

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 11, 2012

12-1014

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

PRESENT: [14] Rawlings (*10:06 a.m.), Medrano, Atkins, Jasso, Griggs, Caraway,
Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin

ABSENT: [1] Hunt

The meeting was called to order at 9:02 a.m.

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

The invocation was given by Reverend Rayford Butler, Chaplin of the Dallas Police Department.

Councilmember Griggs 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 1:52 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 11, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 11, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1015

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: Lawrence Cottle, 5086 Matilda St.
SUBJECT: Fracking

SPEAKER: Sir Earl Toon, 11330 Cromwell Dr. (handouts provided)
SUBJECT: Civil violation

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Belinda Rogers, 415 Longworth Blvd., Duncanville, TX
SUBJECT: Accident

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

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J. B. Jackson, Jr. Institute
SUBJECT: The people shall not be bullied or intimidated

SPEAKER: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: Some Citizens
SUBJECT: A Great Trinity River Project Opportunity

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
REPRESENTING: GOD
SUBJECT: “?”

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: West Dallas Chamber of Commerce/KKK/Mayor

SPEAKER: Robert Ceccarelli, 5302 Harry Hines Blvd.
SUBJECT: Homelessness/District 9 school board election

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
SUBJECT: Where is Dallas?

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1016

Item 1: Approval of Minutes of the March 28, 2012 City Council Meeting

Councilmember Kadane moved to adopt the minutes.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1017

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-28, and addendum addition consent agenda items 1-6, was presented for consideration.

Deputy Mayor Pro Tem Atkins moved to adopt all items on the consent agenda.

Motion seconded by Councilmember Kadane unanimously adopted. (Hunt absent)

Later in the meeting, the city secretary announced the consent agenda needed to be reconsidered to include addendum addition consent agenda items 5 and 6 as part of the consent agenda as posted.

Deputy Mayor Pro Tem Atkins moved to reconsider the consent agenda to include addendum addition consent agenda items 5 and 6 as part of the consent agenda as posted.

Motion seconded by Councilmember Kadane and unanimously adopted. (Hunt absent)

Councilmember Caraway moved to approve all items on the consent agenda, consisting of consent agenda items 2-28 and addendum addition consent agenda items 1-6.

Motion seconded by Councilmember Kadane and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1018

Item 2: Authorize a one-year service contract to provide micro-surfacing and slurry seal for Street Services - Viking Construction, Inc. in the amount of \$2,215,500 and NyMac Enterprises, Inc. in the amount of \$1,069,200, lowest responsible bidders of three - Total not to exceed \$3,284,700 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1019

Item 3: Authorize a three-year service contract for truck scale repair and maintenance for Sanitation Services and Fire-Rescue - Nicol Scales, L.P., lowest responsible bidder of three - Not to exceed \$164,965 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1020

Item 4: Authorize a three-year service contract for upgrades, maintenance and support for Bentley software used for computer aided design for capital improvement projects - Bentley Systems, Inc., through the General Services Administration - Not to exceed \$140,760 - Financing: Current Funds (\$43,350), Water Utilities Current Funds (\$80,400) and Stormwater Drainage Management Current Funds (\$17,010) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1021

Item 5: Authorize **(1)** a five-year service contract for workers' compensation third party claims administration and related medical cost containment services in the amount of \$5,872,285; and **(2)** a software use and hosting agreement for a Risk Management Information System used in the tracking and reporting of general liability claims data in the amount of \$98,000 - Tristar Risk Management Services, most advantageous proposer of seven - Total not to exceed \$5,970,285 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1022

Item 6: Authorize a two-year master agreement for asphalt emulsion to be used by Street Services - Performance Grade Asphalt, LLC in the amount of \$360,000 and Heartland Asphalt Materials, Inc. in the amount of \$285,000, lowest responsible bidders of three - Total not to exceed \$645,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1023

Item 7: Authorize a two-year master agreement for construction project signs to be utilized citywide - Dallas Lite & Barricade, lowest responsible bidder of four - Not to exceed \$131,719 - Financing: Water Utilities Current Funds (\$106,719), Street Assessment Funds (\$15,000) and 2006 Bond Funds (\$10,000)

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1024

Item 8: Authorize a three-year master agreement for aggregate materials to be utilized citywide - Martin Marietta Materials in the amount of \$1,981,778, Hanson Aggregates LLC in the amount of \$1,361,495, Earth Haulers, Inc. in the amount of \$1,052,961, TXI Operations, LP in the amount of \$384,640, Southwest Crushing in the amount of \$189,925 and Winfield Solutions, LLC in the amount of \$36,375, lowest responsible bidders of six - Total not to exceed \$5,007,173 - Financing: Current Funds (\$2,351,525), Water Utilities Current Funds (\$1,753,639), Stormwater Drainage Management Current Funds (\$888,300) and Aviation Current Funds (\$13,709)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1025

Item 9: Authorize a three-year master agreement for bulk Portland type 1 cement to be utilized by Street Services - Holcim, Inc., lowest responsible bidder of two - Not to exceed \$797,400 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1026

Item 10: Authorize a three-year master agreement for laboratory supplies and equipment to be utilized by Water Utilities and Police - Taylor Distribution Group in the amount of \$3,360,339, Fox Scientific in the amount of \$372,560, HD Supply Facilities Maintenance Ltd. dba Usabluebook in the amount of \$312,402, Hach Company in the amount of \$217,806, Sirchie Acquisition Co, LLC in the amount of \$98,995, Cole Parmer Instrument Company in the amount of \$97,167, Environmental Express, Inc. in the amount of \$22,082 and Safariland, LLC in the amount of \$15,225, lowest responsible bidders of eight - Total not to exceed \$4,496,576 - Financing: Water Utilities Current Funds (\$4,267,334) and Current Funds (\$229,242)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1027

Item 11: Authorize a three-year master agreement for printed utility bill inserts - Slocum Printing, Inc, lowest responsible bidder of five - Not to exceed \$577,463 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1028

Item 12: Authorize a three-year master agreement for sodium hexametaphosphate - F2 Industries, LLC, lowest responsible bidder of six - Not to exceed \$206,505 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1029

Item 13: Authorize a five-year master agreement for traffic cones and other traffic control accessories - Wenzel Wenzel & Associates, Inc. in the amount of \$1,367,448 and BKW Environmental in the amount of \$10,015, lowest responsible bidders of three - Total not to exceed \$1,377,463 - Financing: Current Funds (\$910,232) and Water Utilities Current Funds (\$467,231)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1030

Item 14: Authorize settlement of a claim filed by Christopher Johnson, Claim No. 12-00016-01-30 - Not to exceed \$12,100 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1031

Item 15: Authorize settlement of the lawsuit styled Southwestern Bell Telephone Company d/b/a AT&T Texas v. City of Dallas, Texas, Cause No. 11-08546-B - Not to exceed \$55,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1032

Item 16: Authorize settlement of the lawsuit styled Mohammad Roba and Barbara Griffiths v. City of Dallas, Cause No. CC-11-04227-E - Not to exceed \$8,000 -
Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1033

Item 17: Authorize two-year agreements for co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, LLP (f/k/a Escamilla & Poneck, Inc.) (Team A) and Bracewell & Giuliani LLP and West and Associates, L.L.P. (Team B) to extend the term of the engagement for a two-year period from February 28, 2012 through February 28, 2014 - Financing: Bond and co-bond counsel fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1034

Item 18: Authorize the preparation of plans for the issuance of Combination Tax and Revenue Certificates of Obligation, Series 2012 in an amount not to exceed \$25,500,000; for renovations to the Cotton Bowl and enacting other provisions in connection therewith - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1035

Item 19: 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

APRIL 11, 2012

12-1036

Item 20: Authorize a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period May 12, 2012 through May 11, 2013 - Total not to exceed \$224,110 - Financing: Current Funds (\$165,360) (subject to appropriations), 2011-12 Community Development Block Grant Funds (\$43,750) and Junior Golf Program Trust Funds (\$15,000) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1037

Item 21: Authorize a boundary adjustment agreement with the City of Carrollton on property located along Midway Road from President George Bush Turnpike to the A.T. & S.F. Railroad, Rosemeade Parkway from Galloway Lane to Midway Road, Kelly Boulevard from north of Michaelangelo Drive to Rosemeade Parkway, and Trinity Mills Road from Midway Road to Vail Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1038

Item 22: Authorize a contract with SYB Construction Company, Inc., lowest responsible bidder of eight, for the reconstruction of street paving, storm drainage, streetscape, landscape, pedestrian and street lights, and water and wastewater main improvements for Bexar Street, Phase II from C. F. Hawn Freeway (U.S. 175) to Carlton Garrett Street / Municipal Street - Not to exceed \$4,083,671 - Financing: 2003 Bond Funds (\$2,688,615), 2006 Bond Funds (\$400,000), Water Utilities Capital Construction Funds (\$9,500) and Water Utilities Capital Improvement Funds (\$985,556)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1039

Item 23: Authorize an increase in the construction contract with Ark Contracting Services, LLC for the addition of Mockingbird Bridge over Fisher Road/Rush Creek Project to the Bridge Repair and Modification Group 10-01 - Not to exceed \$177,561, from \$1,337,566 to \$1,515,127 - Financing: 2005 Certificates of Obligation (\$81,615), Water Utilities Capital Construction Funds (\$3,500) and Water Utilities Capital Improvement Funds (\$92,446)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1040

Item 24: Authorize an increase in the construction contract with Lee Lewis Construction, Inc. for fifteen graphic banners for the Lobby A and A/B Prefunction Interior Improvement Project at the Dallas Convention Center - Not to exceed \$41,197, from \$1,263,000 to \$1,304,197 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1041

Item 25: Authorize an Interlocal Agreement with the North Central Texas Council of Governments and Dallas Area Rapid Transit (DART) to detail agency roles and responsibilities related to procurement and financial matters for implementation of the TIGER Grant funded Dallas Streetcar Project (Union Station to North Oak Cliff) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1042

Item 26: Authorize moving expense and replacement housing payments for Pedro Davila in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 906 Packard Street for future City facilities - Not to exceed \$35,200 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1043

Item 27: Authorize moving expense and replacement housing payments for Catalina Zuniga as a result of an official written offer of just compensation to purchase real property at 2312 Peabody Avenue for the Fire Station No. 6 Project - Not to exceed \$42,200 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1044

- Item 28: Authorize moving expense and replacement housing payments for Gwendolyn Williams as a result of an official written offer of just compensation to purchase real property at 2437 Hooper Street for the Bexar Street Redevelopment Project - Not to exceed \$54,100 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1045

12-1046

Item 29: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2012-2013 board term updated through April 11, 2012.

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

Councilmember Kadane moved to approve the appointment of Gene Hargrove, Registered Voter, to the Reinvestment Zone Six Board (Farmers Market).

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

Councilmember Kadane moved to appoint Huelon A. Harrison, Chair, to the Community Development Commission; Walter Alan Walne, Chair, to the Reinvestment Zone Fourteen Board (Skillman Corridor); and Michon Fulghan, Chair, to the Reinvestment Zone Nine Board (Vickery Meadow).

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

Councilmember Kadane moved to appoint nominees to an "individual appointment" position 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 Hill and unanimously adopted. (Hunt absent)

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

| | | |
|----------------|-------------|---|
| 12-5163 | CPR | DALLAS CITIZENS POLICE REVIEW BOARD |
| 12-5164 | PAR | PARK AND RECREATION BOARD |
| 12-5165 | RZ06 | REINVESTMENT ZONE SIX BOARD (FARMERS MARKET) |
| 12-5166 | | BOARD OFFICERS |

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1047

Item 30: Authorize a resolution establishing the process for selecting individuals to serve on the Dallas Area Rapid Transit Board of Directors - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1048

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ruth Ferguson aka Ruth Ellen Ferguson, Don Ray Ferguson, Ronald James Ferguson, Rickey Bernard Ferguson, Tamara Leashawn Ferguson and Geneva Anderson of approximately 6,585 square feet of land located near Luzon and Dutch Harbor Streets for the Luzon to Corregidor Street Connector Project - Not to exceed \$11,500 (\$10,000 plus closing costs and title expenses not to exceed \$1,500) - Financing: 2003 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Ruth Ferguson aka Ruth Ellen Ferguson, Don Ray Ferguson, Ronald James Ferguson, Rickey Bernard Ferguson, Tamara Leashawn Ferguson and Geneva Anderson*, a tract of land containing approximately 6,585 square feet of land at 4648 Luzon Road in City of Dallas Block E/6747, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Luzon to Corregidor Street Connector Project.

Councilmember Caraway moved to adopt the item.

Motion seconded by Councilmember Koop.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt the item:

Voting Yes: [13] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Greyson, Margolin

Voting No: [0]

Absent when vote taken: [1] Davis

Absent: [1] Hunt

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1049

Item 32: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Sun NLF Limited Partnership of approximately 13,128 square feet of land located near Wheatland and Lancaster Roads for the Wheatland Road Improvement Project - Not to exceed \$12,500 (\$11,000 plus closing costs and title expenses not to exceed \$1,500) - Financing: 2003 Bond Funds

The city secretary announced the requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Sun NLF Limited Partnership*, a tract of land containing approximately 13,128 square feet of land at 7915 S. Lancaster Road in City of Dallas Block 7609, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Wheatland Road Improvement Project.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill.

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

| | | |
|-------------------------|------|---|
| Voting Yes: | [13] | Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Greyson, Margolin |
| Voting No: | [0] | |
| Absent when vote taken: | [1] | Davis |
| Absent: | [1] | Hunt |

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1050

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 261 CW Springs, Ltd. of approximately 14,970 square feet of land located near the intersection of Wheatland and Lancaster Roads for the Wheatland Road Improvement Project - Not to exceed \$14,500 (\$12,000 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *261 CW Springs, Ltd.*, a tract of land containing approximately 14,970 square feet of land at 1900 S. Lancaster Road in City of Dallas Block 7608, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Wheatland Road Improvement Project.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill.

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

| | | |
|-------------------------|------|---|
| Voting Yes: | [13] | Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Greyson, Margolin |
| Voting No: | [0] | |
| Absent when vote taken: | [1] | Davis |
| Absent: | [1] | Hunt |

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1051

Item 34: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from RKCJ, LLC of approximately 25,727 square feet of land located near Lancaster and Wheatland Roads for the Wheatland Road Improvement Project - Not to exceed \$23,500 (\$21,000 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2003 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *RKCJ, LLC*, a tract of land containing approximately 25,727 square feet of land at 1801 Wheatland Road in City of Dallas Block 7605, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Wheatland Road Improvement Project.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill.

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

| | | |
|-------------------------|------|---|
| Voting Yes: | [13] | Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Greyson, Margolin |
| Voting No: | [0] | |
| Absent when vote taken: | [1] | Davis |
| Absent: | [1] | Hunt |

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1052

Item 35: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Sun NLF Limited Partnership of approximately 28,795 square feet of land located near Lancaster Road and Plaza Boulevard for the Wheatland Road Improvement Project - Not to exceed \$38,500 (\$36,000 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2003 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Sun NLF Limited Partnership*, a tract of land containing approximately 28,795 square feet of land at 7531 S. Lancaster Road in City of Dallas Block 7608, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Wheatland Road Improvement Project.

At Councilmember Hill's inquiry, Assistant City Attorney Warren Ernst stated agenda items 35, 36 and 37 (all eminent domain items) could be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 35, 36 and 37 into the record.

Deputy Mayor Pro Tem Atkins moved to adopt the items.

Motion seconded by Councilmember Koop.

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

| | | |
|-------------------------|------|---|
| Voting Yes: | [13] | Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Greyson, Margolin |
| Voting No: | [0] | |
| Absent when vote taken: | [1] | Davis |
| Absent: | [1] | Hunt |

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1053

Item 36: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from King E. Rhodes of approximately 65,699 square feet of land located near Lancaster and Wheatland Roads for the Wheatland Road Improvement Project - Not to exceed \$57,000 (\$53,000 plus closing costs and title expenses not to exceed \$4,000) - Financing: 2003 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *King E. Rhodes*, a tract of land containing approximately 65,699 square feet of land at 2100 E. Wheatland Road in City of Dallas Block 7609, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Wheatland Road Improvement Project.

At Councilmember Hill's inquiry, Assistant City Attorney Warren Ernst stated agenda items 35, 36 and 37 (all eminent domain items) could be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 35, 36 and 37 into the record.

Deputy Mayor Pro Tem Atkins moved to adopt the items.

Motion seconded by Councilmember Koop.

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

| | | |
|-------------------------|------|---|
| Voting Yes: | [13] | Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Greyson, Margolin |
| Voting No: | [0] | |
| Absent when vote taken: | [1] | Davis |
| Absent: | [1] | Hunt |

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1054

Item 37: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Crescent Real Estate Equities Limited Partnership of approximately 73,808 square feet of land located near Wheatland and Lancaster Roads for the Wheatland Road Improvement Project - Not to exceed \$62,500 (\$59,000 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2003 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Crescent Real Estate Equities Limited Partnership*, a tract of land containing approximately 73,808 square feet of land at 2000 E. Wheatland Road in City of Dallas Block 7608, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use and maintenance of the Wheatland Road Improvement Project.

At Councilmember Hill's inquiry, Assistant City Attorney Warren Ernst stated agenda items 35, 36 and 37 (all eminent domain items) could be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 35, 36 and 37 into the record.

Deputy Mayor Pro Tem Atkins moved to adopt the items.

Motion seconded by Councilmember Koop.

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

| | | |
|-------------------------|------|---|
| Voting Yes: | [13] | Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Greyson, Margolin |
| Voting No: | [0] | |
| Absent when vote taken: | [1] | Davis |
| Absent: | [1] | Hunt |

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

DESIGNATED PUBLIC SUBSIDY MATTERS

12-1055

Item 38: Authorize a public hearing to be held on April 25, 2012 to receive comments to consider an amendment to the Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: **(1)** increase the total Cityplace Area TIF budget from \$22,230,084 NPV (\$43,275,414 total dollars) to \$23,694,610 (\$46,126,414 total dollars); **(2)** approve a Grant Program and funding in the amount of \$1,464,526 NPV (\$2,851,000 total dollars) for such program; **(3)** decrease the Street, Utility and Intersection Improvements category from \$7,523,175 NPV (\$22,067,889 total dollars) to \$7,420,902 (\$21,767,889 total dollars); **(4)** increase the Extension of the McKinney Avenue Trolley category from \$1,000,000 NPV (\$1,000,000 total dollars) to \$1,102,273 (\$1,300,000 total dollars); and **(5)** approve all related matters hereto to reflect these amendments under the authority of the Tax Increment Financing Act, as amended (V.T.C.A., Tax Code Chapter 311); and at the close of the public hearing, consideration of an ordinance amending Ordinance No. 21465, as amended to reflect these amendments - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 Councilmember Hill and Councilmember Kadane and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

DESIGNATED PUBLIC SUBSIDY MATTERS

12-1056

- Item 39: Authorize a Chapter 380 economic development grant agreement with Thrash Memorial Funeral Home, LLC to complete funding for costs related to the renovation and reuse of commercial property located at 4830 South Lancaster Road in Dallas, Texas - Not to exceed \$65,000 - Financing: Public/Private Partnership Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

DESIGNATED PUBLIC SUBSIDY MATTERS

12-1057

Item 40: Authorize a business loan to Eric Byrd dba MLK Business Center to renovate and convert real property into office space located at 2822 Martin Luther King, Jr. Boulevard, Dallas, Texas - Not exceed \$50,000 - Financing: South Dallas/Fair Park Trust 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", 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 Deputy Mayor Pro Tem Atkins and Councilmember Alonzo and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1058

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 41-45, was presented for consideration.

- Agenda item 41: Zoning Case Z112-103(WE)
- Agenda item 42: Zoning Case Z112-138(JH)
- Agenda item 43: Zoning Case Z112-162(MW)
- Agenda item 44: Zoning Case Z112-163(RB)
- Agenda item 45: Zoning Case Z112-151(JH)

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on item 41

Councilmember Carraway moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases with the following amendment to consent zoning agenda item 43:

- The Approval of the Specific Use Permit for a two-year period with eligibility for one automatic renewal for an additional five-year period.

and pass the ordinances.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1059

Item 41: Zoning Case Z112-103(WE)

The consent zoning docket, consisting of agenda items 41-45, was presented for consideration.

A public hearing was called on zoning case Z112-103(WE), regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1411 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the south side of Bruton Road, between Las Cruces Lane and Alhambra Street

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28608

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1060

Item 42: Zoning Case Z112-138(JH)

The consent zoning docket, consisting of agenda items 41-45, was presented for consideration.

A public hearing was called on zoning case Z112-138(JH), regarding an application for and an ordinance granting an amendment to Planned Development District No. 605 with 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 the southwest corner of Buckner Boulevard and Samuell Boulevard

(The staff recommended Approval of an amendment to Planned Development District No. 605, subject to a conceptual plan and conditions and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions and city plan commission recommended Approval of an amendment to Planned Development District No. 605, subject to a conceptual plan and conditions and approval of a Specific Use Permit 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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28609 AND 28610

Note: Later in the meeting, Councilmember Davis requested the record reflect the submission of a letter from the applicant (RaceTrac) outlining their agreement not to sell the following three items; MD 20/20, Cisco and Four Loko; with a copy of the letter to be placed in the applicable file.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1061

Item 43: Zoning Case Z112-162(MW)

The consent zoning docket, consisting of agenda items 41-45, was presented for consideration.

A public hearing was called on zoning case Z112-162(MW), regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of East Overton Road and Ramona Avenue

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

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

Councilmember Carraway moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases with the following amendment to consent zoning agenda item 43:

- The approval of the Specific Use Permit for a two-year period with eligibility for one automatic renewal for an additional five-year period.

and pass the ordinances.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hunt absent)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28611 AND 28612

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1062

Item 44: Zoning Case Z112-163(RB)

The consent zoning docket, consisting of agenda items 41-45, was presented for consideration.

A public hearing was called on zoning case Z112-163(RB), regarding an application for and an ordinance granting an amendment to the Phase I portion of Planned Development Subdistrict No. 20 for certain GR General Retail Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the east corner of Oak Lawn Avenue and Gillespie Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28613

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1063

Item 45: Zoning Case Z112-151(JH)

The consent zoning docket, consisting of agenda items 41-45, was presented for consideration.

A public hearing was called on zoning case Z112-151(JH), regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1548 for an open-enrollment charter school on property zoned an IR Industrial Research District on the west and north side of Forestgate Drive, north of Forest Lane

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28614

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1064

Item 46: Zoning Case Z112-146(MW) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z112-146(MW), regarding an application for and an ordinance granting an amendment to Planned Development District No. 695 on the southeast corner of Coit Road and Frankford Road

(The staff and city plan commission recommended Approval, subject to a development plan, landscape 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", 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 Greyson 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. (Hunt absent)

Assigned ORDINANCE NO. 28615

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1065

Item 47: Zoning Case Z112-154(JH) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z112-154(JH), regarding an application for and a resolution granting an amendment to the deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the west side of Old Hickory Trail, north of West Daniieldale Road

(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”, 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.

Deputy Mayor Pro Tem Atkins moved to close the public hearing, accept the recommendation of the city plan commission.

Motion seconded by Councilmember Jasso and Councilmember Kadane and unanimously adopted. (Hunt absent)

Note: Deputy Mayor Pro Tem Atkins stated his motion was to amend the item and to approve the city plan commission recommendation. However, the city plan commission recommendation was to “approve” so no amendment applied.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1066

Item 48: Zoning Case Z112-165(MW) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z112-165(MW), regarding an application for and an ordinance granting the removal of the D Liquor Control Overlay on property zoned an MU-1-D Mixed Use District with a D Liquor Control Overlay on the northwest corner of South Zang Boulevard and West Page Avenue

(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", 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 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.

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

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

Jimmy Schnurr, 740 E. Campbell Rd., Richardson, TX, representing Quik Trip Corporation

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

Motion seconded by Councilmember Alonzo and Councilmember Allen and unanimously adopted. (Griggs abstain; Hunt absent)

Assigned ORDINANCE NO. 28616

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1067

Item 49: Zoning Case Z112-166(MW) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z112-166(MW), regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned Subarea 2a within Planned Development District No. 316, the Jefferson Area Special Purpose District, on the southwest corner of South Zang Boulevard and West 12th Street

(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", 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 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.

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

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

Motion seconded by Councilmember Hill and Councilmember Alonzo and unanimously adopted. (Griggs abstain; Hunt absent)

Assigned ORDINANCE NO. 28617

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1068

Item 50: Zoning Case Z112-167(WE) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z112-167(WE), regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned Planned Development District No. 612 on the east side of Spur 408, north of Grady Niblo Road

(The staff and city plan commission recommended Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management 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", 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 Griggs moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Jasso and Councilmember Kadane and unanimously adopted. (Hunt absent)

Assigned ORDINANCE NO. 28618

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1069

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Wynne/Jackson, Inc.

Note: Item Nos. 51 and 52
must be considered collectively.

Item 51: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 77, incorporating approximately 5.4 acres of property located at 2214 Bryan Street in Dallas, for the purpose of granting economic development incentives to Wynne/Jackson, Inc. - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 addressed the city council regarding the item.

Mayor Pro Tem Medrano moved to close the public hearing.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1070

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Wynne/Jackson, Inc.

Note: Item Nos. 51 and 52
must be considered collectively.

Item 52: An ordinance designating the 5.4 acres of property located at 2214 Bryan Street in Dallas as City of Dallas Reinvestment Zone No. 77, for the purpose of granting economic development incentives to Wynne/Jackson, Inc., establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 addressed the city council regarding the item.

Mayor Pro Tem Medrano moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Caraway and Councilmember Kadane unanimously adopted. (Hunt absent)

Assigned ORDINANCE NO. 28619

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1071

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Wynne/Jackson, Inc.

Note: Item Nos. 53 and 54
must be considered collectively.

Item 53: Authorize a 90 percent real property tax abatement agreement for 10 years with Wynne/Jackson, Inc. located on 5.4 acres of property located at 2214 Bryan Street in Dallas - Revenue: First year revenue estimated at \$31,880; ten-year revenue estimated at \$318,800 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$2,869,200)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 addressed the city council regarding the item.

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Koop and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1072

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Wynne/Jackson, Inc.

Note: Item Nos. 53 and 54
must be considered collectively.

Item 54: Authorize a historic preservation tax exemption for the Dallas High School located at 2214 Bryan Street for a ten-year period on 100 percent of the land and structure value - Revenue: First year tax revenue foregone estimated at \$92,369 (Estimated revenue foregone for ten years is \$923,690)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 addressed the city council regarding the item.

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Koop and unanimously adopted. (Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1073

Addendum addition 1: Authorize the settlement amount for the condemnation suit City of Dallas v. Thomas Wurtz and Teresa Wurtz, et al, Cause No. cc-10-01184-a, in County Court at Law No. 1, for acquisition from Thomas Wurtz and Teresa Wurtz of approximately 18,956 square feet of land improved with a single family residence located near the intersection of Jim Miller Road and Toland Street for the replacement Fire Station No. 32 facility - Not to exceed \$58,877 (\$56,500 plus closing costs and title expenses not to exceed \$2,377) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1074

Addendum addition 2: An ordinance amending Ordinance No. 28037, as amended by Ordinance No. 28441, which abandoned a portion of Denley Drive and street easements located near the intersection of Ann Arbor and Denley Drive, to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, to extend the final replat requirement from 545 days to two years - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28620

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1075

Addendum addition 3: An ordinance abandoning an alley to RP Dentwood SC, L.P., the abutting owner, containing approximately 21,360 square feet of land located near the intersection of Denton Drive Cutoff and Hudnall Street, authorizing the quitclaim and providing for the dedication of an Avigation Easement - Revenue: \$399,500 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28621

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1076

Addendum addition 4: Authorize an increase in the construction contract with Massana Construction Inc. for the removal of vegetation, additional conduits to route around an earthen berm, additional silt fence, increased quantity of hand rail and additional traffic signs to restrict access during construction of the Santa Fe Trestle Hike and Bike Trail Improvement Project - Not to exceed \$97,064, from \$6,009,797 to \$6,106,861 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1077

Margaret Hunt Hill Bridge

Note: Addendum Item Nos. 5 and 6
must be considered collectively.

Addendum addition 5: Authorize a Memorandum of Understanding with the Regional Transportation Council of the North Central Texas Council of Governments and the City of Dallas to establish a funding partnership in an amount not to exceed \$6,250,000 for real estate acquisition, environmental remediation and utility relocation for implementation of the S.M. Wright Project, Phase I for the Trinity Parkway - Financing: No cost consideration to the City

Earlier in the meeting, prior to the item being read into the record as an individual item, the city secretary announced the consent agenda needed to be reconsidered to include addendum addition consent agenda item 5 as part of the consent agenda as posted.

Deputy Mayor Pro Tem Atkins moved to reconsider the consent agenda to include addendum addition consent agenda item 5 as part of the consent agenda as posted.

Motion seconded by Councilmember Kadane and unanimously adopted. (Hunt absent)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 11, 2012

12-1078

Margaret Hunt Hill Bridge

Note: Addendum Item Nos. 5 and 6
must be considered collectively.

Addendum addition 6: Authorize a payment to the Texas Department of Transportation pursuant to the existing Interlocal Agreement for the Margaret Hunt Hill Bridge and SP 366 (Woodall Rodgers Freeway) Extension Project to close out the construction project in accordance with the terms and conditions of the Local Project Advance Funding Agreement and the Memorandum of Understanding with the Regional Transportation Council of the North Central Texas Council of Governments - Not to exceed \$6,250,000 - Financing: 1998 Bond Funds

Earlier in the meeting, prior to the item being read into the record as an individual item, the city secretary announced the consent agenda needed to be reconsidered to include addendum addition consent agenda item 6 as part of the consent agenda as posted.

Deputy Mayor Pro Tem Atkins moved to reconsider the consent agenda to include addendum addition consent agenda item 6 as part of the consent agenda as posted.

Motion seconded by Councilmember Kadane and unanimously adopted. (Hunt absent)

Adopted as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 11, 2012

EXHIBIT C