

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 27, 2011

11-1100

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

PRESENT: [14] Caraway, Medrano, Jasso, Neumann, Hill (\*9:34 a.m.), Salazar (\*9:30 a.m.), Davis, Atkins (\*9:22 a.m.), Kadane, Allen, Koop (\*9:48 a.m.), Natinsky, Margolin, Hunt (\*9:17 a.m.)

ABSENT: [0]

VACANT: [1] Place 15

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

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

The invocation was given by Councilmember Kadane.

Councilmember Davis 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 2:02 p.m.

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Acting Mayor

ATTEST:

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Assistant 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 27, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 27, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1101

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: Teddy Hawkins, 2504 Pine St.  
REPRESENTING: Rochester Park Community Action Program  
SUBJECT: Renaming of Rochester Park

SPEAKER: Barbara Grimes, 319 Konawa Dr.  
REPRESENTING: Pleasant Grove Neighborhood  
SUBJECT: Streets; neighborhood in general

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: James Russell, 2810 Ripplewood Dr., **Garland, TX**  
SUBJECT: Housing for the homeless

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

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

SPEAKER: Gwain Wooten, 1000 Grigsby  
REPRESENTING: R. A. W.  
SUBJECT: What is a coodatah?

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1102

Item 1: Approval of Minutes of the April 13, 2011 City Council Meeting

Councilmember Kadane moved to adopt the minutes.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Hill, Salazar, Koop, Hunt absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1103

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-47, and addendum addition consent agenda items 1-7, was presented for consideration.

The assistant city secretary announced Councilmember Salazar had deferred consideration of consent agenda item 5 until the next voting meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Jasso requested that consent agenda item 6 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 6 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Jasso's request.

Councilmember Salazar 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 Salazar's request.

Councilmember Atkins requested that consent agenda item 6 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 6 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Kadane requested that consent agenda item 20 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

Councilmember Neumann moved to adopt all items on the consent agenda with the exception of consent agenda items 5, 6, 20 and addendum addition consent agenda 4 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1104

Item 2: Authorize a one-year master agreement for ferrous sulfate and ferrous chloride to be used by Water Utilities - Pencco, Inc. in the amount of \$1,528,000 and OFS, Inc. in the amount of \$13,500, lowest responsible bidders of four - Total not to exceed \$1,541,500 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1105

Item 3: Authorize a two-year master agreement for the purchase of furniture for the Women, Infants and Children's Program - BKM Total Office of Texas, LLC., through the National Joint Powers Alliance contract and the Texas Multiple Award Schedule contract - Not to exceed \$475,000 - Financing: Texas Department of State Health Services Grant Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1106

Item 4: Authorize (1) a three-year master agreement for lawn irrigation parts and supplies with Horizon Distributors, Inc. in the amount of \$890,000; and (2) a three-year service contract for the repair of sprinkler and irrigation systems at City facilities with V. L. & I., Inc. dba Urban Landscaping & Irrigation in the amount of \$172,155, lowest responsible bidders of three - Total not to exceed \$1,062,155 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1107

Item 5: Authorize (1) a three-year master agreement for parts to repair and maintain City vehicles and equipment with Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$1,832,500, Park Cities Ford Lincoln Mercury in the amount of \$976,000, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$628,000, North Central Ford in the amount of \$370,000, The Around the Clock Freightliner Group, LLC in the amount of \$270,000, Dallas Dodge Chrysler Jeep in the amount of \$235,000, Uni-Select, Inc. in the amount of \$186,866, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$175,000, Wheeled Coach Ambulance Sales & Service in the amount of \$131,000, Friendly Chevrolet in the amount of \$109,305, CLS Sewer Equipment Co., Inc. in the amount of \$10,000 and H. D. Industries, Inc. in the amount of \$2,500; and (2) a three-year service contract for repair of City vehicles and equipment with AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$841,250, Dallas Dodge Chrysler Jeep in the amount of \$451,500, Grand Prairie Ford, LP in the amount of \$428,023, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$286,950, Four Brothers Outdoor Power in the amount of \$161,625, AG-Power, Inc. in the amount of \$111,545, Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$57,544, CLS Sewer Equipment Co., Inc. in the amount of \$17,440, Landmark Equipment Co., Inc. in the amount of \$10,350, H. D. Industries, Inc. in the amount of \$5,600 and Metro Golf Cars in the amount of \$4,373, lowest responsible bidders of twenty-two - Total not to exceed \$7,302,371 - Financing: Current Funds (\$7,227,371) and Water Utilities Current Funds (\$75,000) (subject to annual appropriations)

The assistant city secretary announced Councilmember Salazar deferred consent agenda item 5 in accordance with Subsection 7.11 of the City Council Rules of Procedures.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1108

Item 6: Authorize a three-year master agreement for employee uniforms and safety shoes for civilian City employees - Promotional Designs, Inc. in the amount of \$4,535,979, Work Wear Safety Shoes in the amount of \$852,800, C & G Police Supply dba C & G Wholesale in the amount of \$44,100, Regali, Inc. in the amount of \$40,700, Lehigh Outfitters, LLC in the amount of \$12,500 and Fisher Scientific Company, LLC in the amount of \$1,500, lowest responsible bidders of ten - Total not to exceed \$5,487,579 - Financing: Current Funds (\$3,236,398), Water Utilities Current Funds (\$2,040,999), Aviation Current Funds (\$124,908) and Convention and Event Services Current Funds (\$85,274)

Councilmember Jasso and Councilmember Atkins requested that consent agenda item 6 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 6 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Jasso and Councilmember Atkins' request.

Later in the meeting, consent agenda item 6 was brought up for consideration.

Councilmember Atkins moved to postpone the item until the June 22, 2011 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1109

Item 7: Authorize a three-year master agreement for pipe - Hanson Pipe Products, Inc. in the amount of \$2,382,525, Rinker Materials in the amount of \$437,337 and D-Arrowhead Construction, LLC in the amount of \$436,700, lowest responsible bidders of three - Total not to exceed \$3,256,562 - Financing: Current Funds (\$437,337) and Water Utilities Current Funds (\$2,819,225)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1110

Item 8: Authorize a three-year service contract for inspections, preventive maintenance, diagnostic testing and repair services of electric switchgear and motors - Shermco Industries, Inc. in the amount of \$2,060,246 and Allen's Electric Motor Service, Inc. in the amount of \$1,395,335, lowest responsible bidders of three - Total not to exceed \$3,455,581 - Financing: Stormwater Drainage Management Funds (\$1,395,335) and Water Utilities Current Funds (\$2,060,246) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1111

Item 9: Authorize a three-year service contract for language interpretation services for the Dallas Police Department - Language Line Services, Inc. through Texas Department of Information Resources contract - Not to exceed \$89,050 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1112

Item 10: Authorize a three-year service contract for pump maintenance, repair and overhaul services for Trinity Watershed Management - Allen's Electric Motor Service, Inc., most advantageous proposer of three - Not to exceed \$1,353,330 - Financing: Stormwater Drainage Management Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1113

Item 11: Authorize (1) the establishment of appropriations for the Federal Aviation Administration Airport Improvement Program Grant Funds in the amount of \$1,000,000; and (2) the purchase of a 1986 replacement aircraft rescue and fire fighting vehicle and an airport striper for Aviation and a wheel loader for Trinity Watershed Management with Rosenbauer America dba General Safety Equipment, LLC. in the amount of \$892,506, M-B Companies, Inc. in the amount of \$259,885 and Kirby-Smith Machinery, Inc. in the amount of \$149,990, lowest responsible bidders of six - Total not to exceed \$1,302,381 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$892,506), Aviation Current Funds (\$259,885) and Stormwater Drainage Management Funds (\$149,990)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1114

Item 12: Authorize (1) approval of 5 development plans submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat for the construction of affordable houses; (2) the sale of 30 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and (3) execution of a release of lien for any non-tax liens that may have been filed by the City (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1115

Item 13: Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2010 through September 30, 2011 - Not to exceed \$45,615, from \$15,623,130 to \$15,668,745 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1116

Item 14: Authorize an amendment to Resolution No. 10-2994, previously approved on December 8, 2010, to revise the original budget and establish two positions funded by the grant in the amount of \$291,690 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1117

Item 15: Authorize the third amendment to the contract with the Dallas Museum of Art, a Texas nonprofit corporation, to: (1) extend the term of the contract for the period May 1, 2011 through April 30, 2021; and (2) update the terms of insurance and liability for the term of the agreement - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1118

Item 16: Authorize a public hearing to be held on May 25, 2011 to receive comments in preparation of the FY 2011-12 Operating, Capital, Grant, and Trust budgets -  
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1119

Item 17: Authorize (1) a public hearing to be held on May 25, 2011 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law; and at the close of the hearing, (2) approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1120

Item 18: Authorize a contract for a new tennis center pro shop at Samuell-Grand Tennis Center located at 6200 East Grand Avenue - RoeschCo Construction, Inc., best value proposer of eight - Not to exceed \$935,695 - Financing: Samuell Expendable Funds (\$100,000) and 2006 Bond Funds (\$835,695)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1121

Item 19: Authorize a contract for playground expansion or replacements at Cochran Park located at 2600 North Henderson Avenue, John C. Phelps Park located at 3000 Tips Boulevard, Moore Park located at 1900 East Eighth Street and Wonderview Park located at 2704 Wonderview Way - A S Con, Inc., lowest responsible bidder of nine - Not to exceed \$325,540 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1122

Item 20: Authorize Supplemental Agreement No. 1 to the First Amended Arboretum and Botanical Society Contract "Master Agreement" with the Dallas Arboretum and Botanical Society, Inc. for the construction, development and maintenance of The Rory Meyers Children's Adventure Garden at the Dallas Arboretum located at 8525 Garland Road - Financing: No cost consideration to the City

Councilmember Kadane requested that consent agenda item 20 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

Later in the meeting, consent agenda item 20 was brought up for consideration.

Councilmember Kadane moved to adopt the item subject to the following amendments, due to last-minute revisions required by the Dallas Arboretum and Botanical Society:

**Remove the following four (4) deal points:**

- Dallas Arboretum and Botanical Society will relocate their horticultural facilities to the Park and Recreation Department District 1 White Rock Lake Service Center, which is an existing 4-acre site near Sunset Inn.
- City will relocate the White Rock Lake Service Center operations to a temporary facility, until such time it permanently moves to the site currently known as the Jules Muchert Army Reserve Center. The timeframe for this move is anticipated to be 2012.
- Dallas Arboretum and Botanical Society will pay all reasonable relocation costs, rental costs, and all other costs for City's move to the temporary facility.
- Dallas Arboretum and Botanical Society will pay stipend for lease vehicle to transport City staff to and from the White Rock Lake Service Center through FY 2011-12.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1123

Item 21: Authorize Supplemental Agreement No. 1 to the professional services contract with Jacobs Engineering Group, Inc. for schematic design through construction administration services for renovation and expansion of the off-leash dog park to include drainage improvements, landscaping, irrigation, kiosk, furnishings and signage located at Mockingbird Point at White Rock Lake Park located at 7700 Mockingbird Lane - Not to exceed \$185,235, from \$43,270 to \$228,505 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1124

Item 22: Authorize a Local Agreement with the Collin County Criminal District Attorney to share a 80/20 percent split of the proceeds received by the Collin County Criminal District Attorney for asset seizures and forfeitures under Chapter 59 of the Texas Code of Criminal Procedure for the period beginning April 28, 2011, unless terminated by either the District Attorney or the City of Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1125

Item 23: Authorize an application for the eleventh-year continuation of the Dallas Police Department Victim Services grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims, for the period September 1, 2011 through August 30, 2012 - Not to exceed \$52,381 (local match in an amount not to exceed \$15,909 will be required if awarded) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1126

Item 24: Authorize an application for the continuation of the Commercial Auto Theft Interdiction Squad/19 grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile burglary and theft program for the period September 1, 2011 through August 31, 2012 - Not to exceed \$630,715 (a local match in the amount of \$130,074 and an in-kind contribution in the amount of \$520,665 will be provided as required by the Dallas Police Department if grant is awarded) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1127

Item 25: Authorize (1) the application for and acceptance of the "Click It or Ticket" Mobilization grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period March 1, 2011 through September 30, 2011 in the amount of \$39,978; (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$11,314; and (3) execution of the grant agreement - Total not to exceed \$51,292 - Financing: Current Funds (\$11,314) and Texas Department of Transportation Grant Funds (\$39,978)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1128

Item 26: Authorize a contract with Camino Construction, L.P., lowest responsible bidder of ten, for the construction of paving, drainage and streetscape improvements including sidewalks, curb and gutter, barrier free ramps, water and wastewater mains for North Bishop Avenue from West Neely Street to West Colorado Boulevard - Not to exceed \$2,678,104 - Financing: 2006 Bond Funds (\$2,122,483), Water Utilities Capital Construction Funds (\$5,540) and Water Utilities Capital Improvement Funds (\$550,081)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1129

Item 27: Authorize (1) an increase in the design/build contract with C.D. Henderson Construction Group, LLC for additional work for the General Aviation customs facility located at 7777 Lemmon Avenue at Dallas Love Field in an amount not to exceed \$47,801, from \$92,797 to \$1,040,598; and (2) an increase in appropriations in the amount of \$47,801 in the Aviation Capital Construction Fund - Not to exceed \$47,801 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1130

Item 28: Authorize Supplemental Agreement No. 2 to the design-build contract with Schneider Electric Buildings Americas, Inc. to provide construction services for controls, lighting, and mechanical retrofits to nine City facilities (list attached) - Not to exceed \$2,384,656, from \$1,318,180 to \$3,702,836 - Financing: U.S. Department of Energy Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1131

Item 29: Authorize an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide funding for the update of all overhead sign panels on freeway exits to Cesar Chavez Boulevard within the TxDOT rights-of-way - \$80,345 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1132

Item 30: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Heirs at Law of H. L. Hunter, of approximately 6,585 square feet of land located near the intersection of Corregidor and Dutch Harbor Streets for the Street Realignment and Connection between Luzon Street and Corregidor Street Project - Not to exceed \$11,500 (\$10,000 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 27, 2011

11-1133

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Soon A. Song and Hyun Jin Park of approximately 27,559 square feet of land located near the intersection of Seagoville Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$16,767 (\$14,267 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 27, 2011

11-1134

Item 32: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Betty Sue Paschall Lewis, Clyde Wesley Paschall, Jr. and Martha Kay Paschall of approximately 9,534 square feet of land located near the intersection of Quietwood Drive and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$26,500 (\$23,835 plus closing costs not to exceed \$2,665) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1135

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Matthew M. Smith and Barbara G. Smith of three tracts of land containing a total of approximately 35,349 square feet of land located near the intersection of Seagoville Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$406,000 (\$400,000 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 27, 2011

11-1136

Item 34: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Pan Coastal Limited PS of approximately 2,736 square feet of land improved with paved parking located near the intersection of Central Expressway Boulevard and Pacific Avenue for the Central Expressway Reconstruction from Commerce to Live Oak Project - Not to exceed \$115,500 (\$110,000 plus closing costs not to exceed \$5,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1137

Item 35: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from FTL Associates LTD of approximately 4,500 square feet of land improved with paved parking located near the intersection of Central Expressway Boulevard and Pacific Avenue for the Central Expressway Reconstruction from Commerce to Live Oak Project - Not to exceed \$155,500 (\$150,000 plus closing costs not to exceed \$5,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1138

Item 36: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Park-A-Lot, LP of approximately 4,500 square feet of land improved with paved parking located near the intersection of Central Expressway Boulevard and Pacific Avenue for the Central Expressway Reconstruction from Commerce to Live Oak Project - Not to exceed \$245,500 (\$240,000 plus closing costs not to exceed \$5,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1139

Item 37: Authorize the execution of Quitclaim Deeds for 3118 Birmingham Avenue and 2717 Clarence Street, acquired by the taxing entities (the City of Dallas; the State of Texas; the County of Dallas; and the Dallas Independent School District) from a Sheriff's Sale to the Dallas Independent School District for \$3,900 and \$24,480, respectively - Revenue: \$28,380

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1140

Item 38: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 29,795 square feet from Rosendo Roel located near the intersection of Interstate Highway 20 and Lawson Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$183,770 (\$178,770 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 27, 2011

11-1141

Item 39: Authorize moving expense and replacement housing payments for Jose Reyes and Lucia Reyes in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 718 LaSalle Drive for future City facilities - Not to exceed \$33,900 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1142

Item 40: An ordinance repealing Ordinance No. 21980, previously granted to Jungle, Inc., and consolidating this use into a new license to Yale Central LLC, the current owner, for the continued use of the existing licensed wooden deck being utilized as a sidewalk café, and to install and maintain an arbor over the existing wooden deck on a portion of Yale Boulevard right-of-way located near its intersection with Worcola Street - Revenue: \$2,295 annually, \$1,000 one-time fee plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28170

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1143

Item 41: An ordinance amending Ordinance No. 28062, which abandoned portions of a water main easement, a drainage easement, three storm sewer easements, Redfield Street, Lofland Street, Tex-Oak Avenue, a street easement and an alley located near the intersection of Harry Hines Boulevard and Lofland Street to Dallas County Hospital District d/b/a Parkland Health and Hospital System, to extend the final replat and dedication requirement from 180 days to 360 days - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28171

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1144

Item 42: An ordinance abandoning a portion of a floodway easement to William E. Meyer, the abutting owner, containing approximately 16,325 square feet of land located near the intersection of Lakehill Court and Inwood Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28172

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1145

Item 43: An ordinance abandoning Hanszen Street to Dallas Zoological Society, the abutting owner, containing approximately 18,448 square feet of land located near the intersection of Hanszen and Ewing Streets and authorizing the quitclaim - Revenue: \$40,907 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28173



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1146

Item 44: Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the purchase of digital aerial orthophotography, of areas in and around the City of Dallas - Not to exceed \$45,135 - Financing: Stormwater Drainage Management Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1147

Item 45: Authorize an Advanced Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and adjustments in Sylvan Avenue from Irving Boulevard to Gallagher Street - Not to exceed \$117,803 - Financing: Water Utilities Capital Improvement Funds (\$109,928) and Water Utilities Capital Construction Funds (\$7,875)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1148

Item 46: Authorize a contract for bank stabilization and water transmission main repairs generally along Simpson Stuart Road and the Trinity River from east of State Highway 310 (Central Expressway) to Murdock Road - DCI Contracting, Inc. lowest responsible bidder of seven - Not to exceed \$3,705,675 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1149

Item 47: Authorize a contract for the installation of water and wastewater mains, large water valve replacements, and corrosion prevention at 94 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of six - Not to exceed \$8,972,766 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1150

Item 48: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The assistant city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2009-2011 board term updated through APRIL 27, 2011.

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

Councilmember Kadane moved to appoint Jeffery "Jeff" Sullivan, Business owner in South Dallas/Fair Park area, to the South Dallas/Fair Park Trust Fund Board.

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

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

**11-5157 SDF SOUTH DALLAS/FAIR PARK TRUST FUND BOARD**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1151

Item 49: A resolution authorizing an amendment of the appointment of citizens to serve as election judges for the City of Dallas in Dallas, Denton, Rockwall and Collin Counties for the May 14, 2011 joint general election - Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Hill, Salazar, Koop, Natinsky absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1152

Item 50: An ordinance amending Ordinance No. 28148 to change certain election day polling and early voting locations for the May 14, 2011 general election, for the purpose of electing the Mayor and 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 for the term beginning June 27, 2011 - Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the item and pass the ordinance.

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

Assigned ORDINANCE NO. 28174

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1153

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 51: Authorize an amendment to Resolution No. 06-1483, previously approved on May 24, 2006, to modify the By-Laws for Tax Increment Financing Zone Number Fourteen (Skillman Corridor TIF District) to: (1) provide for a position on the Design Review Committee for a representative of the Lake Highlands Public Improvement District and any additional public improvement districts that may be established within the TIF District boundary in the future; (2) acknowledge Dallas County Hospital District's waiver of their appointee to the Skillman Corridor TIF District Board of Directors and to increase the number of City Council appointed Board of Directors from five to six; and (3) approve the corresponding changes to the By-Laws of the Skillman Corridor TIF District Board of Directors - 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 Allen moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1154

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 52: Authorize an amendment to the Reconstruction/SHARE loans previously approved on June 23, 2010 by Resolution No. 10-1658; to change the awarded reconstruction contractor of two homes located at 5180 Lauderdale Street the amount of the loan not to exceed \$93,400, of which \$22,508 has been expended with a balance of \$70,892; and 2616 Eugene Street the amount of the loan not to exceed \$93,400, of which \$65,820 has been expended with a balance of \$27,580 - 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 Kadane moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1155

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 53: Authorize (1) the acceptance of \$1,250,000 in court ordered restitution funds to provide for affordable housing; (2) an increase in appropriations in Non-Departmental in an amount not to exceed \$1,250,000, from \$30,666,114 to \$31,916,114; and (3) an amendment to Resolution No. 08-1400, previously approved on May 14, 2008, to: (a) increase the conditionally forgivable loan amount by \$1,522,000 on an existing economic development loan with Jubilee Park and Community Center Corporation (JPCCC) for the acquisition of improved and unimproved properties bounded by Stonewall Street, I-30 Freeway, Bank Street, and East Grand, including associated closing costs, relocation, environmental remediation, demolition, and development costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the area; and at the completion of development, (b) allow the transfer of the redeveloped property and deed restrictions to the Dallas Housing Finance Corporation - Not to exceed \$1,522,000, from \$500,000 to \$2,022,000 - Financing: Current Funds (\$1,250,000) and 2006 Bond Funds (\$272,000)

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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1156

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

Agenda item 55, 56, 59 and 64 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 54: Zoning Case Z090-218(RB)  
~~Agenda item 55: Zoning Case Z101-110(WE) [considered individually]~~  
~~Agenda item 56: Zoning Case Z101-122(MG) [considered individually]~~  
Agenda item 57: Zoning Case Z101-125(WE)  
Agenda item 58: Zoning Case Z101-129(WE)  
~~Agenda item 59: Zoning Case Z101-132(RB) [considered individually]~~  
Agenda item 60: Zoning Case Z101-143(JH)  
Agenda item 61: Zoning Case Z101-147(MW)  
Agenda item 62: Zoning Case Z101-148(MG)  
Agenda item 63: Zoning Case Z101-156(WE)  
~~Agenda item 64: Zoning Case Z101-157(WE) [considered individually]~~  
Agenda item 65: Zoning Case Z101-158(WE)  
Agenda item 66: Zoning Case Z101-180(MW)  
Agenda item 67: Zoning Case Z101-155(WE)

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

Councilmember Davis 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 Salazar and unanimously adopted. (Natinsky absent when vote taken; Place 15 vacant)

Later in the meeting, Councilmember Davis moved to reconsider the previous vote on the consent zoning docket so that zoning consent agenda item 55 could be considered as an individual item.

Motion seconded by Councilmember Salazar.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1156

Page 2

After further discussion, Acting Mayor Caraway called the vote on Councilmember Davis' motion to reconsider the zoning consent agenda so that zoning consent agenda item 55 could be considered as an individual item.

Acting Mayor Caraway declared the motion to reconsider the consent zoning docket adopted, and that zoning consent agenda item 55 was before the city council for reconsideration. (Atkins, Natinsky absent when vote taken; Place 15 vacant)

Councilmember Davis 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 Salazar and unanimously adopted. (Natinsky absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1157

Item 54: Zoning Case Z090-218(RB)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z090-218(RB), an application for a WMU-5 Walkable Mixed Urban Use District on property zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595 on two separate parcels: (1) northwest line of Park Row Avenue between J. B. Jackson Boulevard and Trunk Avenue, and (2) northwest line of Grand Avenue between Fourth Avenue and Trunk Avenue, and an application for a WR-5 Walkable Urban Residential District on property zoned as an MF-1(A) Subdistrict within Planned Development District No. 595 on two separate parcels: (1) southeast line of Elihu Street south of Fourth Avenue, and (2) northwest line of Elihu Street south of Fourth Avenue

(The staff and city plan commission recommended Approval, subject to a Shopfront (SH) Overlay on part of Parcel A and all of Parcel B, and a Height Modification (HM) Overlay on Parcels B, C, and D)

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 27, 2011

11-1158

Item 55: Zoning Case Z101-110(WE)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-110(WE), an application for and an ordinance granting a Specific Use Permit for a vehicle storage lot within Planned Development District No. 323, the Urbandale Area Special Purpose District, on the southeast line of Forney Road, between Peachtree Street and Lawnview Avenue

(The staff and city plan commission recommended Approval for a three-year time period with eligibility for automatic renewals for additional three-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.

Later in the meeting, Councilmember Davis moved to reconsider the previous vote on the consent zoning docket so that zoning consent agenda item 55 could be considered as an individual item.

Motion seconded by Councilmember Salazar.

After further discussion, Acting Mayor Caraway called the vote on Councilmember Davis' motion to reconsider the zoning consent agenda so that zoning consent agenda item 55 could be considered as an individual item.

Acting Mayor Caraway declared the motion to reconsider the consent zoning docket adopted, and that zoning consent agenda item 55 was before the city council for reconsideration. (Atkins, Natinsky absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1158

Page 2

Councilmember Davis moved to continue the public hearing and hold under advisement until the May 25, 2011 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1159

Item 56: Zoning Case Z101-122(MG)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

Councilmember Koop requested that zoning consent item 56 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

A public hearing was called on zoning case Z101-122(MG), an application for and an ordinance granting an RR Regional Retail District on property zoned Planned Development District No. 22 and a resolution accepting deed restrictions volunteered by the applicant on the west line of Preston Road, south of Alpha Road

(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.

Councilmember Koop moved to continue the public hearing and hold under advisement until the May 25, 2011 voting agenda meeting of the city council.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1160

Item 57: Zoning Case Z101-125(WE)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-125(WE), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge, or tavern on property within Subdistrict C of the West Mixed Use Sub-zone of Planned Development District No. 305, the City Place Planned Development District, in an area generally bounded by Cole Avenue, East Lemmon Avenue, McKinney Avenue and southwest of Blackburn Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28175

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1161

Item 58: Zoning Case Z101-129(WE)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-129(WE), an application for and an ordinance granting an amendment to the deed restrictions of Tract B on property zoned an RR Regional Retail District on the north line of R. L. Thornton Freeway, east of Buckner Boulevard (Loop 12)

(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 27, 2011

11-1162

Item 59: Zoning Case Z101-132(RB)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

Councilmember Neumann requested that zoning consent item 59 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 59 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

A public hearing was called on zoning case Z101-132(RB), an application for and an ordinance granting an amendment to Specific Use Permit No. 1746 for a Community service center on property zoned a CR Community Retail District and an R-5(A) Single Family District, on the southeast corner of Westmoreland Road and Angelina Drive

(The staff and city plan commission recommended Approval, subject to a site plan and conditions)

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

Councilmember Neumann moved to close the public hearing and follow the city plan commission's recommendation to adopt the item with the following changes:

- Replace the city plan commission approved revised site plan with a new revised site plan that shows floor area of 13,047 square feet.

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

Assigned ORDINANCE NO. 28176

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1163

Item 60: Zoning Case Z101-143(JH)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-143(JH), an application for and an ordinance granting a Specific Use Permit for a restaurant without drive in or drive through service on property zoned an NO(A) Neighborhood Office District on the southeast corner of Harvest Hill Road and the Dallas North Tollway

(The staff recommended Approval for a 10-year period with eligibility for automatic renewal of additional 10-year periods, subject to a site plan and conditions and city plan commission recommended Approval for a 20-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. 28177

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1164

Item 61:               Zoning Case Z101-147(MW)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-147(MW), an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center on property zoned an IR Industrial Research District on the northeast corner of Joseph Hardin Drive and Mint Way

(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. 28178

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1165

Item 62: Zoning Case Z101-148(MG)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-148(MG), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 682 for a public school other than an open enrollment charter school and MF-2(A) Multifamily District uses on property zoned Planned Development District No. 682 and an MF-2(A) Multifamily District with a Dry Liquor Control Overlay on a portion and generally bound by Beckley Avenue, Storey Street, 8<sup>th</sup> Street, Patton Avenue, the alley south of East 10<sup>th</sup> Street excluding the lot on the southwest corner of East 10<sup>th</sup> Street, Patterson Avenue and an area on the northeast corner of Patton Avenue and East 10<sup>th</sup> Street

(The staff and city plan commission recommended Approval, subject to a development/landscape plan, circulation plan and conditions with retention of the dry liquor Control Overlay on a portion)

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. 28179

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1166

Item 63: Zoning Case Z101-156(WE)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-156(WE), an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store or food store less than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northeast corner of Kleberg Road and South Belt Line Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28180

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1167

Item 64: Zoning Case Z101-157(WE)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

Councilmember Neumann requested that zoning consent item 64 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

A public hearing was called on zoning case Z101-157(WE), 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 store or food store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D liquor Control Overlay on the northwest corner of West Kiest Boulevard and South Cockrell Hill Road

(The staff and city plan commission recommended Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions)

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

Councilmember Neumann moved to close the public hearing and adopt the change of zoning from CR-D to CR-D-1 and specific use permit No. 1842 with the following change:

- This specific use permit automatically terminates on April 27, 2013.

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

Assigned ORDINANCE NOS. 28181 AND 28182



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1168

Item 65: Zoning Case Z101-158(WE)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-158(WE), an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store or food store less than 3,500 square feet on property within Subdistrict-2 of Planned Development District 535, the C.F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay on the northeast corner of C. F. Hawn Freeway and South Masters Drive

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28183

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1169

Item 66: Zoning Case Z101-180(MW)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-180(MW), an application for and an ordinance granting the renewal of Specific Use Permit No. 1634 for a Private School on property zoned an R-16(A) Single Family District on the north side of Churchill Way, east of Preston Road

(The staff and city plan commission recommended Approval, for a five-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. 28184

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1170

Item 67: Zoning Case Z101-155(WE)

The consent zoning docket, consisting of agenda items 54-67, was presented for consideration.

A public hearing was called on zoning case Z101-155(WE), an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the southwest corner of the Great Trinity Forest Way (Loop 12) and Murdock Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28185

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1171

Item 68: Zoning Case Z090-255(WE) DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z090-255(WE), to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an MU-3 Mixed Use District on the southeast corner of the North Central Expressway and SMU Boulevard

(The staff and city plan commission recommended Approval, of a Planned Development District for mixed uses, subject to a conceptual plan, Subarea 1 development plan, Subarea 2 development plan and conditions)

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

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 pass the ordinance.

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

Assigned ORDINANCE NO. 28186

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1172

Item 69: Zoning Case Z090-255(WE) DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z090-255(WE), to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 145 (Historic Overlays Nos. 18 and 44 on a portion), with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations on property generally bounded by Routh Street, Ross Avenue, St. Paul Street, and Woodall Rodgers Frontage Road and an ordinance granting the amendment to Planned Development District No. 145

(The staff and city plan commission recommended Approval, subject to conditions)

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

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

Gwain Wooten, 1000 Grigsby

Veletta Forsythe Lill, 622 Blair Blvd., representing Dallas Arts District

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 amendments to Planned Development District No. 145 with the new Section 51P-145.104(l) to read as follows:

- 1) A mobile food establishment is permitted only on private property or as part of a special event permit.
- 2) A mobile food establishment must comply with all of the requirements of Chapter 17, "Food Establishments," of the Dallas City Code.

and pass the ordinance.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1172

Page 2

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

Assigned ORDINANCE NO. 28187

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1173

Item 70: Zoning Case Z090-256(WE) DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z090-256(WE), to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 708, with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations on property generally bounded by Ross Avenue, Routh Street, Central Expressway, and Woodall Rodgers Frontage Road and an ordinance granting the amendment to Planned Development District No. 708

(The staff and city plan commission recommended Approval, subject to conditions)

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

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 amendments to Planned Development District No. 708 with the new Section 51P-708.104(p) to read as follows:

- 1) A mobile food establishment is permitted only on private property or as part of a special event permit.
- 2) A mobile food establishment must comply with all of the requirements of Chapter 17, "Food Establishments," of the Dallas City Code.

and pass the ordinance.

Motion seconded by Councilmember Jasso and Councilmember Davis and unanimously adopted. (Natinsky absent when vote taken; Place 15 vacant)

Assigned ORDINANCE NO. 28188

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1174

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Cityplace Area TIF District**

**Note:** Item Nos. 71 and 72  
must be considered collectively.

Item 71: A public hearing to receive comments on 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) - Financing: No cost consideration to the City

Item 72: An ordinance amending Ordinance Nos. 21465 and 21769, passed on November 11, 1992 and August 11, 1993, respectively, 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) - Not to exceed \$531,388 - Financing: Cityplace Area TIF District Funds



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1174

Page 2

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."

The following individual addressed the city council regarding the item:

Gwain Wooten, 1000 Grigsby

Councilmember Hunt moved to close the public hearing and pass the ordinance

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

Assigned ORDINANCE NO. 28189

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1175

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Cityplace Area TIF District**

**Note:** Item Nos. 73 and 74  
must be considered collectively.

Item 73: Authorize (1) a development agreement with JLB Cityplace, L.P. to dedicate future TIF revenues supporting the development of Cityplace Tract 6C located at 3925 North Central Expressway located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and (2) the Cityplace Area TIF District Board of Directors to dedicate up to \$815,930 from future Cityplace Area TIF District revenues in accordance with the development agreement - Not to exceed \$815,930 - Financing: Cityplace Area 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 Davis and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1176

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Cityplace Area TIF District**

**Note:** Item Nos. 73 and 74  
must be considered collectively.

Item 74: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to reimburse JLB Cityplace, L.P. for eligible expenditures pursuant to the development agreement with JLB Cityplace, L.P. - 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 adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1177

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Cityplace Area TIF District**

**Note:** Item Nos. 75 and 76  
must be considered collectively.

Item 75: Authorize **(1)** a development agreement with Cityville Dallas Haskell Limited Partnership to dedicate future TIF revenues supporting the Cityville Cityplace development at 2600 North Haskell Avenue located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$813,979 from Cityplace Area TIF District revenues in accordance with the development agreement - Not to exceed \$813,979 - Financing: Cityplace Area 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1178

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Cityplace Area TIF District**

**Note:** Item Nos. 75 and 76  
must be considered collectively.

Item 76: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to reimburse Cityville Dallas Haskell Limited Partnership for eligible expenditures pursuant to the development agreement with Cityville Dallas Haskell Limited Partnership - 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1179

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 77: A public hearing 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, authorize **(1)** the private sale under the HB110 process through the Land Transfer Program, as provided for by Section 253.010 of the Texas Local Government Code, 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 **(2)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$2,000

The following individual addressed the city council regarding the item.

Gwain Wooten, 1000 Grigsby

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 Deputy Mayor Pro Tem Medrano and Councilmember Hill and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

Closed Session [**11-1180**]

6ES

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

- United States of America ex rel. Douglas Moore, et al. v. City of Dallas, et al.,  
Civil Action No. 3:09-CV-1452-O

At 9:48 a.m., Acting Mayor Caraway announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matter:

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

- United States of America ex rel. Douglas Moore, et al. v. City of Dallas, et al.,  
Civil Action No. 3:09-CV-1452-O

Acting Mayor Caraway reconvened the city council meeting after the closed session and lunch at 1:00 p.m. No other matters were discussed during the closed session. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1181

Addendum addition 1:        A resolution designating an absence by Councilmember  
Linda Koop as being for "official city business" - Financing:  
No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1182

Addendum addition 2: Authorize **(1)** the acceptance of a grant from the U. S. Department of Justice to provide re-entry services (pre-release and post-release) to adult and juvenile ex-offenders, ages 18 years and older for the period October 1, 2010 through September 30, 2011; **(2)** the acceptance of a local match from the Communities Foundations of Texas in an amount not to exceed \$375,000; **(3)** the establishment of two positions funded by the grant; and **(4)** execution of the grant agreement - Not to exceed \$1,125,000 - Financing: U. S. Department of Justice Grant Funds (\$750,000) and Communities Foundations of Texas Grant Funds (\$375,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1183

Addendum addition 3: Authorize a contract for security fencing and site furnishings at Benito Juarez Parque de Heroes located at 3352 North Winnetka Avenue - Pecos Fence Co., Inc., lowest responsible bidder of seven - Not to exceed \$61,320 - Financing: 2009-10 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1184

Addendum addition 4: Authorize a contract for grading and utilities, soccer fields, parking, drives, lighting, vending and toilet pavilions, loop trail, irrigation, landscaping, fencing and site furnishings for the Elm Fork Athletic Complex located at 2200 block of Walnut Hill Lane - Rogers-O'Brien Construction Company, Ltd., best value proposer of seven - Not to exceed \$11,743,012 - Financing: 2006 Bond Funds (\$11,243,012) and Texas Parks and Wildlife Grant Funds (\$500,000)

Councilmember Salazar 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 Salazar's request.

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

Councilmember Salazar moved to postpone the item until the May 11, 2011 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1185

Addendum addition 5: Authorize an Interlocal Agreement with the North Central Texas Council of Governments and Dallas Area Rapid Transit to detail agency roles and responsibilities related to the financial commitment for operation and maintenance of the TIGER Grant Streetcar Project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1186

Addendum addition 6: An ordinance abandoning portions of Shelley Drive and slope and drainage easements to DNGC Member Club, Inc., the abutting owner, containing a total of approximately 261,755 square feet of land located near the intersection of Duncanville Road and Keeneland Parkway and authorizing the quitclaim - Revenue: \$72,700 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28190

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1187

Addendum addition 7: 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 - Z090-124 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NOS. 28191 AND 28192

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1188

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 8: Authorize an economic development loan agreement with Lakewest ALF Realty, LLC related to the development of a senior assisted living center located at 2696 Bickers Street, Dallas, Texas 75212, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Loan Program - Not to exceed \$1,500,000 - 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 Neumann moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Kadane and unanimously adopted. (Hill, Koop absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1189

DESIGNATED PUBLIC SUBSIDY MATTERS

**Home Depot U.S.A., Inc.**

**Note:** Addendum Item Nos. 9, 10, 11 and 12 must be considered collectively.

Addendum addition 9: Authorize a public hearing to be held on May 25, 2011 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 76 located at 2320 Beckleymeade Avenue, Dallas, Texas; and at the close of the hearing, consideration of (1) an ordinance creating City of Dallas Reinvestment Zone No. 76; and (2) a 75 percent business personal property tax abatement for ten years with Home Depot U.S.A., Inc. and PR Crow I-20 II LLP - 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 adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1190

DESIGNATED PUBLIC SUBSIDY MATTERS

**Home Depot U.S.A., Inc.**

**Note:** Addendum Item Nos. 9, 10, 11 and 12 must be considered collectively.

Addendum addition 10: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with PR Crow I-20 II LLP for the expansion of a distribution facility located at 2320 Beckleymeade Avenue and associated public and private improvements including the construction of portions of Daniieldale Road - Not to exceed \$2,475,000 - Financing: 2006 Bond 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 Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1191

DESIGNATED PUBLIC SUBSIDY MATTERS

**Home Depot U.S.A., Inc.**

**Note:** Addendum Item Nos. 9, 10, 11 and 12 must be considered collectively.

Addendum addition 11: Authorize **(1)** a Project Supplemental Agreement to the Master Agreement with Dallas County for design and construction of drainage, paving, street light and traffic light improvements for Daniieldale Road Project; **(2)** the receipt and deposit of funds in an amount not to exceed \$1,300,000 in the Capital Projects Reimbursement Fund from Dallas County; and **(3)** an increase in appropriations in the amount not to exceed of \$1,300,000 in the Capital Projects Reimbursement Fund - 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 adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1192

DESIGNATED PUBLIC SUBSIDY MATTERS

**Home Depot U.S.A., Inc.**

**Note:** Addendum Item Nos. 9, 10, 11 and 12 must be considered collectively.

Addendum addition 12: Authorize **(1)** a Participation Agreement with PR Crow I-20 II LLP whereby the company will procure and install traffic signals at the intersections of: **(a)** Hampton Road and Daniieldale Road; and **(b)** Polk Street and Daniieldale Road; in accordance with the design specifications of the City, subject to inspection and final acceptance by the City; and **(2)** an increase in appropriations in the Capital Projects Reimbursement Fund - Not to exceed \$45,608 - Financing: Capital Projects Reimbursement Funds (advanced by PR Crow I-20 II LLP)

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 adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1193

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 13: Authorize **(1)** the establishment of a Fiji-Compton Economic Development Program, pursuant to Chapter 380 of the Texas Local Government Code to make loans and grants to promote local economic development and to stimulate business and commercial activity in the Fiji-Compton area; and **(2)** the execution of a conditional grant agreement in the amount of \$240,000 with Sphinx Development Corporation or its wholly owned subsidiary to provide funding for the construction of twelve residential units in accordance with the Fiji-Compton Economic Development Program - Not to exceed \$240,000 - Financing: 2006 Bond 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 Kadane moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Atkins and unanimously adopted. (Koop absent when vote taken; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 27, 2011

11-1194

**NOTICE OF DEFERRED OR DELETED ITEMS**  
CITY COUNCIL MEETING  
APRIL 27, 2011

POSTED ON FRIDAY, APRIL 22, 2011

THE FOLLOWING AGENDA ITEMS HAVE BEEN DEFERRED AND/OR DELETED ON THE CITY COUNCIL VOTING AGENDA MEETING BY A MEMBER(S) OF THE COUNCIL AND/OR CITY MANAGER IN ACCORDANCE WITH RULE 7.11 OF THE CITY COUNCIL RULES OF PROCEDURE:

- Item 5: Authorize (1) a three-year master agreement for parts to repair and maintain City vehicles and equipment with Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$1,832,500, Park Cities Ford Lincoln Mercury in the amount of \$976,000, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$628,000, North Central Ford in the amount of \$370,000, The Around the Clock Freightliner Group, LLC in the amount of \$270,000, Dallas Dodge Chrysler Jeep in the amount of \$235,000, Uni-Select, Inc. in the amount of \$186,866, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$175,000, Wheeled Coach Ambulance Sales & Service in the amount of \$131,000, Friendly Chevrolet in the amount of \$109,305, CLS Sewer Equipment Co., Inc. in the amount of \$10,000 and H. D. Industries, Inc. in the amount of \$2,500; and (2) a three-year service contract for repair of City vehicles and equipment with AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$841,250, Dallas Dodge Chrysler Jeep in the amount of \$451,500, Grand Prairie Ford, LP in the amount of \$428,023, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$286,950, Four Brothers Outdoor Power in the amount of \$161,625, AG-Power, Inc. in the amount of \$111,545, Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$57,544, CLS Sewer Equipment Co., Inc. in the amount of \$17,440, Landmark Equipment Co., Inc. in the amount of \$10,350, H. D. Industries, Inc. in the amount of \$5,600 and Metro Golf Cars in the amount of \$4,373, lowest responsible bidders of twenty-two - Total not to exceed \$7,302,371 - Financing: Current Funds (\$7,227,371) and Water Utilities Current Funds (\$75,000) (subject to annual appropriations) **[DEFERRED BY COUNCILMEMBER SALAZAR]**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 27, 2011

EXHIBIT C

