

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 14, 2011

11-3210

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

PRESENT: [15] Rawlings, Medrano, (*9:06 a.m.), Atkins (*9:06 a.m.), Jasso, Griggs, Caraway, Hill, Alonzo, Davis (*9:12 a.m.), Kadane, Allen, Koop, Greyson (*9:16 a.m.), Margolin, Hunt (*9:06 a.m.)

ABSENT: [0]

The meeting was called to order at 9:03 a.m.

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

The invocation was given by Reverend Joe Clipper of First Presbyterian Church.

Mayor Rawlings 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 4:37 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.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 14, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 14, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3211

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: Tom Gibbons, 5029 Live Oak St.
SUBJECT: Transportation

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: RSR lead smelter vs. City of Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Otis Fagan, 2247 Scotland Dr.
REPRESENTING: Clean for Environmental Justice
SUBJECT: Lead in West Dallas

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

SPEAKER: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: Some Citizens
SUBJECT: Prophecy of Jesus second coming

SPEAKER: Robert Ceccarelli, 6302 Harry Hines Blvd.
SUBJECT: Education

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
REPRESENTING: GOD
SUBJECT: Mayor & Security assaulted me again 12/8/2010

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: R.A.W. (Real American Women)
SUBJECT: I won't complain

SPEAKER: Robert E. Jones, 4418 Ambassador Way, **Balch Springs, TX**
REPRESENTING: Clean Association
SUBJECT: Lead in West Dallas

G:\2011MIN\cc121411M.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3212

Item 1: Approval of Minutes of the November 7, 2011 City Council Meeting

Deputy Mayor Pro Tem Atkins moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3213

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-79, and addendum addition consent agenda items 1-12, was presented for consideration.

The Acting City Secretary requested that consent agenda item 69 be considered as an individual item to allow citizens to speak. Mayor Rawlings stated that consent agenda item 69 would be considered as an individual item later in the meeting there being no objection voiced to the Acting City Secretary's request.

Deputy Mayor Pro Tem Atkins requested that consent agenda items 42, 45 and 69 be considered as individual items. Mayor Rawlings stated that consent agenda items 42, 45 and 69 would be considered as individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

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

Councilmember Griggs requested that consent agenda items 9, 14 and 29 be considered as individual items. Mayor Rawlings stated that consent agenda items 9, 14 and 29 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Griggs' request.

Councilmember Hunt requested that consent agenda items 9 and 14 be considered as individual items. Mayor Rawlings stated that consent agenda items 9 and 14 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Kadane moved to adopt all items on the consent agenda and addendum addition consent agenda item with the exception of consent agenda items 9, 14, 29, 42, 45, 69 and addendum addition consent agenda item 6 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3214

Item 2: Authorize **(1)** a five-year service contract for maintenance, support and implementation services in the amount of \$253,168; and **(2)** the purchase of hardware and software for the upgrade of the point of sales and online payment processing solution used by Development Services in the amount of \$45,068, System Innovators, a division of N. Harris Computer Corporation, Sole Source - Total not to exceed \$298,236 - Financing: Building Inspection Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3215

Item 3: Authorize a three-year concession contract for the operation of a watercraft rental service at White Rock Lake - White Rock Paddle Co., only proposer - Estimated Annual Revenue: \$3,750

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3216

Item 4: Authorize a three-year master agreement for batteries and flashlights - Simba Industries in the amount of \$70,478, Globe Electric Co., Inc. in the amount of \$52,086, HD Supply Facilities Maintenance LTD in the amount of \$51,951, TKC Enterprises, Inc. in the amount of \$18,784, Clark Security Products, Inc. in the amount of \$10,700, DT-DO, Inc. in the amount of \$7,827, Elect-A-Van Service, Inc. dba EVS Supply in the amount of \$5,224, Battle & Battle Distributors, Inc. in the amount of \$4,196, Custom Computer Cables, Inc. in the amount of \$2,030 and Midway Auto Supply, Inc. in the amount of \$1,554, lowest responsible bidders of twelve - Total not to exceed \$224,830 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3217

Item 5: Authorize a three-year master agreement for oil, grease and lubricants - Felts Heavy Duty Oil, LLC. in the amount of \$3,617,824, Schaeffer Manufacturing Company in the amount of \$352,797, Certified Laboratories, a Division of NCH Corporation in the amount of \$322,787, and Dien, Inc. in the amount of \$4,910, lowest responsible bidders of five - Total not to exceed \$4,298,318 - Financing: Current Funds (\$3,194,563), Water Utilities Current Funds (\$965,025), Aviation Current Funds (\$17,830), Convention and Event Services Current Funds (\$5,501) and Stormwater Drainage Management Current Funds (\$115,399)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3218

Item 6: Authorize a three-year master agreement for tile pipe and fittings - Mission Clay Products LLC, lowest responsible bidder of two - Not to exceed \$86,668 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3219

Item 7: Authorize **(1)** the purchase of an interactive employee training system - SSI, Inc., through an Interlocal Agreement with the Dallas/Fort Worth International Airport; and **(2)** an increase in appropriations in the amount of \$200,000 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Not to exceed \$200,000 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$150,000) and Aviation Capital Construction Funds (\$50,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3220

Item 8: Authorize an increase in the master agreement with General Chemical Performance Products, LLC. for liquid ferric sulfate for the City's water purification treatment plants - Not to exceed \$4,951,250, from \$19,805,000 to \$24,756,250 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3221

Item 9: Authorize **(1)** an acquisition contract for the purchase of additional licenses, software and upgrade services to upgrade the existing integrated billing system in the amount of \$427,421; and **(2)** a five-year service contract for maintenance and support for the integrated billing system in the amount of \$2,786,350 - SAP Public Services, Inc., Sole Source - Total not to exceed \$3,213,771 - Financing: Water Utilities Current Funds (\$2,786,350) (subject to annual appropriations) and Water Capital Construction Funds (\$427,421)

Councilmember Griggs and Councilmember Hunt requested that consent agenda item 9 be considered as an individual item. Mayor Rawlings stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' and Councilmember Hunt's request.

Later in the meeting, consent agenda item 9 was brought up for consideration.

After discussion, Mayor Rawlings stated that consent agenda item 9 would be suspended until later in the meeting in order to allow staff to research options.

Later in the meeting, consent agenda item 9 was presented for further discussion and consideration.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3222

Item 10: Authorize settlement of a claim filed by Andre Peace, Claim No. 11-00159-01-31 - Not to exceed \$14,911 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3223

Item 11: Authorize settlement of the lawsuit styled Paul Ransom v. City of Dallas, Cause No. 11-05181-G - Not to exceed \$20,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3224

Item 12: Authorize Supplemental Agreement No. 1 to the professional services contract with Cathy E. Bennett & Associates, Inc. for additional consulting services in the lawsuit styled Doug Moore v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O - Not to exceed \$34,372, from \$25,000 to \$59,702 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3225

Item 13: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P. for additional legal services necessary to represent the City in the lawsuit styled Thomas Hannon v. David L. Nevitt, et al., Civil Action No. 3:09-cv-0066-N - Not to exceed \$50,000, from \$100,000 to \$150,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3226

Item 14: Authorize Supplemental Agreement No. 5 to the service contract with Advantaged Solutions (HCL-AXON, Inc. as agent), through the Federal General Services Administration (GSA), to provide technical support of the SAP billing and collection system for a twenty-month term beginning December 1, 2011 and ending July 31, 2013 - Not to exceed \$8,300,000, from \$12,806,009 to \$21,106,009 - Financing: Current Funds (subject to annual appropriations)

Councilmember Griggs and Councilmember Hunt requested that consent agenda item 14 be considered as an individual item. Mayor Rawlings stated that consent agenda item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' and Councilmember Hunt's request.

Later in the meeting, consent agenda item 14 was brought up for consideration.

After discussion, Mayor Rawlings stated that consent agenda item 14 would be suspended until later in the meeting in order to allow staff to research options.

Later in the meeting, consent agenda item 14 was presented for further discussion and consideration.

Deputy Mayor Pro Tem Atkins moved to adopt the item with the following amendment:

- Adopt for 3 months, from December 1, 2011 to February 29, 2012; bring the item back to the Budget, Finance and Audit Committee to review on January 17, 2012; and then to the city council briefing meeting on January 18, 2012.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3227

Item 15: Authorize **(1)** the acceptance of a grant from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP) via the Below Market Interest Rate Loan Program for the period September 1, 2011 through August 31, 2012; and **(2)** execution of the grant agreement - Not to exceed \$104,224 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3228

Item 16: Authorize **(1)** the acceptance of a grant from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP) via the Housing Trust Fund for the period September 1, 2011 through August 31, 2012; and **(2)** execution of the grant agreement - Not to exceed \$549,752 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3229

- Item 17: Authorize amendments to the housing Reconstruction/SHARE Program and the Major Systems Repair Program, MSRP, (the “Programs”) to allow the City Manager, or her designee, upon legal review and approval by the City Attorney’s Office to: **(1)** endorse on behalf of the City of Dallas, as the lien holder, insurance recovery checks issued by insurance companies to borrowers for any recovery of property damage(s) under borrowers’ homeowners insurance policies; and **(2)** authorize the insurance recovery proceeds to be used by borrowers to repair the damaged properties secured by City liens - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3230

Item 18: Authorize amendments to the Dallas Housing Acquisition and Development Corporation Bylaws providing that **(1)** the City of Dallas Director of Code Compliance shall be added as an eighth member of the Board of Directors; and **(2)** the term of the non-City appointed board members shall continue, without a break in service, until a replacement has been appointed - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3231

Item 19: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Builders of Hope Community Development Corporation for the construction of affordable houses; **(2)** the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3232

Item 20: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Altura Homes DFW, LP for the construction of affordable houses; **(2)** the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to Altura Homes DFW, LP; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3233

Item 21: Authorize **(1)** the sale of the property located at 4514 Reiger Avenue, containing 16 apartment units, (the “Property”) from Central Dallas Community Development Corporation to Dr. Howard Cooke, or his wholly owned subsidiary; **(2)** the assumption by Dr. Howard Cooke, or his wholly owned subsidiary, of the remaining balance of the loan, originally made in 2007 for the rehabilitation of the Property, owed by Central Dallas Community Development Corporation to the City of Dallas in the amount of \$296,049.18; and **(3)** an amendment to the terms of the loan to extend the maturity date and ensure the affordability of the Property through July 1, 2019 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3234

Item 22: Authorize **(1)** the acceptance of a grant from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP) via General Revenue for the period September 1, 2011 through August 31, 2012; and **(2)** execution of an amendment to the existing grant agreement with TDHCA for the provision of services to the homeless through the HHSP by Resolution No. 10-0318, previously approved on January 27, 2010, to increase the grant agreement amount by \$141,930 and extend the term of the grant agreement through August 31, 2012 - Not to exceed \$141,930, from \$3,361,364 to \$3,503,294 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3235

Item 23: Authorize a third amendment to the Management Services Contract, Phase II, with Bridge Steps to: **(1)** allow the City to count the Homeless Housing and Services Program (HHSP) grants received from the Texas Department of Housing and Community Affairs (TDHCA) toward Bridge Steps' required contribution to The Bridge operating budget to allow The Bridge to serve a greater number of the homeless population for the period September 1, 2011 through August 31, 2012; and **(2)** require Bridge Steps to comply with all conditions of the grant agreements between the City and TDHCA - Not to exceed \$795,906, from \$30,234,578 to \$31,030,484 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3236

Item 24: Authorize an amendment to the Hall of State Management Agreement with the Dallas Historical Society, Inc., a Texas nonprofit corporation, to amend the terms of the agreement to allow the organization to charge a reasonable fee for admission to the Hall of State exhibitions - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3237

Item 25: Authorize **(1)** the acceptance of a grant from the Texas Commission on the Arts to provide cultural services for the period October 1, 2011 through September 30, 2012; and **(2)** execution of the grant agreement - Not to exceed \$31,910 - Financing: Texas Commission on the Arts Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3238

Item 26: Authorize the City Manager to execute an amendment to the mineral lease by and between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration LLC ("Lease") that is necessary to effect a partial settlement of disputes that arose under the Lease - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3239

Item 27: Authorize a three-year development, operating and programming agreement, with two one-year renewal options, with GroundworkDallas, Inc. at Elm Fork Greenbelt, Great Trinity Forest, L.B. Houston Greenbelt, Lower White Rock Creek Greenbelt, Moore Park, William Blair, Jr. Park, Trinity River Greenbelt, and the Trinity Strand Trail - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3240

Item 28: Authorize **(1)** reprogramming of the Neighborhood Partnership Match Funding in the amount of \$750,000 to Dealey Plaza and \$73,541 to Project Implementation; and **(2)** a professional services contract with Good, Fulton & Farrell Architects for schematic design through construction administration phase services for Phase II renovations to include architecture, fountains, lighting, utilities, landscape, irrigation, and graphics and signage at Dealey Plaza located at 400 Main Street - Not to exceed \$134,065 - Financing: 2003 Bond Funds (\$72,100) and 2006 Bond Funds (\$61,965)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3241

Item 29: Authorize twelve-month funding agreements with the Dallas Arboretum and Botanical Society, Inc. in the amount of \$269,098, Texas Discovery Gardens in the amount of \$95,862, and Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve in the amount of \$33,949 to provide services and programs within the City of Dallas for the period October 1, 2011 through September 30, 2012 - Total not to exceed \$398,909 - Financing: Current Funds

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

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

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

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Allen and unanimously adopted. (Griggs abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3242

Item 30: Authorize an increase in the contract with Speed Fab-Crete Corporation for the addition of a perimeter drainage system, removal and replacement of sheetrock, new fire alarm system, and the installation of a new sewer line at Jaycee/Zaragoza Recreation Center located at 3114 Clymer Street and demolition of pool and deck/bathhouse at Tipton Park located at 3607 Magdeline Street - Not to exceed \$128,783, from \$944,196 to \$1,072,979 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3243

Item 31: Authorize an increase in the contract with Wall Enterprises for additional work to include irrigation, sod, solar lake aerator, and other miscellaneous items at NorthBark Park located at 4899 Gramercy Oaks Drive - Not to exceed \$46,337, from \$1,821,487 to \$1,867,824 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3244

Item 32: Authorize Supplemental Agreement No. 1 for a twelve-month extension to the professional services contract with Pegasus Texas Construction, LP for program management services for various projects funded through the Bond Program - Not to exceed \$2,240,765, from \$8,959,560 to \$11,200,325 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3245

Item 33: Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. for additional services to provide creek survey and hydrology and additional design requirements for two changes in project scope to include investigation and corrective design for existing curb inlet on north side of lower parking lot and retaining wall treatment design on north side of Cedar Creek at the Dallas Zoo located at 650 South R.L. Thornton Freeway - Not to exceed \$34,675, from \$109,400 to \$144,075 - Financing: 2005 Certificates of Obligation (\$26,625) and 2006 Bond Funds (\$8,050)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3246

Item 34: Authorize a twenty-seven-month agreement with Dallas County and the Regional Transportation Council (RTC) as the transportation policy body of the North Central Texas Council of Governments (NCTCOG) to reimburse Dallas County for the Southern Dallas County Highway Traffic Program for the period October 1, 2011 through September 30, 2012 - Not to exceed \$1,045,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3247

Item 35: Authorize an amendment to the Interlocal Agreement with the Dallas County Sheriff's Office (DSO) to assume partial responsibility with the Dallas Police Department (DPD) for traffic enforcement and accident investigation on designated interstate highways and other roadways within the city limits of Dallas for the period October 1, 2011 through September 30, 2012 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3248

Item 36: Authorize **(1)** a Project Supplemental Agreement with Dallas County for the design and construction of paving and drainage improvements on Bonnie View Road from Langdon Drive to Wintergreen Road; and **(2)** payment to Dallas County for the City's share of design and construction costs - Not to exceed \$6,000,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3249

Item 37: Authorize a contract with Santos Construction, Inc., lowest responsible bidder of eight, for the reconstruction of alley paving, storm drainage and water and wastewater main improvements for Alley Reconstruction Group 06-2025 (list attached) - Not to exceed \$1,389,568 - Financing: 2006 Bond Funds (\$1,170,039), Water Utilities Capital Construction Funds (\$5,970) and Water Utilities Capital Improvement Funds (\$213,559)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3250

**North Bishop Avenue & West Seventh Street
Bike Lane & Historical Street Lights**

Note: Item Nos. 38, 39 and 40
must be considered collectively.

Item 38: Authorize an increase in the contract with Camino Construction, L.P. for changes to the proposed drainage system due to utility conflicts found underneath the existing pavement and other changes related to the new bike lane pavement markings for North Bishop Avenue from West Neely Street to West Colorado Boulevard and additional street lights for Seventh Street from Madison Avenue to Zang Boulevard - Not to exceed \$57,406, from \$2,858,347 to \$2,915,753 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3251

**North Bishop Avenue & West Seventh Street
Bike Lane & Historical Street Lights**

Note: Item Nos. 38, 39 and 40
must be considered collectively.

Item 39: Authorize a service agreement with ONCOR Electric Delivery for the installation and connection of eighty-eight historical street lights on North Bishop Avenue from West Neely Street to West Colorado Boulevard - Not to exceed \$157,956 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3252

Item 40: Authorize a service agreement with ONCOR Electric Delivery for the installation and connection of twelve historical street lights on West Seventh Street from North Madison Avenue to North Zang Boulevard - Not to exceed \$20,942 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3253

Item 41: Authorize an increase in the contract with Jeske Construction Company for additional pavement at the intersection of Lemmon Avenue and North Haskell Avenue for Street Group 06-613 - Not to exceed \$49,056, from \$1,718,931 to \$1,767,987 - Financing: 2003 Bond Funds (\$24,161) and 2006 Bond Funds (\$24,895)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3254

Item 42: Authorize **(1)** an increase in the construction contract with J. C. Commercial, Inc. for the Snow and Ice Removal Facility at Dallas Love Field and to extend the contract for additional work related to exterior surface stabilization, utility relocation and interior flooring upgrades in the amount of \$83,725, from \$3,906,949 to \$3,990,674; and **(2)** an increase in appropriations in the amount of \$90,000 in the Aviation Capital Construction Fund for construction, testing, commissioning and other contract administration costs - Not to exceed \$83,725 - Financing: Aviation Capital Construction Funds

Deputy Mayor Pro Tem Atkins requested that consent agenda item 42 be considered as an individual item. Mayor Rawlings stated that consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

Later in the meeting, consent agenda item 42 was brought up for consideration.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3255

Item 43: Authorize Supplemental Agreement No. 1 to the professional services contract with Campos Engineering, Inc. to provide revised construction documents for the Data Center Remodel - Not to exceed \$55,800, from \$300,000 to \$355,800 - Financing: 2008A Certificates of Obligation

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3256

Item 44: Authorize Supplemental Agreement No. 1 to the professional services contract with IDA Engineering, Inc. to provide energy monitoring services at the Oak Cliff Municipal Center located at 320 East Jefferson Boulevard and additional independent engineering services at 24 buildings for Phase 2 of the lighting/controls project (list attached) - Not to exceed \$103,000, from \$415,000 to \$518,000 - Financing: U.S. Department of Energy Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3257

Item 45: Authorize Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural, engineering, and interior design services to include interior improvements for Lobby A and A/B prefunction areas at the Dallas Convention Center - Not to exceed \$142,720, from \$4,108,831 to \$4,251,551 - Financing: 2009 Convention Center Revenue Bonds

Deputy Mayor Pro Tem Atkins requested that consent agenda item 45 be considered as an individual item. Mayor Rawlings stated that consent agenda item 45 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

Later in the meeting, consent agenda item 45 was brought up for consideration.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Jasso and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3258

Item 46: Authorize Supplemental Agreement No. 3 to the professional services contract with HNTB Corporation to provide additional engineering design services related to construction oversight of the Mockingbird Lane Bridge for Phase VI of the Katy Trail from Ellsworth Street to Worcola Street - Not to exceed \$461,890, from \$1,882,094 to \$2,343,984 - Financing: 2006 Bond Funds (\$46,189), Capital Projects Reimbursement Funds (\$46,189 to be reimbursed by Dallas County) and Regional Toll Revenue II Funds (\$369,512)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3259

Item 47: Authorize Supplemental Agreement No. 4 to the Construction Manager at Risk contract with McCarthy Building Companies, Inc. for fire protection, waterproofing, theatrical and accessibility enhancements and inclusion of Ross Avenue Streetscape Improvements to the construction of the City Performance Hall Project - Not to exceed \$407,431, from \$31,709,455 to \$32,116,886 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3260

Item 48: Authorize Supplemental Agreement No. 4 to the professional services contract with Corgan Associates, Inc. for design, construction documents, bidding and construction administration services for fixtures, furnishings, equipment and a catering kitchen for the City Performance Hall - Not to exceed \$60,200, from \$7,265,117 to \$7,325,317 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3261

**Olive Street Extension of
the McKinney Avenue Trolley**

Note: Item Nos. 49 and 50
must be considered collectively.

Item 49: Authorize Supplemental Agreement No. 8 to the professional services contract with Huitt-Zollars, Inc. to provide additional engineering services related to federal mandated track modification for the McKinney Avenue Trolley Olive Street Extension Project - Not to exceed \$386,750, from \$2,789,841 to \$3,176,591 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3262

**Olive Street Extension of
the McKinney Avenue Trolley**

Note: Item Nos. 49 and 50
must be considered collectively.

Item 50: Authorize an increase in the contract with Gibson & Associates, Inc. for the construction of federal mandated track modification for the McKinney Avenue Trolley Olive Street Extension Project - Not to exceed \$263,432, from \$8,403,346 to \$8,666,778 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3263

Item 51: Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Kumiva Group, LLC, Cause No. cc-10-00755-d, pending in the County Court at Law No. 4, for acquisition from Kumiva Group, LLC of approximately 9,985 square feet of land located near the intersection of Motor and Cass Streets for the Motor Street Improvement Project - Not to exceed \$305,000 (\$300,000 plus closing costs and title expenses not to exceed \$5,000) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3264

Item 52: Authorize moving expense and rental assistance payments for Sherrie Williams as a result of an official written offer of just compensation to purchase real property at 4225 Aztec Avenue for the Locust Avenue Project - Not to exceed \$14,850 - Financing: 2006 Bonds Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3265

Item 53: A resolution authorizing an agreement with Dallas County granting the City of Dallas exclusive jurisdiction to regulate subdivision plats and to approve related permits under Subchapter A of Chapter 212 of the Texas Local Government Code and other statutes applicable in the City of Dallas' extraterritorial jurisdiction in Dallas County - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3266

Item 54: A resolution authorizing conveyance of two wastewater easements with a temporary construction easement containing a total of approximately 12,071 square feet of land to the City of Rowlett for the construction and maintenance of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of Kirby and Miller Heights Roads - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3267

Item 55: An ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the west line of Goodnight Lane, south of Manana Drive - Z101-299 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28473

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3268

Item 56: An ordinance granting renewal of a private license to SDL Partners, LTD for the use of approximately 21 square feet of land to maintain an existing attached aerial sign and awning over Commerce Street right-of-way located near the intersection of Commerce and Crowds Streets - Revenue: \$1,000 annually and a \$1,000 one-time fee plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28474

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3269

Item 57: An ordinance granting renewal of a private license to SDL Partners, LTD for the use of approximately 233 square feet of land to maintain two existing awnings and a brick veneer facade over Main Street right-of-way located near the intersection of Main and Walton Streets - Revenue: \$1,000 annually and a \$2,000 one-time fee plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28475

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3270

Item 58: An ordinance abandoning a portion of a utility easement to Northpark Land Partners, LP, the abutting owner, containing approximately 6,147 square feet of land located near the intersection of Boedeker Street and Northwest Highway - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28476

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3271

Item 59: An ordinance abandoning a portion of a utility easement to SLF IV-Wheatland, L.P., the abutting owner, containing a total of approximately 833 square feet of land located near the intersection of Cliff Creek Crossing Drive and Bainbridge Avenue - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28477

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3272

Item 60: An ordinance abandoning a portion of a water easement and sanitary sewer easement to SLR-3000 Carlisle, LLC, the abutting owner, containing a total of approximately 2,582 square feet of land located near the intersection of Carlisle and Sneed Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28478

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3273

Item 61: An ordinance abandoning a portion of Akron Street to Kevin J. Farrell, Bishop of the Roman Catholic Diocese of Dallas and his successors in office for the exclusive benefit of St. Mary of Carmel parish, the abutting owner, containing approximately 2,100 square feet of land located near the intersection of Akron Street and Vilbig Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28479

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3274

Item 62: An ordinance abandoning portions of three sanitary sewer easements to ECI Operating Company, LLC, the abutting owner, containing a total of approximately 3,085 square feet of land located near the intersection of Davis and 7th Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28480

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3275

Item 63: An ordinance abandoning three sanitary sewer easements to 1600 Main Street Holdings, L.P. and Dunhill 1530 Main, L.P., the abutting owners, containing a total of approximately 23,100 square feet of land located near the intersection of Main and Akard Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28481

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3276

Item 64: An ordinance abandoning a portion of Bute Street to Jubilee Park and Community Center Corporation, the abutting owner, containing approximately 4,407 square feet of land located near the intersection of Bute Street and Carroll Avenue and authorizing the quitclaim - Revenue: \$8,814 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28482

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3277

Item 65: An ordinance abandoning a water easement and two alley sight easements to CWS Lemmon Resources, LP, the abutting owner, containing a total of approximately 481 square feet of land located near the intersection of Lemmon and Oak Grove Avenues and authorizing the quitclaim - Revenue: \$20,090 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28483

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3278

Item 66: An ordinance abandoning portions of a utility easement, a wastewater easement, a storm sewer easement, a drainage easement, two sanitary sewer easements and a drainage and utility easement to WGS Lakewood MF VI, L.P., the abutting owner, containing a total of approximately 41,868 square feet of land located near the intersection of Coronado and Grand Avenues and providing for the dedication of approximately 419 square feet of land needed for street right-of-way - Revenue: \$39,900 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28484

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3279

Item 67: An ordinance abandoning two street and utility easements, two drainage easements, two water easements, and four utility easements to Lovers Tradition, LP, the abutting owner, containing a total of approximately 42,702 square feet of land located near the intersection of Lovers Lane and Amesbury Drive, authorizing the quitclaim and providing for the dedication of approximately 4,661 square feet of land needed for street right-of-way - Revenue: \$49,902 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28485

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3280

Item 68: An ordinance abandoning a portion of East Side Avenue to Juliette Fowler Properties, Inc. the abutting owner, containing approximately 34,679 square feet of land located near the intersection of Fulton Street and East Side Avenue and authorizing the quitclaim - Revenue: \$312,111 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28486

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3281

Item 69: Authorize a construction contract with C. Green Scaping, LP, lowest responsive bidder of four, for the construction of a park access road, parking areas, walking paths, pavilions, fishing pier, landscaping and other associated park amenities for the IH 20 Gateway Park Improvement Project - Not to exceed \$927,381 - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Atkins requested that consent agenda item 69 be considered as an individual item. Mayor Rawlings stated that consent agenda item 69 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

The Acting City Secretary requested that consent agenda item 69 be considered as an individual item to allow citizens to speak. Mayor Rawlings stated that consent agenda item 69 would be considered as an individual item later in the meeting there being no objection voiced to the Acting City Secretary's request.

Later in the meeting agenda item 69 was brought up for consideration.

The following individual addressed the city council regarding the item:

Rosie Bankston, 1861 Muleshoe Rd.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3282

Item 70: Authorize a contract with MACVAL Associates, LLC, lowest responsible bidder of six, for the construction of storm drainage improvements for various locations throughout the City (list attached) - Not to exceed \$950,380 - Financing: 2006 Bond Funds (\$509,915), Water Utilities Capital Improvement Funds (\$436,881) and Water Utilities Capital Construction Funds (\$3,584)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3283

Item 71: Authorize a zero dollar change order to the construction contract with Northstar Construction, Inc., for modifications to the trailhead parking area at the Trinity River Audubon Center (TRAC) site, modification of existing trail to meet accessibility compliance at Rochester Park, additional landscaping and elimination of some items that were not required for the installation of the trail or eliminated to close out the project for the Trinity Trails, Phase 2 and Rochester Park Improvements Project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3284

Item 72: Authorize an increase in the construction contract with Massana Construction Inc. for the installation of bollards and gates; additional drainage improvements; modifying the graffiti removal coating and installation of armor joints to complete the project for the Santa Fe Trestle Hike and Bike Trail Improvement Project - Not to exceed \$293,370, from \$5,716,427 to \$6,009,797 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3285

Item 73: Authorize Supplemental Agreement No. 4 to the contract with Hellmuth, Obata & Kassabaum, LP (HOK), for additional services required by the U. S. Army Corps of Engineers (Corps) for construction administration for Trinity Forest Trail, Phase 3 and for design and construction documents for Joppa Gateway/South Central Park Expansion - Not to exceed \$220,950, from \$2,207,229 to \$2,428,179 - Financing: 1998 Bond Funds (\$103,150) and 2006 Bond Funds (\$117,800)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3286

Item 74: Authorize Supplemental Agreement No. 7 to the professional services contract with HNTB Corporation to assist with the United States Army Corps of Engineers' Risk Assessment process of the Dallas Floodway Feasibility Study - Not to exceed \$426,890, from \$41,593,762 to \$42,020,652 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3287

Item 75: Authorize the City Manager to execute the continuation of the Upper Trinity Basin Water Quality Compact Agreement between the City of Dallas, the City of Fort Worth, the North Texas Municipal Water District, and the Trinity River Authority of Texas in an amount not to exceed \$50,000 annually for a 10-year term - Total not to exceed \$500,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3288

Item 76: Authorize a three-year extension of the lease agreement with Olympic Center No. 1 Venture for approximately 9,648 square feet of office space located at 2626 Lombardy Lane, Suite 105, to be used by Water Utilities Pretreatment and Laboratory Services Division for the period February 1, 2012 through January 31, 2015 - Total not to exceed \$289,440 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3289

Item 77: Authorize emergency repairs to the Abrams Water Storage Tank located at 9241 Forest Lane, Preload, Inc. - Not to exceed \$112,875 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3290

Item 78: Authorize a decrease in the contract with Eagle Contracting, L.P. for a net deductive change order related to the construction of hydraulic improvements for the High Service Pump Station at the Bachman Water Treatment Plant - Not to exceed (\$24,568), from \$34,020,000 to \$33,995,432 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3291

Item 79: Authorize Supplemental Agreement No. 1 to the professional services contract with Kellogg Brown & Root Services, Inc. for additional engineering and design services for the Bachman Dam and Spillway, and realignment of approximately 8,700 feet of existing wastewater interceptor main - Not to exceed \$2,272,552, from \$1,065,772 to \$3,338,324 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3292

11-3293

Item 80: 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 acting city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2011-2013 board term updated through December 14, 2011.

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

Councilmember Alonzo moved to approve the appointments of Jonnie England, Rebecca Ann Poling, Animal Welfare Representatives, and Patti M. Cody, General Public, to the Animal Shelter Commission; Paula M. Rosales Aldana, Performance Arts, to the Cultural Affairs Commission; Barry Annino, Registered Voter, to the Reinvestment Zone Two Board (CityPlace Area); Gay W. Donnell, Registered Voter, to the Reinvestment Zone Nine Board (Vickery Meadow); Joseph G. Hernandez, Registered Voter, to the Reinvestment Zone Fifteen Board (Fort Worth Avenue); and Dorothy Willis and Otis E. (Bert) Holmes, 55+ years of age, to the Senior Affairs Commission.

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

Councilmember Alonzo moved to appoint Joseph G. Hernandez, Chair, to the Reinvestment Zone Fifteen Board (Fort Worth Avenue).

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

Councilmember Alonzo moved to appoint nominees to "individual appointment" positions in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2013.

Motion seconded by Councilmember Kadane.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-3292

11-3293

Page 2

Councilmember Hill moved for a friendly amendment to Councilmember Alonzo's motion to appoint nominees to "individual appointment" positions in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2013 and allow her to state for the record a statement in her re-nomination of Ricardo Medrano to the Permit and License Appeal Board.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Councilmember Alonzo accepted the friendly amendment as part of her motion.

Councilmember Kadane, who seconded the original motion, also accepted Councilmember Hill's friendly amendment.

Mayor Pro Tem Medrano announced she had a conflict of interest and would abstain from voting or participating in any discussion relating to the re-nomination of Ricardo Medrano to the Permit and License Appeal Board. Mayor Pro Tem Medrano left the city council chamber.

After discussion, Councilmember Hill stated for the record that she "re-nominate's Ricardo Medrano to serve as my individual appointee to the Permit and License Appeal Board. Due to personal reasons, Mr. Medrano was required to miss over 25% of the board meetings. Prior to today's meeting, the City Secretary's Office informed me, in accordance with Chapter 8 of the Dallas City Code, of Mr. Medrano's attendance issues. Because I believe Mr. Medrano will be a committed member of the Permit and License Appeal Board, I move approval of his re-appointment, along with the appointment/reappointment of all nominees/re-nominees, and the chair and/or vice chair nominees read by the Acting City Secretary."

Councilmember Allen also moved for a friendly amendment to Councilmember Alonzo's motion to appoint nominees to "individual appointment" positions in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2013 to allow the withdrawal of the nomination of Teresa Guerra Snelson to the Judicial Nominating Commission.

Motion seconded by Councilmember Kadane.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-3292

11-3293

Page 3

Councilmember Alonzo accepted the friendly amendment as part of her motion.

Councilmember Kadane, who seconded the original motion, also accepted Councilmember Allen's friendly amendment.

Mayor Rawlings called the vote on Councilmember Alonzo's motion to appoint nominees to "individual appointment" positions in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2013 as modified by Councilmember Hill's friendly amendment to allow her to state for the record a statement in her re-nomination of Ricardo Medrano to the Permit and License Appeal Board and Councilmember Allen's friendly amendment to allow the withdrawal of the nomination of Teresa Guerra Snelson to the Judicial Nominating Commission.

Mayor Rawlings declared the motion as modified with the two friendly amendments unanimously adopted. (Medrano abstain; Caraway absent when vote taken)

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

11-5295	ARC	AUTOMATED RED LIGHT ENFORCEMENT COMMISSION
11-5296	ASC	ANIMAL SHELTER COMMISSION
11-5297	CAC	CULTURAL AFFAIRS COMMISSION
11-5298	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
11-5299	JNC	JUDICIAL NOMINATING COMMISSION
11-5300	MLB	MUNICIPAL LIBRARY BOARD
11-5301	PAR	PARK AND RECREATION BOARD
11-5302	PLA	PERMIT AND LICENSE APPEAL BOARD
11-5303	RZ02	REINVESTMENT ZONE TWO BOARD (CITYPLACE AREA)
11-5304	RZ09	REINVESTMENT ZONE NINE BOARD (VICKERY MEADOW)
11-5305	RZ15	REINVESTMENT ZONE FIFTEEN BOARD (FORT WORTH AVENUE)
11-5306	SAC	SENIOR AFFAIRS COMMISSION
11-5307		BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3294

Item 81: Authorize a resolution reporting the results of balloting for nominees to the Collin Central Appraisal District Board of Directors - Financing: No cost consideration to the City

After discussion, Mayor Rawlings stated that agenda item 81 would be suspended until later in the meeting in order to allow staff to research issues that arose during discussion.

Later in the meeting, agenda item 81 was presented for further discussion and consideration.

Councilmember Allen moved to adopt the resolution to cast the City of Dallas' 96 votes in the election of individuals to serve on the Collin Central Appraisal District as follows:

- 19 votes for Roland Carlisle
- 19 votes for Dr. Leo Fitzgerald
- 19 votes for Wayne Mayo
- 19 votes for Gary Rodenbaugh
- 20 votes for Roy Wilshire

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3295

Item 82: Authorize a resolution reporting the results of balloting for nominees to the Denton Central Appraisal District Board of Directors - Financing: No cost consideration to the City

After discussion, Mayor Rawlings stated that agenda item 82 would be suspended until later in the meeting in order to allow staff to research issues that arose during discussion.

Later in the meeting, agenda item 82 was presented for further discussion and consideration.

Councilmember Allen moved to adopt the resolution to cast the City of Dallas' 33 votes in the election of individuals to serve on the Denton Central Appraisal District as follows:

- 10 votes for John Mahalik
- 9 votes for Betty McCrary
- 8 votes for Dr. Linda Monaco
- 6 votes for Charles Stafford

Motion seconded by Councilmember Alonzo and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3296

Item 83: Authorize a resolution appointing a representative to the Dallas Central Appraisal District Board of Directors - Financing: No cost consideration to the City

Councilmember Alonzo moved the appointment of an individual to serve on the Dallas Central Appraisal District be deferred until the January 4, 2012 briefing meeting of the city council.

Motion seconded by Councilmember Allen and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3297

Item 84: A resolution amending Section 6.3 of the City Council Rules of Procedure to revise rules relating to city council public speakers - Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3298

Item 85: A resolution designating an absence by Councilmember Vonciel Jones Hill as being for "official city business" - Financing: No cost consideration to the City

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3299

Item 86: An ordinance amending Chapter 57, "Dallas One-and Two-Family Dwelling Code," of the Dallas City Code, as amended; amending Subchapter 11 by adopting with certain changes, Chapter 11 of the 2009 Edition of the International Residential Code of the International Code Council, Inc.; amending the heating and cooling equipment, duct systems, and referenced standards of Chapter 57; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

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

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

Assigned ORDINANCE NO. 28487

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3300

Item 87: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rhadames Solano of an improved tract of land containing approximately 23 acres located on Elam Road near its intersection with Pemberton Hill Road for the Trinity River Corridor Project - Not to exceed \$256,671 (\$252,671 plus closing costs and title expenses not to exceed \$4,000) - Financing: 1998 Bond Funds

The acting city secretary announced the item requires a motion that the City Council of the City of Dallas adopt the item and authorize the use of power of eminent domain to acquire from Rhadames Solano, a tract of land containing approximately 23 acres located near the intersection of Elam Road and Pemberton Hill Road in City of Dallas Block 6257, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for park use as part of the Great Trinity Forest Park, being part of the Trinity River Corridor Project.

The following individual addressed the city council regarding the item:

Rhadames Solano, 1452 Dent St.

Councilmember Hill moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

After discussion, Councilmember Hill withdrew her motion to adopt the item.

Deputy Mayor Pro Tem Atkins, who seconded Councilmember Hill's motion to adopt the item, also withdrew his motion

Councilmember Hill moved to postpone the item for not less than 60 days for the voting agenda that is closest to 60 days from that period.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3301

Item 88: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tony Burrescia and Minta Burrescia, Co-Trustees of the Burrescia Family Revocable Trust of an improved tract of land containing approximately 50 acres located on Elam Road near its intersection with Pemberton Hill Road for the Trinity River Corridor Project - Not to exceed \$436,610 (\$430,610 plus closing costs and title expenses not to exceed \$6,000) - Financing: 1998 Bond Funds

The acting city secretary announced the item requires a motion that the City Council of the City of Dallas adopt the item and authorize the use of power of eminent domain to acquire, from Tony Burrescia and Minta Burrescia, Co-Trustees of the Burrescia Family Trust, a tract of land containing approximately 50 acres located near the intersection of Elam Road and Pemberton Hill Road in City of Dallas Block 6257, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for park use as part of the Great Trinity Forest Park, being part of the Trinity River Corridor Project.

Councilmember Hill moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

After discussion, Mayor Rawlings called the vote on Councilmember Hill's motion to adopt the item:

Voting Yes:	[12]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Koop, Greyson, Margolin, Hunt
Voting No:	[1]	Kadane
Absent when vote taken:	[2]	Davis, Allen
Absent:	[0]	

Mayor Rawlings declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3302

Item 89: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TKD Mapleshade, LLC of three unimproved tracts of land containing a total of approximately 49,649 square feet located on Creek Drive near its intersection with Cross Timbers Lane for the McKamy Branch (Upper) - Purchase and Swale Project - Not to exceed \$302,394 (\$297,894 plus closing costs and title expenses not to exceed \$4,500) - Financing: 2003 Bond Funds

The acting city secretary announced the item requires a motion that the City Council of the City of Dallas adopt the item and authorize the use of power of eminent domain to acquire, from TKD Mapleshade, LLC, a tract of land containing approximately 49,649 square feet located near the intersection of Creek Drive and Cross Timbers Lane in City of Dallas Block F/8728 in Collin County, Texas and being all of lots 92, 93, and 94, and more fully described in Exhibit A of the proposed written resolution for this item for the Upper McKamey Branch Purchase and Swale Project.

Councilmember Greyson moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

After discussion, Mayor Rawlings called the vote on Councilmember Greyson's motion to adopt the item:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[2]	Davis, Allen
Absent:	[0]	

Mayor Rawlings declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3303

Item 90: An ordinance amending Chapter 17 of the Dallas City Code to: **(1)** allow a retrofitted or converted vehicle to be used as a mobile food preparation vehicle upon meeting certain standards and requirements; **(2)** provide standards and procedures for a variance to allow the preparation and service of raw poultry, raw seafood, and non-fast-cooked food items on a mobile food preparation vehicle; **(3)** require certified food handlers at a mobile food establishment where non-prepackaged potentially hazardous food is prepared or served; and **(4)** make certain nonsubstantive changes - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Veletta Forsythe Lill, 2200 Ross Ave., representing Dallas Arts District

Councilmember Hunt moved to adopt the proposed amendments to Chapter 17 of the Dallas City Code, with the following amendments:

AMENDMENT 1:

- Amend Section 17-8.2(i)(4)(I) on page 10 of the proposed ordinance to read as follows (changes are in bold italics):

“(I) The vehicle must be equipped with a stainless steel, three-compartment sink, ***with each compartment*** measuring at least 12 inches long, 12 inches wide, and 10 inches deep, to be used for warewashing. The sink must be equipped with:

(i) a mixing faucet with a swivel spigot capable of servicing all sink compartments; and

(ii) an integral stainless steel drainboard at least 12 inches long, which must be installed with a minimum one-half inch lip or rim to prevent the draining liquid from spilling onto the floor.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-3303

Page 2

AMENDMENT 2:

- Delete Section 17-8.2(i)(4)(N) on page 10 of the proposed ordinance, which reads:

“(N) The vehicle must be equipped with an air condition system with a minimum capacity of 10,000 BTU.”

- Renumber the remaining paragraphs accordingly.

AMENDMENT 3: (Note: if this amendment does not pass, a motion to change the grandfather date from November 7, 2011 to December 14, 2011 would be needed.)

- Delete Section 5 on page 17 of the proposed ordinance.
- Renumber the remaining sections accordingly.

Motion seconded by Councilmember Greyson and unanimously adopted. (Caraway, Allen absent when vote taken)

Assigned ORDINANCE NO. 28488

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3304

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 91: Authorize a professional services contract for planning related to Transit-Oriented Development and affordable housing development with Fregonese Associates, Inc., most advantageous proposer of fifteen - Not to exceed \$799,968 - Financing: U.S. Department of Housing and Urban Development Grant 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 City Secretary Rios read the following certification into the record:

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

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3305

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 92: Authorize on-site reconstruction of nine homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 2619 Mike Street in the amount of \$93,400; 2723 Burger Avenue in the amount of \$93,400; 1918 West 10th Street in the amount of \$93,400; 541 Hatton Street in the amount of \$93,400; 1727 Garza Avenue in the amount of \$93,400; 6365 Denham Street in the amount of \$93,400; 2439 Vagas Street in the amount of \$93,400; 231 Red Wing Drive in the amount of \$93,400; and 12105 Oberlin Drive in the amount of \$93,400 - Total not to exceed \$840,600 - Financing: 2007-08 Community Development Block Grant Reprogramming Funds (\$201); 2007-08 Community Development Block Grant (\$76,615); 2008-09 Community Development Block Grant Reprogramming Funds (\$3,359) and 2011-12 HOME Investment Partnership Program Grant Funds (\$760,425)

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 City Secretary Rios read the following certification into the record:

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

Councilmember Hill moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Jasso and unanimously adopted. (Caraway, Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3306

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 93: Authorize (1) a public hearing to be held on January 25, 2012 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan of \$13,350,000 to fund a loan for PC LH Land Partners, LP for construction of commercial buildings, sitework and public improvements, loan interest reserve, and financial costs for public offering for development of Phase I of the Lake Highlands Town Center Project including approximately 165,000 square feet of commercial space for retail, office, restaurant, and service-oriented businesses located in the 7140 to 7160 blocks of Skillman Street that will create an estimated 382 jobs for individuals with incomes at 80% or less of Area Median Family Income as established by HUD; and at the close of the public hearing, (2) consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan to PC LH Land Partners LP in an amount not to exceed \$13,350,000 - 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 City Secretary Rios read the following certification into the record:

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

Councilmember Kadane moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3307

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 94: Authorize an amendment to Resolution No. 97-4001, previously approved on December 10, 1977, which approved a Rental Housing Preservation Program loan secured by the Property at 2816 Lucas Drive to borrower, Melrose Place Apartments, Inc., to: **(1)** approve the sale of the Property from Melrose Place Apartments, Inc. to Melrose Place, LLC; **(2)** allow the assumption by Melrose Place, LLC of the remaining balance of the loan owed by Melrose Place Apartments, Inc. to the City of Dallas in the amount of \$73,333.33; and **(3)** allow Melrose Place, LLC to subordinate the loan it assumes in the amount of \$73,333.33 to its mortgage lender, Veritex Community Bank, National Association - 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 City Secretary Rios read the following certification into the record:

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

Mayor Pro Tem Medrano 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

DECEMBER 14, 2011

11-3308

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 95: Authorize an amendment to Resolution No. 11-1193, previously approved on April 27, 2011, to modify the conditional grant agreement with Sphinx Development Corporation or its wholly owned subsidiary to: **(1)** provide funding for the construction of six residential units from twelve residential units; **(2)** change the affordability deed restriction from five years to ten years; and **(3)** allow the homes to be sold to families earning up to 120% of Area Median Family Income (AMFI) from 80% of 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 City Secretary Rios read the following certification into the record:

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

Councilmember Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3309

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 96: Authorize an amendment to Resolution No. 11-1758, previously approved on June 22, 2011, to increase the economic development loan amount from \$690,300 to \$1,090,300 with Hai Tak Enterprises, Inc. for predevelopment costs and development financing for the construction and finish out of the retail component of a mixed-use building at 5203 Bexar Street - Not to exceed \$400,000 - Financing: 2003-04 Community Development Block Grant Reprogramming 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 City Secretary Rios read the following certification into the record:

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3310

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

Agenda items 97, 98, 107 and addendum agenda item 15 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 97: Zoning Case Z101-249(MW) [considered individually]~~
~~Agenda item 98: Zoning Case Z101-289(MW) [considered individually]~~
Agenda item 99: Zoning Case Z101-294(MG)
Agenda item 100: Zoning Case Z101-308(MG)
Agenda item 101: Zoning Case Z101-329(CG)
Agenda item 102: Zoning Case Z101-341(WE)
Agenda item 103: Zoning Case Z101-346(MW)
Agenda item 104: Zoning Case Z101-347(RB)
Agenda item 105: Zoning Case Z101-356(WE)
Agenda item 106: Zoning Case Z101-358(WE)
~~Agenda item 107: Zoning Case Z101-361(WE) [considered individually]~~
Agenda item 108: Zoning Case Z101-362(MW)
Agenda item 109: Zoning Case Z101-386(OTH)
Agenda item 110: Zoning Case Z112-107(JH)
~~Addendum item 15 Zoning Case Z101-384(MW) [considered individually]~~

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

Councilmember Kadane 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 Caraway and unanimously adopted. (Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3311

Item 97: Zoning Case Z101-249(MW)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

Theresa O'Donnell, director of development services, 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 development services.

A public hearing was called on zoning case Z101-249(MW), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern on property zoned an MU-1 Mixed Use District on the west side of Knoll Trail Drive, north of Arapaho Road

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

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

Nicholas Farris, no address provided, representing S. A. OMAX 2007, L.P.

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

Councilmember Koop moved to continue the public hearing and hold under advisement until the January 11, 2012 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3312

Item 98: Zoning Case Z101-289(MW)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

Theresa O'Donnell, director of development services, 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 development services.

A public hearing was called on zoning case Z101-289(MW), an application for and a resolution terminating deed restrictions on property zoned an MCO Multiple Commercial/Office Subdistrict within Planned Development District No. 631, the West Davis Special Purpose District, on the north side of West Davis Street, south of Fort Worth Avenue

(The staff and city plan commission recommended Approval)

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

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

Tailim Song, 13140 Coit Rd., representing the applicant

Councilmember Griggs moved to close the public hearing, accept the recommendation of the city plan commission.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3313

Item 99: Zoning Case Z101-294(MG)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-294(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 of greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the east line of Kleberg Road, north of Carleta Street

(The staff recommended Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions 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. 28489

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3314

Item 100: Zoning Case Z101-308(MG)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-308(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 an MU-2-D Mixed Use District with a D Liquor Control Overlay located on the northwest corner of Forest Lane and Josey Lane

(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 renewal for additional five-year periods, subject to a site plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28490 AND 28491

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3315

Item 101: Zoning Case Z101-329(CG)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-329(CG), 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 less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on property on the northwest corner of South Corinth Street and Morrell 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 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. 28492 AND 28493

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3316

Item 102: Zoning Case Z101-341(WE)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-341(WE), an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District on the north side of Scottsboro Lane between South Marsalis Avenue and Grassy Ridge Trail

(The staff and city plan commission recommended Approval, subject to a development plan, landscape 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. 28494

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3317

Item 103: Zoning Case Z101-346(MW)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-346(MW), an application for and an ordinance a Specific Use Permit for a restaurant without drive-in or drive-through service on property zoned an NO(A) Neighborhood Office District on the southeast corner of Hillcrest Road and LBJ Freeway

(The staff and city plan commission recommended Approval for a ten-year period with eligibility for automatic renewal 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. 28495

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3318

Item 104: Zoning Case Z101-347(RB)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-347(RB), an application for and an ordinance granting the renewal of Specific Use Permit No. 1783 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, located on the south line of Elm Street, west of Crowds Street

(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. 28496

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3319

Item 105: Zoning Case Z101-356(WE)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-356(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 within Subdistrict 2 of Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the southwest corner of C.F. Hawn Freeway and St. Augustine Drive

(The staff recommended 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 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. 28497

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3320

Item 106: Zoning Case Z101-358(WE)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-358(WE), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a dance hall within Planned Development District No. 619 for mixed uses on the northeast corner of Main Street and North Field 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. 28498

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3321

Item 107: Zoning Case Z101-361(WE)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

Councilmember Hill requested that zoning consent item 107 be considered as an individual item. Mayor Rawlings stated that zoning consent item 107 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 Z101-361(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 within Subdistrict 5 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the southwest corner of C.F. Hawn Freeway and Great Trinity Forest Way (Loop 12)

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

Councilmember Hill moved to close the public hearing, accept the recommendation of the staff for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions and pass the ordinance.

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

Assigned ORDINANCE NO. 28499

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3322

Item 108: Zoning Case Z101-362(MW)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-362(MW), an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment operated as a bar, lounge or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west side of Greenville Avenue, southeast of Ross Avenue

(The staff recommended Approval for a three-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)

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. 28500

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3323

Item 109: Zoning Case Z101-386(OTH)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z101-386(OTH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1731 for a hospital on property zoned an MU-2 Mixed Use District with a D Liquor Control Overlay and deed restrictions volunteered by the applicant on the south line of Northaven Road, west of North Central Expressway

(The staff and city plan commission recommended Approval, subject to a revised 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. 28501

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3324

Item 110: Zoning Case Z112-107(JH)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

A public hearing was called on zoning case Z112-107(JH), an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to general merchandise or food store and motor vehicle fueling station uses on property zoned Planned Development District No. 842 for CR Community Retail District Uses located on the southeast corner of Greenville Avenue and Richmond Avenue

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28502

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3325

Item 111: Zoning Case Z090-258(WE) - INDIVIDUAL

A public hearing was called on zoning case Z090-258(WE), an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school or private school on property zoned an R-10(A) Single Family District on the northwest corner of South Westmoreland Road and Blue Ridge Boulevard

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

Councilmember Griggs moved to continue the public hearing and hold under advisement until the January 25, 2012 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3326

Item 112: Zoning Case Z101-288(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z101-288(WE), an application for and an ordinance granting an amendment to Planned Development District No. 469 for a Private school, on the east line of Preston Road, southeast of the St. Louis & Southwestern Railroad

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

Note: This item was considered by the City Council at a public hearing on November 7, 2011, and was taken under advisement until December 14, 2011, with the public hearing open.

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

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

- In the area labeled "proposed building addition" on the development/landscape plan:
 - Maximum structure height is 40 feet.
 - The following improvements may project eight feet above the maximum structure height:
 - Elevator penthouse or bulkhead.
 - Mechanical equipment room.
 - Cooling tower.
 - Tank designed to hold liquids.
 - Skylights.
 - Visual screens that surround roof mounted equipment.
 - Chimney or vent stacks.
 - Parapet wall, limited to a height of four feet.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-3326

Page 2

- o Maximum number of stories above grade is two, in addition to a basement level used for underground parking.

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

Assigned ORDINANCE NO. 28503

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3327

Item 113: Zoning Case Z101-325(MW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z101-325(MW), an application for and an ordinance granting a Specific Use Permit for a financial institution with drive-in window and a resolution accepting an amendment to the deed restrictions on property zoned an LO-3 Limited Office District on the northeast corner of West Illinois Avenue and South Vernon Avenue

(The staff and city plan commission recommended Approval for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions and approval of the amendment to the deed restrictions)

Note: This item was considered by the City Council at a public hearing on November 7, 2011, and was taken under advisement until December 14, 2011, with the public hearing open.

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

Councilmember Griggs moved to continue the public hearing and hold under advisement until the February 8, 2012 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3328

Item 114: Zoning Case Z101-265(DC) - DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z101-265(DC), an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict with a D-1 Liquor Control Overlay on a portion of the site within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property on the northwest line of Carlisle Street between Fairmont Street and Routh Street

(The staff and city plan commission recommended Approval, subject to a development plan and conditions and retention of the D-1 Liquor Control Overlay)

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 City Secretary Rios read the following certification into the record:

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

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

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

Motion seconded by Mayor Pro Tem Medrano and Councilmember Kadane and unanimously adopted. (Jasso, Allen absent when vote taken)

Assigned ORDINANCE NO. 28504

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3329

Item 115: Zoning Case Z101-279(RB) - DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z101-279(RB), an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 714, the West Commerce Street / Fort Worth Avenue Special Purpose District on property zoned Subdistrict 1B within Planned Development District No. 714 and an IR Industrial Research District on the east line of Sylvan Avenue, between the Westbound Access Road of IH 30 and Fort Worth Avenue

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

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 City Secretary Rios read the following certification into the record:

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

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

Monte Anderson, 901 Fort Worth Ave., representing the Belmont Hotel

Councilmember Alonzo moved to suspend Section 6.3 of the City Council Rules of Procedures to allow Monte Anderson an additional minute to speak to the city council in opposition to the item.

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

Michael Amonett, 2210 W. 10th St., representing Old Oak Cliff Conservation League
Susan Gandy, 5217 Shadywood Ln., representing the Belmont Hotel
David Lyles, 2319 Beatrice St., President of Fort Worth Avenue Development Group
Deborah Carpenter, 2009 Neal St., Co-Chair of Zoning for the Fort Worth Avenue Development Group

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-3329

Page 2

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

Randall White, 1939 Mayflower Dr., representing West Dallas Chamber of Commerce

David Marquis, 3110 W. Kiest, representing Sylvan/30

Carole Twitmyer, 3509 Westminister Ave., representing Sylvan/30

Randy Skinner, 2120 Iroquois, representing West Dallas Neighborhood Coalition

Bob Stimson, 707 Tenna Loma Ct.

Richard Amory, 2515 Gladiolus Ln., representing North Texas Food Bank

Raymond Salinas, 3323 Topeka Ave., representing Sylvan/30

Jearldine McDaniel, 2600 Sylvan, representing Sylvan/30

Bill Dahlstrom, 901 Main St., representing the applicant

Brent Jackson, 1910 Kessler Pkwy., the applicant

Debbie Solis, 2322 Kenesaw Dr., representing Voice of Hope

Councilmember Alonzo moved to close the public hearing, adopt the recommendation of the city plan commission to amend and expand Planned Development District No. 714 with the following changes:

1. That off-street parking is required for any covered rooftop patio;
2. That requirements for special temporary retail sales may be submitted for director approval;
3. That if a gateway plaza is provided, maximum front yard setback is 35 feet in Permissible Building Area A; and
4. That no more than 50 percent of the total area of street-facing façade per street frontage may be metal or stucco.

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

Assigned ORDINANCE NO. 28505

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3330

Item 116: Zoning Case Z101-283(RB) - DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z101-283(RB), an application for and an ordinance granting a Specific Use Permit for Placement of fill material on property zoned an IM Industrial Manufacturing District, an IR Industrial Research District, an R-7.5(A) Single Family District, and Planned Development District No. 631, the West Davis Special Purpose District, on property generally located on both sides of Chalk Hill Road, between IH 30 and West Davis Street

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

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 City Secretary Rios read the following certification into the record:

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

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

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

Jonathan Vinson, 6342 Vickery Blvd., representing TXI Operations

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

- Remove the portion of the property zoned Planned Development District 631 from the site covered by the Specific Use Permit.
- Revise the site plan to reflect the removal of that area.
- All environmental testing must be performed by a third party that is approved by the Office of Environmental Quality.
- On-site Phase II Environmental Site Assessments must be conducted prior to fill materials being deposited and after all fill materials have been deposited.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
11-3330
Page 2

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

Assigned ORDINANCE NO. 28506

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3331

Item 117: Zoning Case Z101-328(WE) - DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z101-338(WE) an application for and an ordinance granting a CS Commercial Service District on property zoned an MU-2 Mixed Use District on the southwest line of Owen Street, between Bomar Avenue and Kimsey Drive

(The staff recommended Denial and city plan commission recommended Approval)

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 City Secretary Rios read the following certification into the record:

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

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

Mayor Pro Tem Medrano moved to close the public hearing, accept 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.

Assigned ORDINANCE NO. 28507

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3332

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 118: Zoning Case Z101-319(DC)

A public hearing was called on zoning case Z101-319(DC), an application for and an ordinance granting a WMU-8 Walkable Urban Mixed Use 8 District on property zoned a GO(A) General Office District, on the northeast corner of North Central Expressway (US-75) and North Carroll Avenue

(The staff and city plan commission recommended Approval)

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 City Secretary Rios read the following certification into the record:

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

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Koop and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 28508

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3333

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 119: An ordinance abandoning portions of a subsurface storm sewer easement to THC Residences at Cityplace, LLC and The State of Texas for the Use and Benefit of the Permanent School Fund, the abutting owners, containing a total of approximately 3,941 square feet of land located near the intersection of Central Expressway and Carroll Avenue - Revenue: \$82,761 plus the \$20 ordinance publication fee

Note: Agenda Item No. 118 has to pass before Agenda Item No. 119 can be considered.

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 City Secretary Rios read the following certification into the record:

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Alonzo and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 28509

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3334

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 120: Zoning Case Z101-276(WE)

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 Z101-276(WE), an application for and an ordinance granting an NO(A) Neighborhood Office District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south side of Lake June Road, west of Ladonia Place

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

Note: This item was considered by the City Council at a public hearing on November 7, 2011, and was taken under advisement until December 14, 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", Acting City Secretary Rios read the following certification into the record:

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
11-3334
Page 2

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

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

Carmen Rios, 9310 Lake June Rd.
Maria Avalos, 9306 Lake June Rd.

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

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

Assigned ORDINANCE NO. 28510

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3335

Item 121: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Municipal Street between the east right-of-way line of State Highway 310 and Bexar Street to Carlton Garrett Street - NC101-002 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Marlon J. Duncan, 2704 Parsons St., representing The Lord's Missionary Baptist Church

Steven C. Nash, 3700 Simpson Stuart Rd., representing The Lord's Missionary Baptist Church

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

Motion seconded by Councilmember Davis and unanimously adopted.

Assigned ORDINANCE NO. 28511

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3336

MISCELLANEOUS HEARING

Item 122: A public hearing to receive comments on the proposed sale of ten unimproved properties acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance For Habitat, Inc. (“Habitat”), a qualified non-profit organization; and at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim ten unimproved properties to Habitat under the HB110 process of the City’s Land Transfer Program; and **(2)** release the City’s non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$10,000

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3337

MISCELLANEOUS HEARING

Item 123: A public hearing to receive comments on Substantial Amendment No. 10 to the FY 2008-12 Consolidated Plan Budget for the Homelessness Prevention and Rapid Re-Housing Program funded through the American Recovery and Reinvestment Act; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 10 - Financing; No cost consideration to the City

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3338

**Ad Valorem Taxation
on Certain Goods-in-Transit**

Note: Item Nos. 124 and 125
must be considered collectively.

Item 124: A public hearing, in accordance with provisions of Senate Bill 1, enacted during the First Special Session of the 82nd Texas Legislative Session, to receive comments regarding whether certain goods-in-transit stored in public warehouses within the Dallas city limits should remain subject to taxation by the City of Dallas - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Hill moved to close the public hearing.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3339

**Ad Valorem Taxation
on Certain Goods-in-Transit**

Note: Item Nos. 124 and 125
must be considered collectively.

Item 125: An ordinance amending Chapter 44 of the Dallas City Code to continue taxation by the City of Dallas of certain goods-in-transit stored in public warehouses in the Dallas city limits - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 28512

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3340

Item 126: Authorize a public hearing to receive comments on the proposed use of approximately 16,432 square feet of John Carpenter Plaza for roadway improvements for the Cesar Chavez Boulevard and Pearl Expressway Project, and at the close of the hearing, consideration of a resolution authorizing the use
- Financing: No cost consideration to the City

Councilmember Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

Closed Session [**11-3341; HELD**]

6ES

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

- Legal issues regarding the locational restrictions applicable to businesses regulated by Chapter 41A of the City Code.

At 11:18 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matter:

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

- Legal issues regarding the locational restrictions applicable to businesses regulated by Chapter 41A of the City Code.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:05 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3342

Addendum addition 1: Authorize the fourth amendment to the Jet Aviation Texas, Inc. lease to add approximately 39,536 square feet of unimproved land at Dallas Love Field - Estimated Annual Revenue: \$15,814

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3343

Addendum addition 2: Authorize a seven-year service contract, with two two-year renewal options, for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services - AT&T Corp., single proposer - Not to exceed \$63,444,708 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3344

Addendum addition 3: Authorize a three-year master municipal lease agreement for the financing of personal property purchases - Banc of America Public Capital Corp, most advantageous proposer of five - Not to exceed \$120,000 (\$60,000 upfront legal costs plus annual legal fees of \$20,000) - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3345

Addendum addition 4: Authorize an acquisition contract for the purchase and installation of hardware and software to upgrade the existing fuel inventory management system - Asset Works, Inc., through the General Services Administration - Not to exceed \$1,202,491 - Financing: Municipal Lease Agreement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3346

Addendum addition 5: Authorize a service contract for the purchase and installation of furniture for the Dallas Judicial Center located at 2014 Main Street - WRG LLC., through the U.S. Communities Government Purchasing Alliance - Not to exceed \$800,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3347

Addendum addition 6: Authorize a professional services contract with the law firm of Gibson, Dunn & Crutcher LLP for legal services necessary to represent the City in the lawsuit styled National Solid Wastes Management Association, et al. v. City of Dallas, et al., Case No. CA-3:11-cv-03200-O - Not to exceed \$175,000 - Financing: Current Funds

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

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

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Margolin.

After discussion, Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt the item:

Voting Yes: [12] Rawlings, Medrano, Atkins, Griggs, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No: [2] Jasso, Hill
Absent when vote taken: [1] Caraway
Absent: [0]

Mayor Rawlings declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3348

Addendum addition 7: Authorize **(1)** Supplemental Agreement No. 2 to the concession contract with Ed Campbell Concessions Company, Inc.; and **(2)** Supplemental Agreement No. 1 to the concession contract with Ace Parking Management, Inc. to amend the contracts for the City's percentage of concession revenue for the TicketCity Bowl Game to be directed to Conference USA to support the TicketCity Bowl Game and associated events at Fair Park on January 2, 2012 - Estimated Revenue Foregone: \$175,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3349

Addendum addition 8: Authorize adoption of the 82nd Texas Legislature enacted Senate Bill 61 to adopt reasonable rules for juvenile case managers that adhere to a code of ethics, educational pre-service and in-service training standards - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3350

Addendum addition 9: Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$99,984 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 22, 2011 through September 3, 2012; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$27,496 and indirect costs in the amount of \$7,011; and **(3)** execution of the grant agreement - Total not to exceed \$134,491 - Financing: Current Funds (\$34,507) and Texas Department of Transportation Grant Funds (\$99,984)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3351

Addendum addition 10: A resolution postponing the enforcement of Ordinance No. 28427 to February 13, 2012 - Financing: This action requires no expenditure of City Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3352

Addendum addition 11: Authorize a contract with Oncor Electric Delivery Company to provide design and construction services on a secondary feed of electrical service to the new Pavaho Pump Station - Not to exceed \$698,100 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3353

Addendum addition 12: Authorize a contract with PAEE Corporation, lowest responsible bidder of nine, for the reconstruction of alley paving, storm drainage, and water and wastewater improvements between Marquette Street and Colgate Avenue from Durham Street to Boedeker Street - Not to exceed \$304,226 - Financing: 2006 Bond Funds (\$179,088), Water Utilities Capital Improvement Funds (\$121,538) and Water Utilities Capital Construction Funds (\$3,600)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3354

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 13: Authorize **(1)** the issuance of tax-exempt bonds by the Dallas Housing Finance Corporation, created by the City of Dallas in 1984, in a face amount not to exceed \$5,000,000 in Multi-family Housing Mortgage Revenue Bonds Series 2011 to finance the new construction of 50 units of Permanent Supportive Housing by an entity to be created by Central Dallas Community Development Corporation; **(2)** a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) award of Low Income Housing Tax Credits for the new construction of the Cottages at Hickory Crossing development to be located at 1531 South Malcolm X Boulevard, pursuant to §49.8(2)(A-C) of the TDHCA's Qualified Allocation Plan; and **(3)** City Staff to apply for a grant to provide funding to furnish the 50 Permanent Supportive Housing units - 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 City Secretary Rios read the following certification into the record:

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3355

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 14: Authorize **(1)** an amendment to Resolution No. 07-3008, previously approved on October 10, 2007, which approved a \$750,000 Community Development Block Grant Loan to Central Dallas Community Development Corporation for the CityWalk at Akard Project at 511 North Akard Street, to: **(a)** extend the terms of the loan to December 31, 2030 from December 31, 2029; and **(b)** require annual repayments based on available cash flow; and **(2)** an amendment to Resolution No. 08-1587, previously approved on May 28, 2008, which approved \$1,500,000 Homeless Bond Fund Loan to Central Dallas Community Development Corporation for the CityWalk at Akard Project at 511 North Akard Street, to require annual repayments based on available cash flow - 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 City Secretary Rios read the following certification into the record:

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

Councilmember Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3356

Addendum addition 15: Zoning Case Z101-384(MW)

The consent zoning docket, consisting of agenda items 97-110 and addendum agenda item 15, was presented for consideration.

Mayor Pro Tem Medrano requested that zoning consent addendum item 15 be considered as an individual item. Mayor Rawlings stated that zoning consent addendum item 15 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Medrano's request.

A public hearing was called on zoning case Z101-384(MW), an application for and an ordinance granting a Planned Development District for IR Industrial Research District uses on property zoned an IR Industrial Research District on the west corner of Maple Avenue and Butler Street

(The staff and city plan commission recommended Approval, subject to a conceptual 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:

Jonathan Vinson, 6342 Vickery Blvd., representing the applicant

Mayor Pro Tem Medrano moved to close the public hearing, adopt the Planned Development District No. 862 with the following deletions:

- Required street trees must be spaced as uniformly as practicable.
- The trunk of a required street tree must be within 35 feet of another required street tree.

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

Assigned ORDINANCE NO. 28513

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3357

DESIGNATED ZONING CASES - INDIVIDUAL

Addendum addition 16: Zoning Case Z101-348(MG)

A public hearing was called on zoning case Z101-348(MG), an application for and an ordinance granting a Planned Development District for MC-1 Multiple Commercial District uses and general merchandise or food store of greater than 100,000 square feet on property zoned an MC-1 Multiple Commercial District on the west side of South R.L. Thornton Freeway, south of West Ledbetter Drive

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

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 City Secretary Rios read the following certification into the record:

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

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

Mary Graves, 6716 Hursey St., **University Park, TX**, representing Dallas Historic Tree Coalition

Bill Seaman, 211 Surf Circle, **Richardson, TX**, representing Dallas Historic Tree Coalition

Sara Beckelman, 2705 Pennington St., **Irving, TX**, representing Dallas Historic Tree Coalition

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

Carolyn Arnold, 835 Timber Dell Ln.

Eli Davis, 912 Timber Dell Ln., representing Glen Oaks Homeowners Association

Myron Dornic, 5026 Maple Springs Blvd.

Bob Stimson, 707 Tenna Loma Ct.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-3357

Page 2

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

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

Assigned ORDINANCE NO. 28514

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3358

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 17: A public hearing to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan in an amount not to exceed \$4,800,000 for eligible activities, which may include acquisition, demolition of existing buildings, sitework and public improvements, relocation assistance, loan interest reserve and financing costs related to public offering to aid Chicory Court IX, LP, in the development of Champion Homes at Copperridge Multi-Family Residential Project for mixed-income families located at 5522 Maple Avenue including construction of 252 apartment units with 153 units deed restricted for 15 years for persons with incomes at 80% or less of Area Median Family Income as established by HUD - 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 City Secretary Rios read the following certification into the record:

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

The following individuals addressed the city council regarding the item:

Susan Kedron, 901 Main St., representing Odessey Residential Holdings, L.P.
Melissa Adami, 5420 LBJ Freeway, representing Odessey Residential Holdings, L.P.

Mayor Pro Tem Medrano moved to close the public hearing and adopt the item.

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

G:\2011MIN\cc121411M.doc

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 14, 2011

EXHIBIT C

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3302

Item 89: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TKD Mapleshade, LLC of three unimproved tracts of land containing a total of approximately 49,649 square feet located on Creek Drive near its intersection with Cross Timbers Lane for the McKamy Branch (Upper) - Purchase and Swale Project - Not to exceed \$302,394 (\$297,894 plus closing costs and title expenses not to exceed \$4,500) - Financing: 2003 Bond Funds

The acting city secretary announced the item requires a motion that the City Council of the City of Dallas adopt the item and authorize the use of power of eminent domain to acquire, from TKD Mapleshade, LLC, a tract of land containing approximately 49,649 square feet located near the intersection of Creek Drive and Cross Timbers Lane in City of Dallas Block F/8728 in Collin County, Texas and being all of lots 92, 93, and 94, and more fully described in Exhibit A of the proposed written resolution for this item for the Upper McKamey Branch Purchase and Swale Project.

Councilmember Greyson moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

After discussion, Mayor Rawlings called the vote on Councilmember Greyson’s motion to adopt the item:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[2]	Davis, Allen
Absent:	[0]	

Mayor Rawlings declared the motion adopted.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3326

Item 112: Zoning Case Z101-288(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z101-288(WE), an application for and an ordinance granting an amendment to Planned Development District No. 469 for a Private school, on the east line of Preston Road, southeast of the St. Louis & Southwestern Railroad

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

Note: This item was considered by the City Council at a public hearing on November 7, 2011, and was taken under advisement until December 14, 2011, with the public hearing open.

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

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

- In the area labeled “proposed building addition” on the development/landscape plan:
 - Maximum structure height is 40 feet.
 - The following improvements may project eight feet above the maximum structure height:
 - Elevator penthouse or bulkhead.
 - Mechanical equipment room.
 - Cooling tower.
 - Tank designed to hold liquids.
 - Skylights.
 - Visual screens that surround roof mounted equipment.
 - Chimney or vent stacks.
 - Parapet wall, limited to a ~~height~~ **height** of four feet.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-3326

Page 2

- o Maximum number of stories above grade is two, in addition to a basement level used for underground parking.

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

Assigned ORDINANCE NO. 28503

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3338

**Ad Valorem Taxation
on Certain Goods-in-Transit**

Note: Item Nos. 124 and 125
must be considered collectively.

Item 124: A public hearing, in accordance with provisions of Senate Bill 1, enacted during the First Special Session of the 82nd Texas Legislative Session, to receive comments regarding whether certain goods-in-transit stored in public warehouses within the Dallas city limits should remain subject to taxation by the City of Dallas - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Hill moved to close the public hearing.

Motion seconded by ~~Councilmember Greyson~~ **Deputy Mayor Pro Tem Atkins** and unanimously adopted.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 14, 2011

11-3339

**Ad Valorem Taxation
on Certain Goods-in-Transit**

Note: Item Nos. 124 and 125
must be considered collectively.

Item 125: An ordinance amending Chapter 44 of the Dallas City Code to continue taxation by the City of Dallas of certain goods-in-transit stored in public warehouses in the Dallas city limits - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by ~~Councilmember Greyson~~ **Deputy Mayor Pro Tem Atkins** and unanimously adopted.

Assigned ORDINANCE NO. 28512