

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 10, 2011

11-1972

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR MICHAEL RAWLINGS, PRESIDING

PRESENT: [15] Rawlings, Jasso, Medrano, Griggs, Caraway, Hill, Alonzo (*9:06 a.m.), Davis, Atkins, Kadane, Allen, Koop, Greyson (*9:02 a.m.), Margolin, Hunt (*9:18 a.m.)

ABSENT: [0]

The meeting was called to order at 9:01 a.m.

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

The invocation was given by Zvi Drizin, Rabbi, Intown Chabad.

Councilmember Margolin 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 2:57 p.m.

Mayor

ATTEST:

Acting 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.**

8/24/2011 9:23:03 AM

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 10, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 10, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1973

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: Birdie Evans, 5012 W. Mockingbird Ln.
REPRESENTING: Seniors
SUBJECT: Medical Transportation - Budget

SPEAKER: Josephine Orosco, 2415 S. Tyler St.
REPRESENTING: Senior Affairs Commission
SUBJECT: Budget

SPEAKER: Paul Hoffman, 1420 W. Mockingbird Ln.
REPRESENTING: Community Dental Care
SUBJECT: General fund budget

SPEAKER: Henrietta Herndon, 6203 Shady Brook Ln.
REPRESENTING: The Senior Source
SUBJECT: Senior employment

SPEAKER: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: Some Citizens
SUBJECT: Ethics, the homeless and the trinity

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Paul Tomaso, 4422 Northcrest Rd.
REPRESENTING: Living Earth
SUBJECT: Green waste recycling

SPEAKER: Diane Birdwell, 5705 Meadowick Ln.
SUBJECT: Helping teachers

SPEAKER: Walter Ender, 5341 Mercedes Ave.
SUBJECT: Energy Conservation

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OPEN MICROPHONE – END OF MEETING:

SPEAKER: Otis Fagan, 2247 Scotland Dr.
REPRESENTING: Clean & Environmental Justice
SUBJECT: The lead of West Dallas

SPEAKER: Clara McDade, 4127 Happy Canyon Dr.
REPRESENTING: Highland Hills Community
SUBJECT: McCommas Landfill

SPEAKER: Jane Kidd, 6140 Balcony Ln.
SUBJECT: McCommas Landfill

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

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

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

SPEAKER: Jake Vincent, 3335 Munger Ave.
REPRESENTING: Original North Dallas Family & Friends
SUBJECT: J. W. Ray Park; Sidewalk improvements

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: R. A. W.
SUBJECT: What constitutes a hate crime?

By general consensus of the city council, the rules were suspended in accordance with Section 6.3 of the Council Rules of Procedure to allow the following citizen to speak at the end of the meeting:

SPEAKER: Erma Curtis, 1703 E. Missouri St.
REPRESENTING: Block 1700 E. Missouri St.
SUBJECT: Paving assessed for Street Group 06-455

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1974

Item 1: Approval of Minutes of the June 22, 2011 City Council Meeting, June 27, 2011 Special Called Meeting and June 27, 2011 Inaugural Meeting

Councilmember Kadane moved to adopt the minutes with correction to the Special Called Meeting of June 27, 2011 to show attendance correction for Councilmember Caraway.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1975

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-51, and addendum addition consent agenda items 1-2, was presented for consideration.

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

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

The Acting City Secretary stated for the record that consent agenda item 31 was corrected on the addendum addition consent agenda to be an individual item.

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

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

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

Councilmember Greyson requested that consent agenda item 8 and 41 be considered as individual items. Mayor Rawlings stated that consent agenda items 8 and 41 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Koop moved to adopt all items on the consent agenda with the exception of consent agenda items 8, 20, 31 and 41 which would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1975

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Later in the meeting, Mayor Rawlings requested to reconsider the consent agenda to allow consent agenda item 14 to be considered as an individual item in order for Councilmember Caraway to record his vote in opposition to the item.

Councilmember Kadane moved to reconsider the consent agenda to allow consent agenda item 14 to be considered as an individual item in order for Councilmember Caraway to record his vote in opposition to the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

After discussion, Councilmember Caraway moved to adopt all items on the consent agenda with the exception of consent agenda items 8, 14, 20, 31 and 41 which would be considered later in the meeting.

Motion seconded by Councilmember Kadane.

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

Mayor Rawlings declared the motion adopted. (Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1976

Item 2: Authorize a three-year service contract for flat tire repair, foam filling and re-capping services for vehicles and equipment citywide - Southern Tire Mart, LLC, lowest responsible bidder of three - Not to exceed \$1,112,891 - Financing: Current Funds (\$1,048,844), Water Utilities Current Funds (\$62,537) and Aviation Current Funds (\$1,510) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1977

Item 3: Authorize a three-year service contract for internal pipe repair of large concrete water mains utilizing carbon fiber wrap technology - Fibrwrap Construction, LP, lowest responsible bidder of three - Not to exceed \$8,284,060 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1978

Item 4: Authorize a three-year service contract for preventative maintenance and repairs for emergency backup generators - Power Pro-Tech Services, Inc. in the amount of \$484,707 and Allegiance Power Systems, Inc. in the amount of \$28,645, lowest responsible bidders of six - Total not to exceed \$513,352 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1979

Item 5: Authorize a two-year master agreement for ductile iron pipe for the distribution of potable water - Griffin Pipe Products Co., lowest responsible bidder of four - Not to exceed \$289,003 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1980

Item 6: Authorize the purchase of two excavators for Street Services - Four Seasons Equipment, Inc., lowest responsible bidder of six - Not to exceed \$211,804 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1981

Item 7: Authorize a three-year concession contract, with five one-year renewal options, for operation of the food and beverage concessions at the Majestic Theatre - Ed Campbell Company, most advantageous proposer of three - Estimated Annual Revenue: \$44,683 (Revenue share 15.5% of gross food sales, less sales tax; 25.5% of gross beverage sales, less sales tax and 17.5% of all merchandise sales, less sales tax)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1982

Item 8: Authorize the sale of one 2006 Bell 407 helicopter through The Cooperative Purchasing Network public auction on June 28, 2011 to Brown Helicopters, Inc., highest bidder - Revenue: \$1,467,500

Councilmember Allen and Councilmember Greyson requested that consent agenda item 8 be considered as an individual item. Mayor Rawlings stated that consent agenda item 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Allen and Councilmember Greyson's request.

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

Councilmember Margolin moved to adopt the item.

Motion seconded by Councilmember Jasso and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1983

- Item 9: Authorize Supplemental Agreement No. 2 to exercise the second of three one-year renewal options to the professional engineering contract with Biggs & Mathews Environmental, Inc. for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station - Not to exceed \$135,295, from \$353,720 to \$489,015 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1984

Item 10: Authorize settlement of the lawsuit styled Britney S. Sanders v. City of Dallas, Cause No. 10-16613-M - Not to exceed \$5,977 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1985

Item 11: Authorize settlement of the lawsuit styled Tadesse Engdayehu v. Isaac Meed and the City of Dallas, Cause No. 10-07641-B - Not to exceed \$9,000 -
Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1986

Item 12: Authorize settlement of the lawsuit styled Rolando Tovar v. City of Dallas,
Cause No. 10-08747-I - Not to exceed \$10,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1987

Item 13: Authorize settlement of the lawsuit styled Francisca Castro v. City of Dallas, Cause No. 10-10021-F - Not to exceed \$20,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1988

Item 14: Authorize Supplemental Agreement No. 1 to the professional services contract with Weaver & Tidwell, L.L.P. for additional consulting services in connection with the review of records in the lawsuit styled Marcus Wood, et al. v. Deborah Watkins, City Secretary, City of Dallas, Cause No. 10-14835-M - Not to exceed \$55,000, from \$25,000 to \$80,000 - Financing: Current Funds

Adopted as part of the consent agenda.

Later in the meeting, Mayor Rawlings requested to reconsider the consent agenda to allow consent agenda item 14 to be considered as an individual item in order for Councilmember Caraway to record his vote in opposition to the item.

Councilmember Kadane moved to reconsider the consent agenda to allow consent agenda item 14 to be considered as an individual item in order for Councilmember Caraway to record his vote in opposition to the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

After discussion, Councilmember Caraway moved to adopt all items on the consent agenda with the exception of consent agenda items 8, 14, 20, 31 and 41 which would be considered later in the meeting.

Motion seconded by Councilmember Kadane.

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

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Caraway voting "No." (Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1989

Item 15: Authorize the second 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 \$615,450, from \$15,668,745 to \$16,284,195 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1990

Item 16: Authorize the acceptance of an award from the Atmos Energy Corporation through the Friends of the Dallas Public Library, Inc. for programming at Bookmarks/NorthPark Center - Not to exceed \$50,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1991

Item 17: Authorize a contract with the Museum of African American Life and Culture for services provided to the City through the Cultural Services Contracts Program during the period of October 1, 2009 through September 30, 2011 - Not to exceed \$237,735 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1992

Item 18: Authorize a public hearing to be held on August 24, 2011 to receive comments on the proposed 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

AUGUST 10, 2011

11-1993

Item 19: A resolution designating absences by Redistricting Commission Members 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

AUGUST 10, 2011

11-1994

Item 20: Authorize a public hearing to be held on September 14, 2011 to receive public comments concerning the surface use of two locations at L.B. Houston Park, from Royal Lane to Northwest Highway (golf course and gun range site) for natural gas drilling and mineral production by Trinity East Energy, LLC - Financing: No cost consideration to the City

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

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

Councilmember Alonzo moved the city council meet in executive session to confer with the city attorney.

Motion seconded by Councilmember Koop and unanimously adopted.

Mayor Rawlings called a recess of the city council meeting at 9:53 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the City Attorney.

Mayor Rawlings reconvened the city council meeting after the executive session at 10:17 a.m. No other matters were discussed during the executive session.

Councilmember Alonzo moved to postpone the item for 30 days after the city council votes on amendments to gas drilling ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1995

Item 21: Authorize a professional services contract for the Bachman Lake Loop Trail, Phase III with CEI Engineering Associates, Inc. for schematic design, design development, and construction documents for improvements and continuation of loop trail renovations at Bachman Lake Park located at 3500 Northwest Highway - Not to exceed \$275,883 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1996

Item 22: Authorize Supplemental Agreement No. 1 to the professional services contract with Dunkin, Sims, Stoffels, Inc. for schematic design through construction administration services for the proposed Lake Highlands Trail crossing at Audelia Road and an on-street bike lane on White Rock Trail, including traffic/trail signage, median modifications, street markings, a new traffic signal on Audelia Road at the trail crossing and traffic control plans, located at the Oncor utility right-of-way from Ferndale Road to White Rock Trail - Not to exceed \$48,850, from \$34,110 to \$82,960 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1997

Item 23: Authorize Supplemental Agreement No. 1 to the professional services contract with The Broussard Group, dba TBG Partners, for the design of two additional soccer fields at Timberglen Park located at 3810 Timberglen Road - Not to exceed \$37,445, from \$103,550 to \$140,995 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1998

Item 24: Authorize a contract with SYB Construction Company, Inc., lowest responsible bidder of ten, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-617 (list attached) - Not to exceed \$1,335,736 - Financing: 2006 Bond Funds (\$1,285,096), Water Utilities Capital Construction Funds (\$10,175) and Water Utilities Capital Improvement Funds (\$40,465)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-1999

Item 25: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 06-453; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on September 14, 2011, to receive comments (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2000

Item 26: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 06-454; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on September 14, 2011, to receive comments (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2001

Item 27: Authorize an Interlocal Cooperation Agreement with the City of University Park to provide University Park with contingency waste disposal options under emergency conditions for the initial period beginning September 6, 2011 through September 6, 2012, and shall automatically renew on an annual basis for five successive years, unless terminated earlier by either University Park or Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2002

Item 28: Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from Korilynn Marley of approximately 4,419 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$5,351 (\$3,350 plus closing costs and title expenses not to exceed \$2,001) - Financing: Water Utilities Capital Improvement Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2003

Item 29: Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from Betty Morris of a tract of land containing approximately 5,985 square feet of land located near the intersection of Interstate Highway 20 and Seagoville Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$54,000 (\$50,000 plus closing costs and title expenses not to exceed \$4,000) - Financing: Water Utilities Capital Improvement Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2004

Item 30: Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from Joel Requenez and Minerva Requenez of a tract of land containing approximately 100,827 square feet located near the intersection of Interstate Highway 20 and Garden Grove Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$85,793 (\$82,793 plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2005

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Milton Lloyd Hill and Audrey Janette Hill of a tract of land containing approximately 21,347 square feet located near the intersection of Interstate Highway 20 and Ravenview Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$124,212 (\$121,212 plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

The Acting City Secretary stated for the record that consent agenda item 31 was corrected on the addendum addition consent agenda to be an individual item.

Councilmember Atkins moved to postpone the item until the August 24, 2011 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2006

Item 32: Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from George E. Holy and Marjorie E. Holy of a tract of land containing approximately 117,066 square feet located near the intersection of Ravenview and Fish Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$384,465 (\$380,465 plus closing costs and title expenses not to exceed \$4,000) - Financing: Water Utilities Capital Improvement Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2007

Item 33: Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from George E. Holy and Marjorie E. Holy of a tract of land containing approximately 122,038 square feet located near the intersection of Interstate Highway 20 and Ravenview Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$555,171 (\$549,171 plus closing costs and title expenses not to exceed \$6,000) - Financing: Water Utilities Capital Improvement Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2008

Item 34: Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from Premier Place of Dallas, L.P., of approximately 3,798 square feet of land located near Twin Sixties Drive and U.S. 75 Central Expressway for the Katy Trail Phase VI Project - Not to exceed \$268,000 (\$265,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2009

Item 35: Authorize acceptance of the revised property description and acquisition of approximately 110,168 square feet of land from Kenneth Everhart located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$44,200 (\$41,731 plus closing costs and title expenses not to exceed \$2,469) - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2010

Item 36: Authorize moving expense and rental assistance payments for Adelaida Cindo and Sergio Cindo in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 914 Packard Street for future City facilities - Not to exceed \$7,689 - Financing: 2006 Bonds Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2011

Item 37: Authorize moving expense and replacement housing payments for Maxine Johnson as a result of an official written offer of just compensation to purchase real property at 2530 Bethurum Avenue for the Bexar Street Improvement Project - Not to exceed \$56,500 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2012

Item 38: Authorize the execution of Quitclaim Deeds for 49 properties that were acquired by the taxing entities (the City of Dallas; the State of Texas; the County of Dallas; and Dallas Independent School District) from a Sheriff's Sale to the highest bidders (list attached) - Revenue: \$489,602

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2013

Item 39: An ordinance granting an NS(A) Neighborhood Service District on property zoned an R-5(A) Single Family District on the southwest corner of Chalk Hill Road and Chippewa Drive - Z101-144 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28292

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2014

Item 40: An ordinance granting an amendment to the Tract IIA portion of Planned Development District No. 598 subject to a Tract IIA development plan, Tract IIA landscape plan, and conditions on the south line of Wheatland Road, east of Hampton Road - Z090-175 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28293

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2015

Item 41: An ordinance granting a private license to The Adolphus Associates for the use of approximately 269 square feet of aerial space to install and maintain one projecting, attached videoboard sign over a portion of Commerce Street near its intersection with Field Street - Revenue: \$1,516 annually plus the \$20 ordinance publication fee

Councilmember Greyson requested that consent agenda item 41 be considered as an individual item. Mayor Rawlings stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, consent agenda item 41 was brought up for consideration.

Councilmember Allen moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Medrano.

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

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson and Councilmember Hunt voting "No."

Assigned ORDINANCE NO. 28294

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2016

Item 42: An ordinance abandoning a portion of a water easement to Carrollton-Farmers Branch Independent School District, the abutting owner, containing approximately 787 square feet of land located near the intersection of Timberglen Road and Vail Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28295

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2017

Item 43: An ordinance abandoning a portion of Claypool Road (previously known as Fishburn Street) to Dallas Area Rapid Transit, the abutting owner, containing approximately 12,332 square feet of land located near the intersection of Claypool and Scyene Roads and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28296

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2018

Item 44: An ordinance abandoning a portion of Mohawk Drive Extension to Viceroy Regal, L.P., the abutting owner, containing approximately 18,813 square feet of land located near the intersection of Burbank and Mohawk Streets and authorizing the quitclaim - Revenue: \$59,261 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28297

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2019

Item 45: Authorize an increase in the contract with Massana Construction Inc. for additional work to include an access road, additional concrete, addition of camber to three spans of the bridge structure and other miscellaneous modifications necessary to complete the Santa Fe Trestle Hike and Bike Trail Improvement Project - Not to exceed \$141,278, from \$5,575,149 to \$5,716,427 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2020

Item 46: Authorize the use of the design-build delivery method pursuant to Texas Local Government Code, Section 271.185(d), for improvements necessary at the Sunbeam Junction Structure located in the City of Dallas wastewater collection system - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2021

Item 47: Authorize a contract for the installation of water and wastewater mains at 29 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of five - Not to exceed \$5,584,403 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2022

Item 48: Authorize a contract for the installation of water and wastewater mains at 41 locations (list attached) - Oscar Renda Contracting, Inc., lowest responsible bidder of six - Not to exceed \$13,019,813 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2023

Item 49: Ratify an emergency repair to an ozone generator at the Elm Fork Water Treatment Plant - Fin-Tek Corporation dba Finnegan-Reztek, Inc. - Not to exceed \$158,955 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2024

Item 50: Authorize an increase in the agreement with the State of Texas, acting through the Texas Department of Transportation, for additional water main improvements and adjustments in conjunction with the Spur 366 (Woodall Rodgers Freeway) six-lane extension over the Trinity River with ramps to Riverfront Boulevard and direct connect to and from Interstate Highway 35E - Not to exceed \$89,867, from \$1,671,828 to \$1,761,695 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2025

Item 51: Authorize Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. to provide application engineering services for the new dewatering facility at the Southside Wastewater Treatment Plant - Not to exceed \$395,943, from \$4,568,650 to \$4,964,593 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2026

Item 52: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2027

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 53: Authorize (1) a placeholder development and operating agreement with the North Oak Cliff Municipal Management District (NOC MMD) to promote development and redevelopment in the NOC MMD; and (2) an amendment to Resolution No. 09-0459, previously approved on February 11, 2009 to replace the draft legislation that comprised Exhibit A with the final version of the law that created and governs the NOC MMD and to revise Section 4 to allow for an approval process in compliance with state law in the event there are any discrepancies between the conditions for the City's consent to the creation of the NOC MMD per Resolution No. 09-0459 and state law – 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", Mayor Rawlings 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 Jasso moved to adopt the item.

Motion seconded by Councilmember Griggs and Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2028

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 54: Authorize Supplemental Agreement No. 6 to the development agreement among the City of Dallas, the Downtown Dallas Development Authority (the DDDA), and FC Merc Complex, L.P. ("FC Merc"), a Texas limited partnership, FC Continental Complex, L.P. ("FCC"), a Texas limited partnership, FC Continental Landlord, LLC, a Texas limited liability company ("FC Continental") and FC Continental Manager, LLC, a Texas limited liability company and managing member of FC Continental (collectively called Forest City) to extend the substantial completion date for the Continental Building improvement project from December 31, 2011 to December 31, 2012, with the extension of the date for an additional six months subject to approval by the Director of Economic Development, Downtown Connection 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", Mayor Rawlings 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 Councilmember Hill and Councilmember Margolin and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2029

DESIGNATED PUBLIC SUBSIDY MATTERS

**Downtown Connection TIF District -
Joule Hotel Expansion Amendment**

Note: Item Nos. 55 and 56
must be considered collectively.

Item 55: Authorize an amendment to the Development Agreement with TIF Hotel, Inc., for the Joule Hotel Expansion Project previously approved on May 26, 2010, by Resolution Nos. 10-1331 and 10-1332, in Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) to: (1) increase minimum private investment by \$21,500,000, from \$76,500,000 to \$98,000,000; (2) increase minimum ground floor retail space from 12,500 square feet to a minimum 17,500 square feet of ground floor retail and office space; (3) add the building at 1608 Main Street and a portion of the Main Street alley to the expansion project; (4) add the construction of a building with a minimum of 7,500 square feet of commercial space; and (5) increase total TIF funding by \$3,194,403, from \$20,658,550 to \$23,852,953 (TIF funding from \$16,712,215 to \$19,670,663 plus a TIF Grant from \$3,946,335 to \$4,182,290) for a total incentive amount from \$20,658,550 to an amount not to exceed \$23,852,953 - Not to exceed \$23,852,953 - Financing: Downtown Connection 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", Mayor Rawlings 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 Councilmember Jasso and Councilmember Davis and unanimously adopted. (Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2030

DESIGNATED PUBLIC SUBSIDY MATTERS

**Downtown Connection TIF District -
Joule Hotel Expansion Amendment**

Note: Item Nos. 55 and 56
must be considered collectively.

Item 56: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse TIF Hotel, Inc., an amount not to exceed \$19,670,663 plus a TIF Grant in an amount not to exceed \$4,182,290 for a total incentive amount not to exceed \$23,852,953 for TIF eligible project costs pursuant to the development agreement with TIF Hotel, Inc. - 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", Mayor Rawlings 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 Councilmember Jasso and Councilmember Davis and unanimously adopted. (Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2031

DESIGNATED PUBLIC SUBSIDY MATTERS

Farmers Market Square Project

Note: Item Nos. 57 and 58
must be considered collectively.

Item 57: Authorize (1) a development agreement with Texas IntownHomes LLC to provide funding for the design, engineering, professional services, and construction of public infrastructure improvements for the Farmers Market Square Project located in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District); and (2) the Farmers Market TIF District Board of Directors to dedicate up to \$3,000,000 from Farmers Market TIF revenues in accordance with the development agreement - Not to exceed \$3,000,000 - Financing: Farmers Market 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", Mayor Rawlings 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:

Robin McCaffrey, 1807 Ross Ave., representing Farmers Market Area Stakeholders

Councilmember Hunt moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2032

DESIGNATED PUBLIC SUBSIDY MATTERS

Farmers Market Square Project

Note: Item Nos. 57 and 58
must be considered collectively.

Item 58: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District) to reimburse Texas IntownHomes LLC., in an amount not to exceed \$3,000,000 for certain improvements related to the development of the Farmers Market Square Project in the Farmers Market 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", Mayor Rawlings 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:

Robin McCaffrey, 1807 Ross Ave., representing Farmers Market Area Stakeholders

Councilmember Hunt moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2033

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 59: Authorize on-site reconstruction of six homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 1510 Dalview Avenue in the amount of \$93,400; 4533 Cherbourg Street in the amount of \$93,400; 3403 Garden Lane in the amount of \$93,400; 4318 Penelope Street in the amount of \$93,400; 3114 Modree Avenue in the amount of \$93,400; and 4016 Opal Avenue in the amount of \$93,400 - Total amount not to exceed \$560,400 - Financing: 2007-08 Community Development Block Grant Reprogramming Funds (\$135,642); 2007-08 HOME Funds (\$41,910); 2008-09 Community Development Block Grant Funds (\$196,048); 2009-10 Community Development Block Grant Reprogramming Funds (\$93,400) and 2010-11 HOME Investment Partnership Program Grant Funds (\$93,400)

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 Rawlings read the following certification into the record:

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

Councilmember Hill moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Jasso and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2034

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

Agenda item 60, 64, 73, 75, 79 and 80 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 60: Zoning Case Z090-112(RB) [considered individually]~~
Agenda item 61: Zoning Case Z101-121(RB)
Agenda item 62: Zoning Case Z101-123(WE)
Agenda item 63: Zoning Case Z101-257(RB)
~~Agenda item 64: Zoning Case Z101-203(MG) [considered individually]~~
Agenda item 65: Zoning Case Z101-230(MW)
Agenda item 66: Zoning Case Z101-234(MW)
Agenda item 67: Zoning Case Z101-244(MW)
Agenda item 68: Zoning Case Z101-189(RB)
Agenda item 69: Zoning Case Z101-167(JH)
Agenda item 70: Zoning Case Z101-176(WE)
Agenda item 71: Zoning Case Z101-197(JH)
Agenda item 72: Zoning Case Z101-198(JH)
~~Agenda item 73: Zoning Case Z101-212(WE) [considered individually]~~
Agenda item 74: Zoning Case Z101-226(WE)
~~Agenda item 75: Zoning Case Z101-228(MG) [considered individually]~~
Agenda item 76: Zoning Case Z101-231(WE)
Agenda item 77: Zoning Case Z101-239(WE)
Agenda item 78: Zoning Case Z101-250(MW)
~~Agenda item 79: Zoning Case Z101-256(WE) [considered individually]~~
~~Agenda item 80: Zoning Case Z101-268(MG) [considered individually]~~

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

Deputy Mayor Pro Tem Atkins 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 Koop and unanimously adopted. (Hill absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2035

Item 60: Zoning Case Z101-112(RB)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

Councilmember Kadane requested that zoning consent item 60 be considered as an individual item. Mayor Rawlings stated that zoning consent item 60 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

A public hearing was called on zoning case Z101-112(RB), an application for an LO-1 Limited Office District on property zoned an MF-2(A) Multifamily District on property on the south line of Woodmeadow Parkway, east of Ferguson Road and an ordinance granting an NO(A) Neighborhood Office District

(The staff and city plan commission recommended Approval of an NO(A) Neighborhood Office District in lieu of the requested LO-1 Limited Office District)

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

Councilmember Kadane moved to continue the public hearing and hold under advisement until the September 28, 2011 voting agenda meeting of the city council.

Motion seconded by Councilmember Koop and unanimously adopted. (Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2036

Item 61: Zoning Case Z101-121(RB)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-121(RB), an application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned an MU-3 Mixed Use District on the southeast line of Greenville Avenue, north of Forest Lane

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28298

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2037

Item 62: Zoning Case Z101-123(WE)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-123(WE), an application for and an ordinance granting the renewal of Specific Use Permit No. 1696 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Elm Street, east of Crowds Street

(The staff and city plan commission recommended Approval for a one-year period, 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. 28299

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2038

Item 63: Zoning Case Z101-257(RB)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-257(RB), an application for and an ordinance granting the renewal of Specific Use Permit No. 1767 for a Bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north line of Commerce Street, east of Good Latimer Expressway

(The staff and city plan commission recommended Approval for a three -year period, 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. 28300

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2039

Item 64: Zoning Case Z101-203(MG)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

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

A public hearing was called on zoning case Z101-203(MG), an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District and an R-7.5(A) Single Family District on the northwest corner of South Lancaster Road and Atlas Drive

(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.

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

- Stair penthouses, wind generating and solar equipment, and the structures listed in Section 51A-4.408(a)(2) may project a maximum of 12 feet above the maximum structure height.

and pass the ordinance.

Motion seconded by Councilmember Hunt and unanimously adopted. (Hill absent when vote taken)

Assigned ORDINANCE NO. 28301

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2040

Item 65: Zoning Case Z101-230(MW)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-230(MW), an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the northwest corner of Chula Vista Drive and Blossom Lane

(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. 28302

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2041

Item 66: Zoning Case Z101-234(MW)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-234(MW), an application for and an ordinance granting the renewal of Specific Use Permit No. 975 for a private school on property zoned an R-7.5(A) Single Family District on the south corner of Lovers Lane and Fisher Road

(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 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. 28303

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2042

Item 67: Zoning Case Z101-244(MW)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-244(MW), an application to and an ordinance granting an amendment to Specific Use Permit No. 1345 on property zoned an MF-2(A) Multifamily District on the northeast and northwest corners of Leigh Ann Drive and West Wheatland Road

(The staff and city plan commission recommended Approval, for a ten-year period with eligibility for automatic renewals for additional ten-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. 28304

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2043

Item 68: Zoning Case Z101-189(RB)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-189(RB), an application for and an ordinance granting the renewal of Specific Use Permit No. 1717 for a Vehicle display, sales, and service use on property within the Subdistrict 1/Tract 2 portion of Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, on the northwest corner of CF Hawn Freeway and Haymarket Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28305

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2044

Item 69: Zoning Case Z101-167(JH)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-167(JH), an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of 3,500 square feet or greater on property zoned CR Community Retail District with a D Liquor Control Overlay located at the northwest corner of Centerville Road and Aledo Drive

(The staff recommended Approval of the D-1 Liquor Control Overlay and approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions and city plan commission recommended Approval of the D-1 Liquor Control Overlay and 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 NOS. 28306 AND 28307

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2045

Item 70: Zoning Case Z101-176(WE)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-176(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 or food store of less than 3,500 square feet on property within Planned Development District No. 366 with a D Liquor Control Overlay on the west side of South Buckner Road (Loop 12), south of West Hodges Road

(The staff and city plan commission recommended Approval of a D-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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28308 AND 28309

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2046

Item 71: Zoning Case Z101-197(JH)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-197(JH), an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of 3,500 square feet or less on property zoned CR Community Retail District with a D Liquor Control Overlay located at the northeast corner of West Illinois Avenue and Toluca Avenue

(The staff recommended Approval of the 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 and city plan commission recommended Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit 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 NOS. 28310 AND 28311

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2047

Item 72: Zoning Case Z101-198(JH)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-198(JH), an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of 3,500 square feet or less on property zoned RR Regional Retail District with a D Liquor Control Overlay located at the northeast corner of Royal Lane and I-35 / North Stemmons Freeway

(The staff and city plan commission recommended Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit 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 NOS. 28312 AND 28313

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2048

Item 73: Zoning Case Z101-212(WE)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

Councilmember Caraway requested that zoning consent item 73 be considered as an individual item. Mayor Rawlings stated that zoning consent item 73 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Caraway's request.

A public hearing was called on zoning case Z101-212(WE), 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 of less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the west line of North Jim Miller Road, north of Lake June 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.

Councilmember Caraway moved to close the public hearing, follow the city plan commission recommendation for approval of the Specific Use Permit for a two-year period with no automatic renewals and pass the ordinance.

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

Assigned ORDINANCE NO. 28314

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2049

Item 74: Zoning Case Z101-226(WE)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-226(WE), 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 of less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the south line of Bruton Road, between Lewiston Avenue and North 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. 28315

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2050

Item 75: Zoning Case Z101-228(MG)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

Councilmember Caraway requested that zoning consent item 75 be considered as an individual item. Mayor Rawlings stated that zoning consent item 75 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Caraway's request.

A public hearing was called on zoning case Z101-228(MG), an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay generally southwest of the intersection of South Buckner Boulevard and Scyene Road

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

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

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

Dallas Cothrum, 900 Jackson St., representing the applicant

Councilmember Caraway moved to close the public hearing, approve an ordinance granting a D-1 liquor control overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages for a period of five years with eligibility for automatic renewals for additional five-year periods subject to a site plan and conditions.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NOS. 28316 AND 28317

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2051

Item 76: Zoning Case Z101-231(WE)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-231(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 or food store of 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 Northwest Highway and Midway 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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28318 AND 28319

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2052

Item 77: Zoning Case Z101-239(WE)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-239(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 or food store of less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb 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 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 NOS. 28320 AND 28321

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2053

Item 78: Zoning Case Z101-250(MW)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

A public hearing was called on zoning case Z101-250(MW), an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store of greater than 3,500 square feet on property zoned Planned Development District No. 805 with a D Liquor Control Overlay on the north side of Lake June Road, east side of Masters Drive

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28322 AND 28323

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2054

Item 79: Zoning Case Z101-256(WE)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

Councilmember Hill requested that zoning consent item 79 be considered as an individual item. Mayor Rawlings stated that zoning consent item 79 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

A public hearing was called on zoning case Z101-256(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 or food store of less than 3,500 square feet on property zoned a RR-D Regional Retail District with a D Liquor Control Overlay on the east line of South Hampton Road, northwest of Marvin D. Love Freeway

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

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

Kermit Mitchell, 5659 Marblehead Dr., representing Twin Oaks Neighborhood Association

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

Santos Martinez, 900 Jackson St., representing the applicant

Mayor Pro Tem Medrano moved to continue the public hearing and hold under advisement until the August 24, 2011 voting agenda meeting of the city council.

Motion seconded by Councilmember Jasso and unanimously adopted. (Hill, Davis absent when vote taken)

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2055

Item 80: Zoning Case Z101-268(MG)

The consent zoning docket, consisting of agenda items 60-80, was presented for consideration.

Councilmember Davis requested that zoning consent item 80 be considered as an individual item. Mayor Rawlings stated that zoning consent item 80 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

A public hearing was called on zoning case Z101-268(MG), 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 less than 3,500 square feet on property zoned a RR Regional Retail District with a D-1 Liquor Control Overlay on the east line of North Buckner Boulevard, north of Chenault Street

(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 the city plan commission's recommendation.

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

Karen K. Mitchell, 7823 Nine Mile Bridge Rd., **Ft. Worth, TX**, representing RaceTrac

Councilmember Koop moved to continue the public hearing and hold under advisement until the September 14, 2011 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2056

Item 81: Zoning Case Z090-241(RB) - INDIVIDUAL

A public hearing was called on zoning case Z090-241(RB), an application for and an ordinance granting a Planned Development District for Retirement housing and MF-2(A) Multifamily District Uses on property zoned an MF-2(A) Multifamily District on the west corner of Washington Avenue and Munger Avenue

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

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

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

Michael Coker, 2700 Swiss Ave., representing the applicant
Gwain Wooten, 1000 Grigsby Ave.

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

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

Later in the meeting, Councilmember Hunt moved to reconsider the vote on the item to record her amendment to the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

Mayor Rawlings declared the motion to reconsider was adopted and that zoning item 81 was before the city council for reconsideration.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-2056

Page 2

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

- For retirement housing, providing a minimum front yard of ten feet on Washington Avenue.

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 28324

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2057

Item 82: Zoning Case Z101-261(RB) - INDIVIDUAL

A public hearing was called on zoning case Z101-261(RB), an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District uses on the northwest corner of Greenville Avenue and Bell Avenue

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

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

Mike Northrup, 5703 Goliad Ave., representing Coalition of Neighborhood Associations, such as Lower Greenville, Belmont, Lowest Greenville West, Vickery Place and Hudson Heights Neighborhood Associations

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

Simon McDonald, 315 N. Winnetka Ave., applicant
Larry Vineyard, 2622 Commerce, representing the Madison Partners, LLC.
Scott Davison, 5719 Belmont Ave.

Mayor Pro Tem Medrano moved to close the public hearing, adopt the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Hunt and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 28325

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2058

Item 83: Zoning Case Z101-263(MW) - INDIVIDUAL

A public hearing was called on zoning case Z101-263(MW), an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a bar, lounge or tavern on property zoned Planned Development District No. 842 for CR Community Retail District uses on the east side of Greenville Avenue, south of Oram Street

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

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

Mike Northrup, 5703 Goliad Ave., representing Coalition of Neighborhood Associations, such as Lower Greenville, Belmont, Lowest Greenville West, Vickery Place and Hudson Heights Neighborhood Associations

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

Cary Ray, 5911 Marquita Ave., representing the applicant

Councilmember Hunt moved to close the public hearing, adopt the recommendation of the city plan commission with the following change:

- Subject to revised site plan showing patio with a condition prohibiting outside speakers as part of the late hour issue.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28326

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2059

Item 84: Zoning Case Z101-264(MW) - INDIVIDUAL

A public hearing was called on zoning case Z101-264(MW), an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District uses on the east side of Greenville Avenue, north of Oram Street

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

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

Bruce Richardson, 5607 Richmond Ave., representing Coalition of Neighborhood Associations

Mike Northrup, 5703 Goliad Ave., representing Coalition of Neighborhood Associations, such as Lower Greenville, Belmont, Lowest Greenville West, Vickery Place and Hudson Heights Neighborhood Associations

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

Dallas Cothrum, 900 Main St., representing the applicant

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Hill, Davis, Atkins absent when vote taken)

Note: Councilmember Hunt stated the motion that was made at the city plan commission hearing reads on page 1075 of the agenda notes that this is subject to a site plan and revised condition to include a provision prohibiting any outside speakers on this property.

Assigned ORDINANCE NO. 28327

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2060

Item 85: Zoning Case Z090-215(WE) - DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z090-215(WE), an application for and an ordinance granting a Planned Development District for mixed uses and an ordinance terminating Specific Use Permit No. 1198 for a community service center on property zoned an MF-1(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the west side of Bexar Street, south of Municipal Street

(The staff and city plan commission recommended Approval subject to a development plan and conditions and approval of the termination of Specific Use Permit No. 1198)

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 Rawlings read the following certification into the record:

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

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

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

Michael Coker, 2700 Swiss Ave., representing the applicant

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

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Kadane and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NOS. 28328 AND 28329

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2061

Item 86: Zoning Case Z101-199(MW) - DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z101-199(MW), an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northeast side of Maple Avenue, southwest of Inwood Road

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

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 Rawlings read the following certification into the record:

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

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

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

Melissa Adami, 9007 Church Rd., representing Odyssey Residential Holdings

Mayor Pro Tem Medrano moved to continue the public hearing and hold under advisement until the August 24, 2011 voting agenda meeting of the city council and instruct staff to correct the newspaper notice and council agenda wording.

Motion seconded by Councilmember Kadane and Councilmember Margolin and unanimously adopted. (Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2062

Item 87: Zoning Case Z101-201(MW) - DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z101-201(MW), regarding an application for and an ordinance granting an amendment to Planned Development District No. 799 in an area bounded by Lovers Lane, Amesbury Drive, Milton Street and Matilda Street to the west

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2063

Item 88: Zoning Case Z101-254(JH) - DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z101-254(JH), an application for and an ordinance granting a Planned Development District for multifamily uses and a resolution terminating deed restrictions on property zoned an MC-2 Multiple Commercial District on the west side of Noel Road, north of Spring Valley Road

(The staff and city plan commission recommended Approval of a Planned Development District, subject to a development plan, landscape plan, and conditions and approval of the termination of the deed restrictions)

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 Rawlings read the following certification into the record:

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

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Margolin and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 28330

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2064

Item 89: Zoning Case Z090-169(WE) - DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z090-169(WE), an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street

(The staff and city plan commission recommended Approval of the MU-3 Mixed Use District and approval of the deed restrictions volunteered by the applicant)

Note: This item was considered by the City Council at public hearings on October 26 and December 8, 2010, and March 9 and June 22, 2011, and was taken under advisement until August 10, 2011, with the public hearing open.

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 Rawlings read the following certification into the record:

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

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

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

Melissa Adami, 9007 Church Rd., representing Odyssey Residential Holdings

Mayor Pro Tem Medrano moved to close the public hearing, adopt the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Hunt and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 28331

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2065

BENEFIT ASSESSMENT HEARINGS

Item 90: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements for Street Group 06-455, and at the close of the hearing, authorize an ordinance levying benefit assessments and a construction contract with SYB Construction Company, Inc., lowest responsible bidder of seven (list attached) - Not to exceed \$2,455,707 - Financing: 2006 Bond Funds (\$1,848,638), Water Utilities Capital Improvement Funds (\$581,364), and Water Utilities Capital Construction Funds (\$25,705)

No one addressed the city council regarding the item.

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

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 28332

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2066

THOROUGHFARE PLAN AMENDMENTS

Item 91: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of: **(1)** Bishop Avenue from Colorado Boulevard to Neely Street from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a special three lane undivided (SPCL-3-U) with bicycle lanes within 100 feet of right-of-way and 60 feet of pavement; and **(2)** Bishop Avenue from Neely Street to Davis Street from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a four lane divided (S-4-D) within 100 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28333

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2067

THOROUGHFARE PLAN AMENDMENTS

Item 92: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Daniieldale Road from Hampton Road to Polk Street from a six lane divided roadway (S-6-D) within 107 feet of right-of-way to a four lane undivided roadway (S-4-U) within 60 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Koop and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 28334

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2068

MISCELLANEOUS HEARINGS

Item 93: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Shelton School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store of greater than 50,000 square feet on property on the northwest corner of Arapaho Road and Hillcrest Road - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Santos Martinez, 900 Jackson St., representing the applicant

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

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2069

Addendum addition 1: Authorize **(1)** the acceptance of equipment valued at \$831,200 from the Domestic Nuclear Detection Office from the Department of Homeland Security for use in the development of a regional preventative radiological nuclear detection program; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 10, 2011

11-2070

Addendum addition 2: Authorize **(1)** the application for and acceptance of the Texas Comptroller's 2012 Tobacco Compliance Grant in the amount of \$46,000 from the Office of the Comptroller of Public Accounts for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period August 1, 2011 through August 31, 2012; and **(2)** execution of the grant agreement - Not to exceed \$46,000 - Financing: Texas Comptroller's Tobacco Compliance Grant Funds

Adopted as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 10, 2011

EXHIBIT C