

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 08, 2011

11-1500

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

PRESENT: [14] Caraway, Medrano (*9:04 a.m.), Jasso, Neumann, Hill, Salazar (*9:32 a.m.), Davis, Atkins (*9:01 a.m.), Kadane, Allen, Koop, Natinsky, Margolin, Hunt (*9:04 a.m.)

ABSENT: [0]

VACANT: [1] Place 15

The meeting was called to order at 9:00 a.m.

The 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 3:08 p.m.

Mayor

ATTEST:

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, JUNE 08, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 08, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1501

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: Jory Freeman, 8741 Hanford Dr.
REPRESENTING: TECO Theatrical Productions
SUBJECT: Arts education

SPEAKER: Ruth C. Butts, 7461 Chula Vista Dr.
SUBJECT: Storm drainage

SPEAKER: Troy Prevost, 215 S. Tyler St.
REPRESENTING: TECO Theatrical Productions
SUBJECT: Arts education

SPEAKER: Joe Burch III, 2613 Eastwood Dr., **Lancaster, TX**
REPRESENTING: TECO Theatrical Productions
SUBJECT: Arts education

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Carole Brown, 923 Foxboro Ln.
REPRESENTING: Dallas Area Interfaith
SUBJECT: Quest Dallas

SPEAKER: Nikita Jackson, 4817 Owenwood Ave.
REPRESENTING: Dallas Area Interfaith
SUBJECT: Quest Dallas

SPEAKER: Cynthia Salinas-Dooley, 726 S. Clinton Ave.
REPRESENTING: Dallas Area Interfaith
SUBJECT: DME Exchange

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
11-1501
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OPEN MICROPHONE – END OF MEETING – SPOKE IN THE LAST 30 DAYS:

SPEAKER: Robert Ceccarelli, 5302 Harry Hines Blvd.
SUBJECT: Homelessness

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
SUBJECT: Ism's

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1502

Item 1: Approval of Minutes of the May 25, 2011 City Council Meeting

Councilmember Salazar moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1503

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-38, and addendum addition consent agenda items 1-9, was presented for consideration.

The City Secretary requested that consent agenda item 2 be considered as an individual item to allow citizens to speak. Acting Mayor Caraway stated that consent agenda item 2 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Acting Mayor Caraway requested that consent agenda items 2, 13 and addendum addition consent item 5 be considered as individual items. Acting Mayor Caraway stated that consent agenda items 2, 13 and additional addendum consent item 5 would be considered as individual items later in the meeting, there being no objection voiced to his request.

Councilmember Koop requested that consent agenda item 2 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Natinsky requested that addendum addition consent agenda item 8 be considered as an individual item. Acting Mayor Caraway stated that addendum addition consent agenda item 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Margolin requested that addendum addition consent agenda item 9 be considered as an individual item. Acting Mayor Caraway stated that addendum addition consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Salazar moved to adopt all items on the consent agenda with the exception of consent agenda items 2, 13 and addendum addition consent agenda items 5, 8 and 9 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1504

Item 2: A resolution authorizing the ceremonial designation of Herb Kelleher Way to a portion of Cedar Springs Road from Mockingbird Lane to the Dallas Love Field Terminal - Financing: No cost consideration to the City

The City Secretary requested that consent agenda item 2 be considered as an individual item to allow citizens to speak. Acting Mayor Caraway stated that consent agenda item 2 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Acting Mayor Caraway and Councilmember Koop requested that consent agenda item 2 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to his and Councilmember Koop's request.

Later in the meeting, consent agenda item 2 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Sam Coats, 2 Grantley Ct.
Herb Kelleher, not provided

Councilmember Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1505

- Item 3: Authorize **(1)** an application for and acceptance of an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to perform Rolling Dynamic Deflectometer testing at Dallas Executive Airport as part of the capital improvement projects under TxDOT's State Block Grant Program, for TxDOT to assume responsibility for administering the FAA's Airport Improvement Program grants at airports classified as "other than primary" airports; **(2)** a TxDOT match of 90% of project costs under the State Block Grant Program in an amount not to exceed \$144,000; **(3)** a 10% local match of the project costs in an amount not to exceed \$16,000; and **(4)** execution of the grant agreement for the period July 2011 through July 2012 - Not to exceed \$160,000 - Financing: Aviation Capital Construction Funds (\$16,000) and Texas Department of Transportation Grant Funds (\$144,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1506

Item 4: Authorize a three-year service contract for yard waste grinding service at the City's landfill and transfer stations - National Waste Management, Inc., lowest responsible bidder of four - Not to exceed \$1,689,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1507

Item 5: Authorize a three-year service contract to remove and install reflective pavement marking and reflective lane striping - Striping Technology, LP, lowest responsible bidder of four - Not to exceed \$3,381,897 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1508

Item 6: Authorize a five-year service contract for janitorial service at City Hall and various Equipment and Building Services locations - Member's Building Maintenance in the amount of \$3,946,539 and Oriental Building Services, Inc. in the amount of \$2,483,508, most advantageous proposers of ten - Total not to exceed \$6,430,047 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1509

Item 7: Authorize Supplemental Agreement No. 1 to increase the service contract with Systems Research and Applications Corporation for five years to allow access to a nationwide web-based system utilized by Police and to track gang activity to extend the contract term through March 31, 2016, Sole Source - Not to exceed \$100,000, from \$149,720 to \$249,720 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1510

Item 8: Authorize a three-year consultant contract, with a three-year renewal option, for participation in the Emergency Interruptible Load Service Program and the Commercial Load Management Program - Comverge, Inc., most advantageous proposer of four - Estimated Annual Revenue: \$105,400

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1511

Item 9: Authorize a one-year master agreement for clamps, couplings, sleeves and adapters - Municipal Water Works Supply L.P. in the amount of \$137,430, HD Supply Waterworks, LTD in the amount of \$73,770 and Powerseal Pipeline Products Corp. in the amount of \$31,747, lowest responsible bidders of three - Total not to exceed \$242,947 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1512

Item 10: Authorize a three-year master agreement for cast iron fittings - HD Supply Waterworks, LTD in the amount of \$160,000 and Mainline Supply Company in the amount of \$150,000, lowest responsible bidders of three - Total not to exceed \$310,000 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1513

Item 11: Authorize **(1)** a three-year master agreement for fire equipment tools and parts for Dallas Fire-Rescue - Casco Industries, Inc. in the amount of \$204,000 and Metro Fire Apparatus Specialists, Inc. in the amount of \$33,000; and **(2)** a three-year service contract for the repair of fire equipment tools for Dallas Fire-Rescue - Casco Industries, Inc. in the amount of \$112,500 and Metro Fire Apparatus Specialists, Inc. in the amount of \$17,400, lowest responsible bidders of three - Total not to exceed \$366,900 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1514

Item 12: Authorize **(1)** an acquisition contract for the purchase and implementation of a volunteer management software system in the amount of \$31,750; and **(2)** a three-year service contract for maintenance and support in the amount of \$31,130 - Samaritan Software, LLC dba Samaritan Technologies, most advantageous proposer of three - Total not to exceed \$62,880 - Financing: Recreation Center Program Funds (\$49,120) (subject to annual appropriations) and 2009 Urban Area Security Initiative Grant Funds (\$13,760)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1515

Item 13: Authorize a five-year concession contract for operation of the food and beverage concessions at the Harry S. Moss Park soccer complex for Park and Recreation - Lake Highlands Soccer Association, only proposer - Estimated Annual Revenue: \$2,400

Acting Mayor Caraway requested that consent agenda item 13 be considered as an individual item. Acting Mayor Caraway stated that consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to his request.

Later in the meeting, consent agenda item 13 was brought up for consideration.

Acting Mayor Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1516

Item 14: Authorize Supplemental Agreement No. 1 to the contract with Health Texas Provider Network dba MedProvider through June 30, 2012 to increase the scope of the contract to include heavy metal testing, hepatitis B screening and qualitative HIV testing for firefighters assigned to the Hazardous Materials Response Team - Not to exceed \$195,744, from \$1,565,954 to \$1,761,698 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1517

Item 15: Authorize settlement of the lawsuit styled Homero Salas v. City of Dallas,
Cause No. 10-07509-B - Not to exceed \$10,750 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1518

Item 16: Authorize settlement of a claim filed by Ana Romero, Claim No. LDPD-10-00004-01-31 - Not to exceed \$12,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1519

Item 17: Authorize settlement of the lawsuit styled Warren Quinlan v. Claude Adams and City of Dallas, Cause No. 09-09884-A - Not to exceed \$30,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1520

Item 18: Authorize settlement of a claim filed by Nettie Glover, Claim No. 11298786, seeking compensation for the death of her son - Not to exceed \$125,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1521

Item 19: Authorize renewal of the contract with the Museum of African American Life and Culture to provide a cultural awareness program for low-to moderate-income youth in the southern Dallas area for the period June 9, 2011 through July 29, 2011 - Not to exceed \$46,000 - Financing: 2010-11 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1522

Item 20: Authorize a contract for construction of a new hike and bike trail known as the Northaven Trail, from Preston Road to Valleydale Drive - RoeschCo Construction, Inc., best value proposer of ten - Not to exceed \$1,602,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1523

Item 21: Authorize an agreement with Atmos Energy Corporation for relocation of a gas pipeline in the vicinity of the Katy Trail, Phase VI - Not to exceed \$37,574 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1524

Item 22: Authorize the first amendment to Contract No. 582-11-86427 with the Texas Commission on Environmental Quality to accept additional state grant funds to continue the Rockwall Ambient Air Monitoring Program for the period September 1, 2011 through August 31, 2012 - Not to exceed \$26,812, from \$26,811 to \$53,623 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1525

Item 23: Authorize the first amendment to Contract No. 582-11-86432 with the Texas Commission on Environmental Quality for additional grant funds for particulate matter 2.5, carbon monoxide and sulfur dioxide trace gas ambient air monitoring network activities for the period September 1, 2011 through August 31, 2012 - Not to exceed \$67,587, from 67,586 to \$135,173 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1526

Item 24: Authorize the second amendment to Contract No. 582-10-86403 with Texas Commission on Environmental Quality to accept additional federal grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2011 through August 31, 2012 - Not to exceed \$422,360, from \$700,328 to \$1,122,688 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1527

Item 25: Authorize **(1)** the second amendment to Contract No. 582-10-90257 with the Texas Commission on Environmental Quality to accept additional state grant funds in the amount of \$530,421 to continue the Air Pollution Compliance program to provide investigation services and complaint response extending the term of the contract for the period September 1, 2011 through August 31, 2012; and **(2)** a local match in an amount not to exceed \$261,252 - Not to exceed \$791,673, from \$1,583,346 to \$2,375,019 - Financing: Texas Commission on Environmental Quality Grant Funds (\$530,421) and Current Funds (\$261,252) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1528

Item 26: Authorize **(1)** the acceptance of a grant from the Texas Commission on Environmental Quality for the Ambient Air Monitoring Program for the period September 1, 2011 through August 31, 2013, in the amount of \$366,570; **(2)** a local match in an amount not to exceed \$180,548 over the two-year period; and **(3)** execution of the grant agreement - Not to exceed \$547,118 - Financing: Texas Commission on Environmental Quality Grant Funds (\$366,570) and Current Funds (\$180,548) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1529

Item 27: Authorize **(1)** the receipt and deposit of funds from Dallas Area Rapid Transit for the installation, maintenance, and removal of a temporary traffic signal at Forest Park Road and Inwood Road intersection in an amount not to exceed \$55,347; and **(2)** an increase in appropriations in the amount of \$55,347 in the Capital Projects Reimbursement Fund - Not to exceed \$55,347 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1530

Item 28: Authorize **(1)** the receipt and deposit of funds in the amount of \$42,478 from Southern Methodist University for the relocation of a traffic signal cabinet and cabling for the traffic signal located on North Central Expressway at Mockingbird Lane; and **(2)** an increase in appropriations in the amount of \$42,478 in the Capital Projects Reimbursement Fund - Not to exceed \$42,478 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1531

Item 29: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of eight, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-622 (list attached) - Not to exceed \$3,527,405 - Financing: 2006 Bond Funds (\$2,800,787), Water Utilities Capital Construction Funds (\$33,875) and Water Utilities Capital Improvement Funds (\$692,743)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1532

Item 30: Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with Pierce Goodwin Alexander and Linville, Inc. to provide additional design services for the Snow and Ice Removal Facility at Dallas Love Field in the amount of \$141,255, from \$272,446 to \$413,701; and **(2)** an increase in appropriations in the amount of \$141,255 in the Aviation Capital Construction Fund - Not to exceed \$141,255 - Financing: Aviation Capital Construction Funds (\$56,926) and Aviation Passenger Facility Charge Funds (\$84,329)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1533

Item 31: Authorize acquisition, from Dallas Independent School District, of an easement covering approximately 20,473 square feet of land improved with paved parking located near the intersection of Westmoreland Road and Mapleleaf Lane for the Kiestwood Hike & Bike Trail Project - Not to exceed \$79,300 (\$77,670 plus closing costs not to exceed \$1,630) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1534

Item 32: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Madie Davis of a tract of land containing approximately 4,609 square feet located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$7,000 (\$4,839 plus closing costs not to exceed \$2,161) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1535

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Roy Burklow, James Rabe, Dale Rabe and Felicia Peirce of two tracts of land containing a total of approximately 47,908 square feet located near the intersection of Lawson Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$235,000 (\$230,016 plus closing costs not to exceed \$4,984) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1536

Item 34: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Roy Burklow, James Rabe, Dale Rabe and Felicia Peirce of four tracts of land containing a total of approximately 117,743 square feet located near the intersection of Lawson Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$417,000 (\$412,100 plus closing costs not to exceed \$4,900) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1537

Item 35: Authorize a license agreement with Oncor for the use of Oncor right-of-way to construct and maintain portions of the proposed Kiestwood Hike & Bike Trail from Kiest Park to Rio Grande Avenue - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1538

Item 36: Authorize moving expense and replacement housing payments for Isiah Turner as a result of an official written offer of just compensation to purchase real property at 1827 Fernwood Avenue for the Fernwood Erosion Control Project - Not to exceed \$32,456 - Financing: 2003 Bond Funds (\$950,727)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1539

Item 37: An ordinance granting a private license to LU12 Dallas Oak Lawn V, L.P. for the use of approximately 16 square feet of aerial space to install and maintain one awning over a portion of Hi Line Drive near its intersection with Turtle Creek Boulevard - Revenue: \$1,000 annual fee plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28222

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1540

Item 38: An ordinance granting a WMU-5 Walkable Mixed Urban Use District with a Shopfront Overlay on part of Tract A and all of Tract B and a Height Modification Overlay on property zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595, and a WR-5 Walkable Urban Residential District with a Height Modification Overlay on Tracts C and D on property zoned as an MF-1(A) Multifamily Subdistrict within Planned Development District No. 595, on four separate tracts: **(1)** northwest line of Park Row Avenue between J. B. Jackson Boulevard and Trunk Avenue; **(2)** northwest line of Grand Avenue between Fourth Avenue and Trunk Avenue; **(3)** southeast line of Elihu Street south of Fourth Avenue; and **(4)** northwest line of Elihu Street south of Fourth Avenue - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28223

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1541

Item 39: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2009-2011 board term updated through JUNE 08, 2011.

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

Councilmember Natinsky moved to appoint Josephine F. Orosco, older than 55 years of age, to the Senior Affairs Commission.

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

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

11-5170 SAC SENIOR AFFAIRS COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1542

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 40: Authorize a public hearing to be held on June 22, 2011 to receive comments to consider an amendment to the Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: **(1)** extend the term of the TIF District for a 10 year period from December 31, 2012 through December 31, 2022; **(2)** decrease the City of Dallas' participation after tax year 2012 from 100% to 90%; **(3)** direct the City Manager to negotiate an increase in Dallas County's participation rate after tax year 2012 from 65% to 75% and to execute an amendment to the Interlocal Agreement between the City of Dallas and Dallas County to reflect such increase; **(4)** amend the Cedars TIF Infrastructure Improvements - Street Construction/Streetscape/ Water/Wastewater/Drainage Improvements/ East-West Corridor Construction budget line item to include Public Open Spaces and Economic Development Grants; and **(5)** make corresponding modifications to the Cedars Project Plan 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 Natinsky moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1543

DESIGNATED PUBLIC SUBSIDY MATTERS

TOD TIF District

Note: Item Nos. 41 and 42
must be considered collectively.

Item 41: Authorize **(1)** a development agreement with Southern Methodist University to dedicate future TIF revenues for TIF eligible project costs related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District); and **(2)** the TOD TIF District Board of Directors to dedicate up to \$400,000 from future TOD TIF District revenues in accordance with the development agreement - Not to exceed \$400,000 - Financing: TOD 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 Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1544

DESIGNATED PUBLIC SUBSIDY MATTERS

TOD TIF District

Note: Item Nos. 41 and 42
must be considered collectively.

Item 42: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) to reimburse Southern Methodist University up to \$400,000 for certain TIF-eligible project costs related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a Katy Trail connection in the TOD TIF District - 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 Deputy Mayor Pro Tem Medrano and Councilmember Salazar and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1545

DESIGNATED PUBLIC SUBSIDY MATTERS

Cypress Waters TIF District

Note: Item Nos. 43, 44, 45 and 46 must be considered collectively.

Item 43: An ordinance (1) approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District); and (2) authorizing a participation agreement with Dallas County for Tax Increment Financing Reinvestment Zone Number Nineteen - 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 Salazar moved to adopt the item.

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

Assigned ORDINANCE NO. 28224

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1546

DESIGNATED PUBLIC SUBSIDY MATTERS

Cypress Waters TIF District

Note: Item Nos. 43, 44, 45 and 46 must be considered collectively.

Item 44: Authorize the establishment of the City of Dallas Cypress Waters TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Cypress Waters TIF District - 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 Salazar moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1547

DESIGNATED PUBLIC SUBSIDY MATTERS

Cypress Waters TIF District

Note: Item Nos. 43, 44, 45 and 46 must be considered collectively.

Item 45: Authorize **(1)** a development agreement with Billingsley LD, Ltd. to: **(a)** dedicate future TIF revenues for TIF eligible project costs related to the Cypress Waters Phase I development located at the northeast quadrant of South Belt Line Road and Hackberry Road in Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District); **(b)** participate in the construction costs of certain water infrastructure improvements not to exceed thirty percent of the actual contract costs for such water and wastewater infrastructure improvements, pursuant to Section 212.071 of the Local Government Code subject to future appropriations from Dallas Water Utilities; and **(c)** participate in the cost of the engineering in an amount not to exceed \$221,220 for Cypress Waters Phase I eligible water and wastewater infrastructure; and **(2)** the Cypress Waters TIF District Board of Directors to dedicate an amount not to exceed \$9,757,267 plus an additional grant in an amount not to exceed five percent of such dedication net of DWU participation costs as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan - Not to exceed \$9,978,487 - Financing: Cypress Waters TIF District Funds (\$9,757,267) and Water Utilities Capital Improvement Funds (\$221,220)

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 Salazar moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1548

DESIGNATED PUBLIC SUBSIDY MATTERS

Cypress Waters TIF District

Note: Item Nos. 43, 44, 45 and 46 must be considered collectively.

Item 46: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District) to reimburse Billingsley LD, Ltd. a principal amount not to exceed \$9,757,267 plus an additional grant in an amount not to exceed five percent of such dedication, net of DWU participation costs as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan and related to the Cypress Waters Phase I development located at the northeast quadrant of South Belt Line Road and Hackberry Road in the Cypress Waters TIF District - 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 Salazar moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1549

DESIGNATED PUBLIC SUBSIDY MATTERS

MoneyGram International Inc.

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

Item 47: Authorize an amendment to Resolution No. 10-2621, previously approved on October 13, 2010, related to a 10-year business personal property tax abatement with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) to: **(1)** change the executive job creation requirement date from March 31, 2011 to be met by April 15, 2012; and **(2)** provide for termination of the 10-year business personal property tax abatement in the event that the executive and total job creation requirement is not met by April 15, 2012 and maintained thereafter - Revenue: First year revenue estimated at \$26,301; ten-year revenue estimated at \$144,656 (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$118,354)

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 Hill and Councilmember Atkins and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1550

DESIGNATED PUBLIC SUBSIDY MATTERS

MoneyGram International Inc.

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

Item 48: Authorize an amendment to Resolution No. 10-2622, previously approved on October 13, 2010, related to a Chapter 380 Economic Development Grant with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) to: (1) change the executive job creation requirement date from March 31, 2011 to be met by April 15, 2012; and (2) decrease the amount of the Chapter 380 economic development grant from \$278,500 to \$125,325; and (3) provide for the termination of the Chapter 380 Economic Development Grant in the event that the executive and total job creation requirement is not met by April 15, 2012 and maintained thereafter - Not to exceed \$125,325 - 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1551

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 49: Authorize **(1)** a renewal extension modification of a housing reconstruction loan from the Estate of Jaylee Strange to Builders of Hope Community Development Corporation; and **(2)** an amendment to the terms of the loan to a 15-year forgivable loan with 0% interest and allow Builder's of Hope CDC to rent or sell 2207 Mountain Lake to person(s) with incomes at or below 80% of Area Median Family Income (AMFI) - 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 Hill and Councilmember Atkins and unanimously adopted. (Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1552

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

Agenda item 50, 52 and 58 were removed from the consent zoning docket, to be considered as individual hearing.

~~Agenda item 50: Zoning Case Z090-198(WE)~~ [considered individually]

Agenda item 51: Zoning Case Z101-160(JH)

~~Agenda item 52: Zoning Case Z101-178(JH)~~ [considered individually]

Agenda item 53: Zoning Case Z101-202(JH)

Agenda item 54: Zoning Case Z101-206(RB)

Agenda item 55: Zoning Case Z101-210(RB)

Agenda item 56: Zoning Case Z101-214(JH)

Agenda item 57: Zoning Case Z101-219(WE)

~~Agenda item 58: Zoning Case Z101-232(MD)~~ [considered individually]

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1553

Item 50: Zoning Case Z090-198(WE)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

Councilmember Hunt requested that zoning consent item 50 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

A public hearing was called on zoning case Z090-198(WE), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge or tavern and a commercial amusement (inside) for a dance hall within Planned Development District No. 619 for mixed uses, on the northwest corner of North Field Street and Main Street

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

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

Councilmember Hunt moved to close the public hearing, follow the city plan commission's recommendation for approval with the following changes:

- Amend the site plan to remove the bar area from street-level;
- Prohibit an alcoholic beverage establishment use limited to a bar, lounge, or tavern from operating at street-level; and
- Reduce the maximum total floor area for alcoholic beverage establishment uses limited to bar, lounge, or tavern uses to 22,000 square feet.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28225

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1554

Item 51: Zoning Case Z101-160(JH)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

A public hearing was called on zoning case Z101-160(JH), an application for and an ordinance granting the renewal of Specific Use Permit No. 1753 for a Liquor store within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area Special Purpose District, at the west corner of Haskell Avenue and San Jacinto 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. 28226

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1555

Item 52: Zoning Case Z101-178(JH)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

Councilmember Koop requested that zoning consent item 52 be considered as an individual item. Acting Mayor Caraway stated that zoning consent item 52 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 Z101-178(JH), an application for and an ordinance granting an amendment to Phase I within Planned Development District No. 114 on the northeast corner of Belt Line Road and Prestonwood Boulevard

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

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

Councilmember Koop moved to close the public hearing, follow the city plan commission's recommendation for approval with the following changes:

- The following additional uses are allowed by right in Phase I:
 - Medical appliance uses and fitting sales.
 - Optical shop.
 - Barber and beauty shop.
 - Health studio.
 - Key shop.
 - Shoe repair.
 - Tailor, custom sewing, and millinery.
 - Travel bureau.
 - Instructional arts studio.
 - Photography studio.
 - Duplication shop.
 - Laundry dry cleaning pick up.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1555

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- The following uses are prohibited in Phase I:
 - Cemetery or mausoleum.
 - Mortuary or funeral home.
 - Car wash.
 - Aluminum collection center.
 - Pedestrian skybridge.
 - Farm or ranch.
 - Lodging or boarding house.
- Stores that sell primarily tobacco products and accessories for tobacco are prohibited in Phase I.
- All theater uses combined in this district are limited to 2,000 seats.
- An special use permit is required for a bar, lounge, or tavern in Phase I.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28227

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1556

Item 53: Zoning Case Z101-202(JH)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

A public hearing was called on zoning case Z101-202(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 of 3,500 square feet or less on property zoned RR Regional Retail District with a D-1 Liquor Control Overlay at the southwest corner of South Loop 12 / Great Trinity Forest Way and C. F. Hawn Freeway / US 175

(The staff and city plan commission recommended Approval for a two-year period with eligibility 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. 28228

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1557

Item 54: Zoning Case Z101-206(RB)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

A public hearing was called on zoning case Z101-206(RB), an application for and an ordinance granting a CR Community Retail District on property zoned an MO-2 Mid-Range Office District on the west line of Coit Road, south of Belt Line Road

(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.

Assigned ORDINANCE NO. 28229

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1558

Item 55: Zoning Case Z101-210(RB)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

A public hearing was called on zoning case Z101-210(RB), an application for and an ordinance granting a TH-2(A) Townhouse District on property zoned an R-1ac(A) Single Family District on the east line of Club Hill Drive, south of Club Hill Court

(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.

Assigned ORDINANCE NO. 28230

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1559

Item 56: Zoning Case Z101-214(JH)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

A public hearing was called on zoning case Z101-214(JH), an application for and an ordinance granting a new subdistrict within Planned Development District No. 621 on property zoned Subdistrict 1 within Planned Development District No. 621 on the northwest corner of Pace Street and Farrington Street

(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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28231

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1560

Item 57: Zoning Case Z101-219(WE)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

A public hearing was called on zoning case Z101-219(WE), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Commerce Street, west of Pryor 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. 28232

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1561

Item 58: Zoning Case Z101-232(MD)

The consent zoning docket, consisting of agenda items 50-58, was presented for consideration.

The City Secretary requested that zoning consent agenda item 58 be considered as an individual item to allow citizens to speak. Acting Mayor Caraway stated that zoning consent agenda item 58 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

A public hearing was called on zoning case Z101-232(MD), an application for and an ordinance granting an Historic District Overlay on property zoned Planned Development District No. 682 in an area generally bound by Eighth Street, Crawford Street, Ninth Street, and Beckley Avenue

(The staff and city plan commission recommended Approval subject to preservation criteria)

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

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

Rene Schmidt, 715 Parkmont St., representing Adamson Group
John Ruiz, 21 Monroe Ct., **Allen, TX**, representing Old Oak Cliff Conservation League
Martha Wiley Berry, 3424 Sage Brush Trl., **Plano, TX**, WH Adamson High School
Karl Crawley, 900 Jackson, representing Dallas Independent School District

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

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

Assigned ORDINANCE NO. 28233

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1562

Item 59: Zoning Case Z090-234(RB) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z090-234(RB), an application for and an ordinance granting an IM Industrial Manufacturing District and an ordinance granting a Specific Use Permit for a Metal salvage facility on property zoned an IR Industrial Research District on the northeast line of South Central Expressway, north of Loop 12

(The staff and city plan commission recommended Approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for a Metal salvage facility for a two-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions)

Note: This item was considered by the City Council at a public hearing on May 25, 2011, and was taken under advisement until June 8, 2011, with the public hearing open.

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

Kenneth Kerr, 2306 Millmar

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

Santos T. Martinez, 900 Jackson, representing the applicant

Councilmember Hill moved to close the public hearing, follow the city plan commission recommendation for approval with the following change to the Specific Use Permit:

- The Specific Use Permit is approved for a two-year period with eligibility for four-year automatic renewals.

and pass the ordinance.

Motion seconded by Councilmember Atkins.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1562

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After discussion, Acting Mayor Caraway called the vote on Councilmember Hill's motion to amend the Specific Use Permit for approval for a two-year period with eligibility for four-year automatic renewals:

Voting Yes: [12] Medrano, Jasso, Neumann, Hill, Salazar, Atkins, Kadane, Allen,
Koop, Natinsky, Margolin, Hunt

Voting No: [2] Caraway, Davis

Vacant: [1] Place 15

Acting Mayor Caraway declared the motion adopted.

Assigned ORDINANCE NOS. 28234 AND 28235

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1563

Item 60: Zoning Case Z101-110(WE) - UNDER ADVISEMENT - INDIVIDUAL

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)

Note: This item was considered by the City Council at public hearings on April 27 and May 25, 2011, and was held under advisement until June 8, 2011, with the public hearing open.

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

Councilmember Davis moved to close the public hearing and deny without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1564

Item 61: Zoning Case Z101-224(WE) - DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z101-224(WE), an application for and an ordinance granting a Planned Development District for retail and office uses on property zoned a TH-1(A) Townhouse District, on the north side of Northwest Highway, west of Midway Road

(The staff recommended Denial and city plan commission recommended Approval subject to a development plan and conditions)

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

Meg Rohrt, 2530 Electronic Ln., representing La Strada Homeowners Association and Cochran Hollow Homeowners Association

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

Dallas Cothrum, 900 Jackson St., representing the applicant
Jay Narey, 4188 Wilada Dr., representing Wilada Drive Neighborhood Association

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 Margolin moved to close the public hearing, adopt the recommendation of the city plan commission and pass the ordinance.

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

Assigned ORDINANCE NO. 28236

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1565

Item 62: Zoning Case Z101-144(MW) - DESIGNATED ZONING CASES - 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 Z101-144(MW), an application for a CR Community Retail District on property zoned an R-5(A) Single Family District on the southwest corner of Chalk Hill Road and Chippewa Drive with consideration given to an NS(A) Neighborhood Service District

(The staff recommended Approval of an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District and city plan commission recommended : Denial)

Note: This item was considered by the City Council at a public hearing on May 25, 2011, and was taken under advisement until June 8, 2011, with the public hearing open.

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."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1565

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Councilmember Salazar moved to close the public hearing, adopt the recommendation of the staff for an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District with the ordinance to come back at a later date.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1566

MISCELLANEOUS HEARINGS

Item 63: A public hearing to receive comments on the Proposed FY 2011-12 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and the Proposed FY 2010-11 Reprogramming Budget - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Earl Johnson, 5507 Longview St., representing Community Dental Care

Paul Hoffman, 1420 W. Mockingbird Ln., Executive Director of Community Dental Care

Michael Thomas, 3737 Timberglen Rd.

Councilmember Salazar moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1567

MISCELLANEOUS HEARINGS

Item 64: A public hearing to receive comments regarding the 2011 Dallas Bike Plan and a resolution adopting the plan document to serve as a policy guide to benefit the citizens of Dallas - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Lee Kleinman, 11322 E. Ricks Circle

Jason Roberts, 1114 Cedar Hill, representing Bike Friendly Oak Cliff

Councilmember Kadane moved to close the public hearing and adopt the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1568

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Davis Garden TIF District

Note: Item Nos. 65, 66, 67, 68 and 69 must be considered collectively.

- Item 65: A public hearing to receive comments on amendments to the Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) - Financing: No cost consideration to the City
- Item 66: An ordinance amending Ordinance Nos. 26799, as amended and 27090, as amended, authorizing amendments to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** extend the term of the TIF District by a 10 year period from December 31, 2029 through December 31, 2039; **(2)** increase the City of Dallas' participation from a variable rate of 55 to 85% to a flat rate of 90%; **(3)** direct the City Manager to negotiate an increase in Dallas County's participation rate from 55% to 75% and to execute an amendment to the Interlocal Agreement between the City of Dallas and Dallas County to reflect such increase; **(4)** increase the Davis Garden TIF District budget from \$38,267,083 to \$103,658,541 (in 2008 dollars); **(5)** modify the names of budget categories from Environmental Remediation to Environmental Remediation/Demolition, and from Parks, Open Space, Trails, Streetscape to District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar; **(6)** amend budget categories to: increase Infrastructure Improvements from \$22,074,732 to \$33,219,568, decrease Environmental Remediation/Demolition from \$6,131,870 to \$4,300,000, increase Affordable Housing from \$7,072,911 to \$11,920,435, increase Historic Façade Restoration from \$536,539 to \$1,946,858, increase District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar from \$1,303,023 to \$4,358,953, and increase Administration and Implementation from \$1,148,008 to \$1,877,595; and **(7)** add a budget category to the TIF Project Plan for The Canyon in Oak Cliff in an amount of \$46,035,132 - Financing: No cost consideration to the City

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1568

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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 close the public hearing, adopt the recommendation of the city plan commission and pass the ordinance.

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

Assigned ORDINANCE NO. 28237

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1569

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Davis Garden TIF District

Note: Item Nos. 65, 66, 67, 68 and 69 must be considered collectively.

Item 67: Authorize the establishment of the City of Dallas Davis Garden TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Davis Garden TIF District - 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 Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1570

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Davis Garden TIF District

Note: Item Nos. 65, 66, 67, 68 and 69 must be considered collectively.

Item 68: Authorize (1) a development agreement with SLF III - The Canyon TIF, L.P., "SLF." to dedicate future TIF revenues for eligible project costs and for an economic development grant pursuant to the Davis Garden TIF District Grant Program to support the development of the Canyon in Oak Cliff located in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) and to participate through Dallas Water Utilities (DWU) in the costs of certain water and wastewater infrastructure improvements subject to future appropriation from current funds and pursuant to the provisions of Dallas City Code Chapter 49, Section 62(j); and (2) the Davis Garden TIF District Board of Directors to dedicate up to \$69,808,000 plus an additional grant up to \$59,067,756 - Not to exceed \$128,875,756 (\$69,808,000 plus an additional grant up to \$59,067,75) - Financing: Davis Garden 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 Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1571

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Davis Garden TIF District

Note: Item Nos. 65, 66, 67, 68 and 69 must be considered collectively.

Item 69: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse the SLF III - The Canyon TIF, L.P., "SLF" up to \$69,808,000 plus an additional grant up to \$59,067,756 pursuant to the Davis Garden TIF District Grant Program for total funding not to exceed \$128,875,756 supporting the development of the Canyon in Oak Cliff located in the Davis Garden TIF District - 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 Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

Closed Session [**11-1572; NOT HELD**]

6ES

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

- Legal issues involving the Wright Amendment Reform Act and merger of Southwest Airlines and AirTran

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1573

Addendum addition 1: Authorize the purchase of twenty-four vehicle-specific anti-idling auxiliary power units for Equipment and Building Services - Xtreme Power Systems LLC, lowest responsible bidder of two - Not to exceed \$106,277 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1574

Addendum addition 2: Authorize settlement of attorney fees and expenses attributable to settled False Claims Act allegations in the lawsuit styled United States & Texas ex rel. Doug Moore, et al. v. City of Dallas, et al., Civil Action No. 3:09-CV-1452-O-BH - Not to exceed \$129,324 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1575

Addendum addition 3: Authorize settlement in lieu of proceeding further with condemnation in City of Dallas v. 11900 Marsh Lane, L.P., et al., Cause No. 10-08752-C, pending in the County Court at Law No. 3, for acquisition from 11900 Marsh Lane, L.P. of approximately 101,828 square feet of land located near the intersection of Marsh Lane and High Vista Drive for the Park Forest Branch Library Project - Not to exceed \$806,000 (\$799,000 plus closing costs not to exceed \$7,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1576

Addendum addition 4: 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 45 day period May 9, 2011 through June 23, 2011 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1577

Addendum addition 5: Authorize an increase in the contract with Sunbelt Pools, Inc. for installation of an identification sign adjacent to U.S. Highway 67 Service Road at Bahama Beach Water Park located at 1895 Campfire Circle; removal and replacement of all ceramic tile and removal of excess concrete behind existing plaster at Bonnie View Pool located at 2100 Huntingdon Avenue; removal and replacement of entry steps at Exline Pool located at 2525 Pine Street; and removal of concrete behind existing plaster and installation of swimming lane marker tiles at Lake Highlands North Pool located at 9344 Church Road - Not to exceed \$132,601, from \$677,488 to \$810,089 - Financing: 2006 Bond Funds

Acting Mayor Caraway requested that addendum addition consent agenda item 5 be considered as an individual item. Acting Mayor Caraway stated that addendum addition consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to his request.

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

Acting Mayor Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1578

Addendum addition 6: Authorize acceptance of the Violence Against Women Formula Grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims for the period March 1, 2011 through June 30, 2011 - Not to exceed \$45,980 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1579

Addendum addition 7: Authorize **(1)** the acceptance of a grant from the North Central Texas Council of Governments in the amount of \$77,901 for Sanitation Services to conduct a recycling pilot program for multi-use developments (commercial/residential properties) for the period September 2010 through June 2011; **(2)** a local In-Kind Contribution in the amount of \$37,000; and **(3)** execution of the grant agreement - Total not to exceed \$114,901 - Financing: Texas Commission on Environmental Quality Grant Funds (\$77,901) and In-Kind Contribution (\$37,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1580

Addendum addition 8: An ordinance granting a Planned Development District for mixed uses subject to conditions, a conceptual plan, and urban design guidelines on property zoned an R-7.5(A) Single Family District on the east line of Coit Road, south of Frankford Road - Financing: No cost consideration to the City

Councilmember Natinsky requested that addendum addition consent agenda item 8 be considered as an individual item. Acting Mayor Caraway stated that addendum addition consent agenda item 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1581

Addendum addition 9: An ordinance amending Article VII, "Sign Regulations," Chapter 51A, the Dallas Development Code and Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code to: (1) amend regulations pertaining to detached non-premise signs (billboards); (2) provide appropriate regulations for digital billboards; and (3) establish an annual registration fee - Financing: No cost consideration to the City

Councilmember Margolin requested that addendum addition consent agenda item 9 be considered as an individual item. Acting Mayor Caraway stated that addendum addition consent agenda item 9 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, addendum addition consent agenda item 9 was brought up for consideration.

Councilmember Natinsky moved to pass the ordinance with the following correction to more accurately reflect the motion made on May 25, 2011:

That Section 51A-7.308(e)(4) should read as follows:

"Digital display signs may not be located within 300 feet of any lot located in a residential district, measured radially."

Motion seconded by Councilmember Davis.

After discussion, Acting Mayor Caraway called for a vote on the motion.

Acting Mayor Caraway declared the motion adopted on a divided vote, with Councilmember Koop, Councilmember Margolin and Councilmember Hunt voting "No."

Assigned ORDINANCE NO. 28238

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1582

Addendum addition 10: 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 to city council members and city council candidates during specified time periods relating to designated zoning cases, designated public subsidy matters, and city contracts - Financing: No cost consideration to the City

Councilmember Margolin moved to pass the ordinance.

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

Assigned ORDINANCE NO. 28239

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 08, 2011

11-1583

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 11: Authorize **(1)** the acceptance of \$8,492,000 of Community Development Block Grant Section 108 Guaranteed Loan funds (Section 108 Loan funds) from the U.S. Department of Housing and Urban Development (HUD) for the Lancaster Urban Village community economic development project; **(2)** a loan agreement with City Wide Community Development Corporation (City Wide CDC) in the amount of \$8,492,000 of Section 108 funds for the Lancaster Urban Village community economic development project including public infrastructure, sitework, commercial development, residential development, and development of a parking garage for a mixed-use, transit-oriented development along the South Lancaster Road corridor across from the Veterans Affairs Medical Center (V.A.) at the southwest quadrant of the intersection of South Lancaster Road and Ann Arbor Avenue, and for a loan interest reserve; **(3)** the City Manager, to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement, for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; **(4)** the City Manager to establish appropriations for the Section 108 funds; and **(5)** the City Controller to deposit and disburse funds from an identified account - Total not to exceed \$8,492,000 - Financing: Community Development Block Grant Section 108 Guaranteed Loan 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", Mayor Leppert 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."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
11-1583
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Councilmember Hill moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 08, 2011

EXHIBIT C