmember Atkins requested that zoning consent item 76 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 76 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

A public hearing was called on zoning case Z090-175(RB), an application for and an ordinance granting an amendment to the Tract IIA portion of Planned Development District No. 598 for property along the south line of Wheatland Road, east of Hampton Road

(The staff and city plan commission recommended Approval, subject to a Tract IIA development plan, Tract IIA landscape plan, and conditions)

Councilmember Atkins moved to close the public hearing and approve the item per the City Plan Commission's recommendation, subject to a revised Tract IIA development plan, Tract IIA landscape plan and conditions, with the ordinance returning on a future agenda upon submittal of the revised plans.

Motion seconded by Councilmember Hill and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0978

Item 77: Zoning Case Z090-257 (WE)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

Councilmember Margolin requested that zoning consent item 77 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 77 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

A public hearing was called on zoning case Z090-257(WE), an application for and an ordinance granting a Specific Use Permit for a cemetery or mausoleum on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and an ordinance granting the termination of a portion of Special Use Permit No. 113 on the south corner of Howell Street and Lemmon Avenue

(The staff and city plan commission recommended Approval, for a permanent time period, subject to a site plan and conditions and approval of the termination of a portion of Specific Use Permit No. 113)

Appearing in opposition to the city plan commission's recommendation:

Tamara Washington, 2814 Painted Trl.

Appearing in favor of the city plan commission's recommendation:

Peter Kavanagh, 1620 Handley, representing the applicant

Councilmember Margolin moved to close the public hearing, follow the city plan commission's recommendation and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill, Salazar, Natinsky, Hunt absent when vote taken; Place 15 vacant)

Assigned ORDINANCE NOS. 28154 AND 28155

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0979

Item 78: Zoning Case Z101-119 (MG)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-119(MG), an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use limited to a Class A dance hall on property zoned a CS Commercial Service District, on the east side of North Stemmons Freeway, north of Regal Row

(The staff and city plan commission recommended Approval, for a three-year period with eligibility for automatic renewals for five-year periods, subject to a site plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28156

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0980

Item 79: Zoning Case Z101-135 (MW)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-135(MW), an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an LO-3 Limited Office-3 District with deed restrictions on the north side of West Illinois Avenue, between South Vernon Avenue and Wynnewood Drive

(The staff and city plan commission recommended Approval, for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, a traffic management plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28157

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0981

Item 80: Zoning Case Z101-137 (JH)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-137(JH), 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 use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay on the east side of Beltline Road, south of Seagoville Road

(The staff and city plan commission recommended Approval, for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28158

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0982

Item 81: Zoning Case Z101-138 (MW)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-138(MW), an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the southwest corner of East Illinois Avenue and Julius Schepps Freeway

(The staff and city plan commission recommended Approval, subject to deed restrictions volunteered by the applicant)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28159



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0983

Item 82: Zoning Case Z101-140 (MG)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-140(MG), an application for and a resolution accepting the termination of deed restrictions limiting motor vehicle and related uses on property zoned MU-3 Mixed use District on the south line of Forest Lane, at the intersection of Forest Lane and Interstate 635 (LBJ)

(The staff and city plan commission recommended approval)

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

Adopted as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0984

Item 83: Zoning Case Z101-141 (MW)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-141 (MW), an application for and an ordinance granting a Specific Use Permit for a metal salvage facility on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District on the southeast corner of Cartwright Street and Richey Street

(The staff and city plan commission recommended Approval for a two-year period subject to a site plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28160

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0985

Item 84: Zoning Case Z101-142 (JH)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-142 (JH), an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use for a dance hall on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay on the northeast side of C.F. Hawn Freeway, southeast of Edd Road

(The staff and city plan commission recommended Approval for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28161

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0986

Item 85: Zoning Case Z101-150 (JH)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

Councilmember Jasso requested that zoning consent item 85 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 85 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Jasso's request.

A public hearing was called on zoning case Z101-150(JH), an application for and an ordinance granting a D-1 Dry 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 use 3,500 square feet or less on property zoned CR Community Retail District with a D Dry Liquor Control Overlay at the northwest corner of West Jefferson Boulevard and North Brighton Avenue

(The staff and city plan commission recommended Approval of the D-1 Dry Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions)

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

Councilmember Jasso moved to continue the public hearing and hold under advisement until the June 22, 2011 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Salazar, Natinsky absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0987

Item 86: Zoning Case Z101-152 (JH)

The consent zoning docket, consisting of agenda items 76-86, was presented for consideration.

A public hearing was called on zoning case Z101-152 (JH), an application for and an ordinance granting for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay on the south side of Scyene Road, west of Sam Houston Road

(The staff and city plan commission recommended Approval for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28162

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0988

Item 87: Zoning Case Z090-230 (RB) - INDIVIDUAL

A public hearing was called on zoning case Z090-230(RB), an application for and an ordinance granting a Specific Use Permit for a Bail bonds office on property zoned as Planned Development District No. 784, the Trinity River Corridor Special Purpose District, at the southeast corner of Reunion Boulevard and the Riverfront Boulevard

(The staff recommended Approval for a two-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions and city plan commission recommended Approval for a three-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions)

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

Appearing in favor of the city plan commission's recommendation:

Santos T. Martinez, 900 Jackson, representing the applicant

Deputy Mayor Pro Tem Medrano moved to close the public hearing, follow the city plan commission's recommendation for approval with the following change:

- Adopting the recommendation of the city plan commission with eligibility for automatic renewal for additional three-year period, instead of the two-year period.

and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted. (Salazar, Natinsky absent when vote taken; Place 15 vacant)

Assigned ORDINANCE NO. 28163

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0989

Item 88: Zoning Case Z090-124 (RB) – UNDER ADVISEMENT - INDIVIDUAL

Theresa O'Donnell, director of sustainable development and construction , reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of sustainable development and construction.

A public hearing was called on zoning case Z090-124 (RB), an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for an Outside salvage or reclamation use on property zoned an IR Industrial Research District on the north line of Singleton Boulevard, east of Pluto Street

(The staff recommended Approval of an IM Industrial Manufacturing District, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions and city plan commission recommended Approval of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions)

Note: This item was considered by the City Council at public hearings on November 10, 2010 and January 12 and March 9, 2011, and was taken under advisement until April 13, 2011, with the public hearing open.

Appearing in opposition to the city plan commission's recommendation:

Luis Sepulveda, 5105 Goodman, representing West Dallas Coalition for Justice

Fred Karr, 4025 Singleton Blvd.

Leslie Allen Davis, 3035 E. Ledbetter Dr.

James Cornelius, 1601 Elm St., representing West Dallas 126

Richard Sheridan, 3022 Forest Lane

Appearing in favor of the city plan commission's recommendation:

Santos T. Martinez, 900 Jackson St., representing the applicant

Councilmember Salazar moved to close the public hearing and approve the item per the city plan commission and staff recommendations with the ordinance and deed restrictions returning on a future agenda with the following changes:

Specific Use Permit:

- Require all dismantling to be in an enclosed structure.
- Limit stacking height to 8 feet on a majority of the plan development. One area allows 10 feet in height.
- Solid screening around the site.
- Landscaping per Article X.
- Time period 2 years with automatic renewal for additional 3-year periods.

Deed Restrictions:

- Limits uses to those permitted in the existing zoning plus the salvage use.
- Removes the flea market use currently permitted on the site.

Motion seconded by Councilmember Hill.

After discussion, Councilmember Salazar moved to amend the original motion to the Specific Use Permit time period from 2 years with automatic renewal for additional 3-year periods to 5 years with no automatic renewal.

Councilmember Hill, who seconded the original motion, also accepted Councilmember Salazar's amendment and unanimously adopted. (Place 15 vacant)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0990

Item 89: Zoning Case Z090-239 (WE) – UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z090-239(WE), an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District on the southeast corner of Marine Way and Stillwell Boulevard

Note: This item was considered by the City Council at public hearings on February 23 and March 9, 2011, and was taken under advisement until April 13, 2011, with the public hearing open.

(The staff and city plan commission recommended Approval)

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

Councilmember Salazar moved to continue the public hearing and remand the item back to the city plan commission with instructions to staff to allow the applicant to amend the application to:

- 1) increase the area under consideration to incorporate the adjoining lot to the south that fronts on the Walton Walker Service Road; and
- 2) request Commercial Service zoning.

The applicant shall pay any additional fees required to amend the application to incorporate deed restrictions.

Motion seconded by Councilmember Atkins and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0991

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

Item 90: A public hearing to receive comments regarding an amendment to Chapter 51A, "Dallas Development Code", Section 51A-105.102, of the Dallas City Code, to adopt the Denton County Flood Insurance Rate Maps which become effective on April 18, 2011, as a requirement of the Federal Emergency Management Agency; and at the close of the hearing, consideration of an ordinance authorizing the adoption of the Denton County Flood Insurance Rate Maps - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Salazar, Natinsky absent when vote taken; Place 15 vacant)

Assigned ORDINANCE NO. 28164

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0992

Item 91: A public hearing to receive comments regarding an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Telephone Road from Unnamed SE4 to Bonnie View Road from a six-lane divided roadway (S-6-D) within 107 feet of right-of-way to a four-lane divided roadway (S-4-D) within 80 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Hill and unanimously adopted. (Salazar, Natinsky absent when vote taken; Place 15 vacant)

Assigned ORDINANCE NO. 28165

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0993

Item 92: A public hearing to receive comments regarding an amendment to the City of Dallas Thoroughfare Plan to delete Shorecrest Drive between Harry Hines Boulevard and Regal Row, a four-lane undivided roadway (M-4-U) within 60 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Place 15 vacant)

Assigned ORDINANCE NO. 28166

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0994

Item 93: A public hearing to receive comments on Substantial Amendment No. 2 for the proposed use of the FY 2010-11 Consolidated Plan Reprogramming Budget No. 2 Community Development Block Grant-Recovery (CDBG-R) funds; and at the close of the hearing, authorize final adoption of the FY 2010-11 Consolidated Plan Reprogramming Budget No. 2 CDBG-R funds - Financing: No cost consideration to the City

No one addressed the city council on the item.

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

Motion seconded by Councilmember Allen and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0995

Item 94: 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 Cedar Springs Investments, LLC located near the intersection of Cedar Springs Road and Manor Way and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Qualex, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The City Secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

Cindy Bishop, Environmental Attorney, 1601 Elm St., representing the applicant

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Place 15 vacant)

**(Note: Mitch Zimmerman, professional geoscientist, was present but did not speak before the city council.)**

Assigned ORDINANCE NO. 28167

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0996

Item 95: A public hearing to receive comments regarding adoption of the Downtown Dallas 360 Plan, which establishes a vision and a strategic action plan for the core downtown area in relation to the supporting districts surrounding it, and a resolution adopting the plan - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

John Crawford, 2200 Ross, President of Downtown Dallas, Inc.

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

Motion seconded by Hill and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0997

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Reinvestment Zone and Business Personal  
Property Tax Abatement Authorization**

**Note:** Item Nos. 96, 97, 98 & 99  
must be considered collectively.

Item 96: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 75, incorporating 18 acres of property located at 3333 Dan Morton Drive in Dallas, for the purpose of granting economic development incentives to WhiteWave Foods Company and/or Dean Foods Company - Financing: No cost consideration to the City

Item 97: An ordinance designating the 18 acres of property located at 3333 Dan Morton Drive in Dallas as City of Dallas Reinvestment Zone No. 75 for the purpose of granting economic development incentives to WhiteWave Foods Company and/or Dean Foods Company, establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Acting Mayor Caraway 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 Natinsky announced he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Natinsky left the city council chamber.

The following individual addressed the city council regarding the item:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

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

Motion seconded by Councilmember Atkins and Councilmember Koop and unanimously adopted. (Natinsky abstain; Place 15 vacant)

Assigned ORDINANCE NO. 28168



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0998

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Reinvestment Zone and Business Personal  
Property Tax Abatement Authorization**

**Note:** Item Nos. 96, 97, 98 & 99  
must be considered collectively.

Item 98: Authorize a 90 percent business personal property tax abatement agreement for 10 years with WhiteWave Foods Company and/or Dean Foods Company located on 18 acres of property located at 3333 Dan Morton Drive in Dallas - Revenue: First year revenue estimated at \$19,367; ten-year revenue estimated at \$185,998 (Estimated revenue foregone for ten-year business personal property tax abatement estimated at \$1,673,964)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Acting Mayor Caraway 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 Natinsky announced he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Natinsky left the city council chamber.

The following individual addressed the city council regarding the item:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

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

Motion seconded by Councilmember Atkins and Councilmember Koop and unanimously adopted. (Natinsky abstain; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-0999

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Reinvestment Zone and Business Personal  
Property Tax Abatement Authorization**

**Note:** Item Nos. 96, 97, 98 & 99  
must be considered collectively.

Item 99: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with WhiteWave Foods Company associated with the location/expansion of the company's operation in Dallas - Not to exceed \$250,000 - Financing: Public/Private Partnership Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Acting Mayor Caraway 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 Natinsky announced he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Natinsky left the city council chamber.

The following individual addressed the city council regarding the item:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

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

Motion seconded by Councilmember Atkins and Councilmember Koop and unanimously adopted. (Natinsky abstain; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-1000

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 100: A public hearing to receive comments on a City of Dallas proposal to submit an amended application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$11,750,000 to fund a loan for Hamilton Atmos LP for development of the Atmos Lofts project to convert 3 vacant commercial buildings located at 301 South Harwood Street, 1915 Wood Street, and 1815 Wood Street into a mixed-use project including 9,500 square feet of bottom floor retail space, 123 apartment homes above the retail space with 63 apartment units deed restricted for 15 years for affordability to families with incomes at 80% or less of Area Median Family Income as established by HUD, and 199 parking spaces and to fund property acquisition, sitework, housing rehabilitation, and interest reserve; and at the close of the public hearing, authorize **(1)** submission of an amended application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Hamilton Atmos LP in an amount not to exceed \$11,750,000; and **(2)** the City Manager to submit the application and take necessary actions in connection with the application submission - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Acting Mayor Caraway 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 Hunt moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Salazar and Councilmember Atkins and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-1001

Addendum addition 1: Authorize **(1)** an agreement with the Federal Aviation Administration for design review and engineering services in support of the following projects at Dallas Love Field: improvements to the runway safety area; Taxiway M glide slope antenna relocation; and a stormwater drainage project associated with the Airport Air Traffic Control Tower in the amount of \$458,813; and **(2)** an increase in appropriations in the amount of \$458,813 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Not to exceed \$458,813 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$216,101) and Aviation Passenger Facility Charge Funds (\$242,712)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-1002

Addendum addition 2:           An ordinance amending Chapter 15A of the Dallas City Code to: **(1)** define terms; and **(2)** clarify which persons are restricted from making campaign contributions during specified time periods relating to designated zoning cases, designated public subsidy matters, and city contracts -  
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28169

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-1003

Addendum addition 3: Authorize **(1)** a contract between the City and Oncor Electric Delivery Company (Oncor) to relocate and raise an existing 138 kilovolt electric transmission line tower on Oncor's Parkdale-Industrial Line in the amount of \$86,000; **(2)** the execution of a license agreement with Oncor to allow the City of Dallas to construct, install and maintain a hike and bike trail for general public use of the property for recreational purposes; and **(3)** the execution of an Encroachment on Easement Agreement with Oncor to allow the City to construct, install and maintain a hike and bike trail consisting of an improved surface and related Oncor approved landscaping, signage and facilities on the easement area for use by the general public for recreational purposes only within the area or boundaries of the easement - Not to exceed \$86,000 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-1004

Addendum addition 4: Authorize **(1)** acceptance of a grant of \$5,000,000 from the Trinity Trust Foundation for the design of the IH30 Bridge Pedestrian and Bicycle Components; **(2)** execution of the grant agreement; **(3)** an increase in appropriations in the IH30 Bridge Donation Fund in the amount of \$5,000,000; and **(4)** a professional services contract with Santiago Calatrava, LLC to provide engineering and design services for the IH30 Bridge Pedestrian and Bicycle Components in an amount not to exceed \$10,688,500 - Total not to exceed \$10,688,500 - Financing: IH30 Bridge Donation Funds (\$7,188,500) and 2006 Bond Funds (\$3,500,000)

Councilmember Hunt requested that addendum addition consent agenda item 4 be considered as an individual item. Acting Mayor Caraway stated that addendum addition consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting addendum addition consent agenda item 4 was brought up for consideration.

Councilmember Neumann moved to adopt the item.

Motion seconded by Councilmember Salazar.

After discussion, Acting Mayor Caraway called the vote on Councilmember Neumann's motion:

Voting Yes: [13] Caraway, Medrano, Jasso, Neumann, Hill, Salazar, Davis, Atkins, Kadane, Allen, Koop, Natinsky, Margolin  
Voting No: [1] Hunt  
Vacant: [1] Place 15

Acting Mayor Caraway declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 13, 2011

11-1005

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 5: Authorize a public hearing to be held on April 27, 2011 to receive comments to consider an amendment to the Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: **(1)** increase the total Cityplace Area TIF budget from \$22,046,000 NPV (\$42,744,026 total dollars) to \$22,230,084 NPV (\$43,275,414 total dollars), an increase of \$184,084 NPV (\$531,388 total dollars); **(2)** increase the Street, Utility, Intersection Improvements Budget Line Item from \$7,339,091 NPV (\$21,536,501 total dollars) to \$7,523,175 NPV (\$22,067,889 total dollars), an increase of \$184,084 NPV (\$531,388 total dollars); and **(3)** update Table 2 - Budget for Cityplace Area Infrastructure Improvements to reflect these amendments under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the public hearing, consideration of an ordinance amending Ordinance Nos. 21465 and 21769 to reflect these amendments - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Acting Mayor Caraway 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 Atkins moved to close the public hearing.

Motion seconded by Councilmember Davis and Councilmember Koop and unanimously adopted.



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 13, 2011

EXHIBIT C