

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 25, 2012

12-1162

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

PRESENT: [14] Rawlings, Medrano, Atkins (\*9:09 a.m.), Jasso, Griggs, Caraway,  
Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin

ABSENT: [1] Hunt

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

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

The invocation was given by Terry J. Flowers, Executive Director/Headmaster of the St. Phillip's School.

Students of St. Phillip's School led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered, the city council adjourned at 2:32 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 25, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 25, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1163

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: Norma Hernandez, 5019 Philip Ave.  
SUBJECT: Rezoning of O. M. Roberts Blvd.

SPEAKER: Shawn Busari, 4908 Gurley Ave.  
SUBJECT: Rezoning of O. M. Roberts Blvd.

SPEAKER: Roy Williams, 5881 Preston View Blvd. (handouts provided)  
SUBJECT: The consciousness of the nation

SPEAKER: Terry J. Flowers, 1600 Pennsylvania Ave.  
SUBJECT: Renaming of Pennsylvania Ave.

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Steve Smith, 2312 Grand Ave.  
SUBJECT: Zoning

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

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

SPEAKER: Trina Triche, 1818 Corsicana St.  
SUBJECT: Agenda Items: 16-21, 30-31, 36; Addendum: 5-6; [One stop shop-TDPS/DMV]

SPEAKER: Richard Sheridan, 3022 Forest Ln.  
REPRESENTING: Most Citizens  
SUBJECT: Breathalyzers in bars to save lives

SPEAKER: Robert Ceccarelli, 5302 Harry Hines Blvd.  
SUBJECT: DISD and homelessness

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1164

Item 1: Approval of Minutes of the April 11, 2012 City Council Meeting

Councilmember Caraway 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 25, 2012

12-1165

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-37, and addendum addition consent agenda items 1-6, was presented for consideration.

The City Secretary requested that consent agenda item 35 be considered as an individual item to allow citizens to speak. Mayor Rawlings stated that consent agenda item 35 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Councilmember Caraway moved to adopt all items on the consent agenda, consisting of consent agenda items 2-37 and addendum addition consent agenda items 1-6, with the exception of consent agenda item 35 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1166

Item 2: Authorize a sixth amendment to the 1985 lease agreement with TWG Aviation, Ltd. and a fifth amendment to the 2007 lease agreement with TWG Aviation, Ltd. to: (1) extend the time period to expend a capital commitment in both leases by twenty four months from May 1, 2012 to May 1, 2014; and (2) increase the total combined capital commitment in both leases from \$3,500,000 to \$4,000,000 at Dallas Love Field - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1167

Item 3: Authorize a one-year service contract, with a one-year renewal option, for general home repairs under the People Helping People Program administered by Housing/Community Services - Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors, lowest responsible bidder of five - Not to exceed \$121,952 - Financing: 2010-11 Community Development Block Grant Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1168

Item 4: Authorize a three-year service contract for grounds maintenance services at various Water Utilities' properties - Good Earth Corporation in the amount of \$525,635, Eric Yates dba SLM Landscaping & Maintenance in the amount of \$390,120, and BIO Landscape & Maintenance, Inc. in the amount of \$23,325, lowest responsible bidders of three - Total not to exceed \$939,080 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1169

Item 5: Authorize a three-year service contract to process and purchase recycled concrete material to be utilized citywide - Big City Crushed Concrete, lowest responsible bidder of two - Not to exceed \$1,352,500 - Financing: Current Funds (\$835,000) and Stormwater Drainage Management Current Funds (\$517,500)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1170

Item 6: Authorize a three-year master agreement for propane and propane cylinders - Northwest Butane Gas Co., lowest responsible bidder of two - Not to exceed \$228,356 - Financing: Current Funds (\$194,770), Aviation Current Funds (\$17,812), Convention and Event Services Current Funds (\$8,073) and Water Utilities Current Funds (\$7,701)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1171

Item 7: Authorize a three-year service contract for stagehand and setup labor for the Office of Cultural Affairs performing arts centers - IAPP, Inc., lowest responsible bidder of seven - Not to exceed \$785,363 - Financing: Current Funds (subject to annual appropriations) (to be reimbursed by cultural facility user)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1172

Item 8: Authorize a three-year service contract for voice and data cable installation services to connect computers and phones at new and existing City facilities - AAA Data Communications, Inc., lowest responsible bidder of four - Not to exceed \$1,978,328 Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1173

Item 9: Authorize the purchase and installation of two material handlers for Sanitation Services used at transfer stations - Forestry Supply Service, Inc. dba FTR Equipment, lowest responsible bidder of two - Not to exceed \$364,800 - Financing: Municipal Lease Agreement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1174

Item 10: Authorize a three-year master agreement for water meters, detector check valves and parts - Badger Meter, Inc. in the amount of \$3,773,150, Neptune Technology Group, Inc. in the amount of \$3,562,854, Mueller System, LLC in the amount of \$2,685,868, Itron Inc. in the amount of \$1,556,900, Metron Favner, LLC in the amount of \$374,490, Elster Amco Water, LLC in the amount of \$202,685, HD Supply Waterworks, LTD in the amount of \$60,000 and Sensus USA, Inc. in the amount of \$28,190, lowest responsible bidders of eight - Total not to exceed \$12,244,137 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1175

Item 11: Authorize **(1)** a five-year service contract for enhanced service to the existing Integrated Library System - Gaylord Information Systems, Inc. dba Polaris Library Systems in the amount of \$352,545; and **(2)** a five-year contract to purchase and host a calendar/meeting room reservations/summer reading program manager software system for the existing Integrated Library System - Evanced Solutions, LLC in the amount of \$78,984, lowest responsible bidders of two - Total not to exceed \$431,529 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1176

Item 12: Authorize an increase in the master agreement with Sam Pack's Five Star Ford, LLC for the purchase of nine pieces of fleet equipment for Aviation - Not to exceed \$299,861, from \$4,889,820 to \$5,189,681 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1177

Item 13: Authorize Supplemental Agreement No. 2 to the professional services contract with Mary E. Case, M.D. for additional pathologist services necessary to represent the City in the lawsuit styled Lavell Fairbanks v. Travis French, Cause No. 10-02144 - Not to exceed \$15,000, from \$25,000 to \$40,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1178

Item 14: Authorize acceptance of a donation from the Companion Animal Funders Coalition to fund a Statistical Analyst Coordinator position for the period May 1, 2012 through the completion of the project for The Big Fix for Big D - Not to exceed \$37,500 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1179

Item 15: Authorize payment to Advanced Data Processing, Inc. (dba Intermedix) for the purchase of computer hardware equipment on ambulances as part of the resignation and mutual release of the terminated contract, previously approved on January 25, 2012, by Resolution No. 12-0277 - Not to exceed \$146,300 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1180

Item 16: Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2012 through September 30, 2013; **(2)** a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities; and **(3)** execution of the grant agreement - Not to exceed \$86,280 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1181

Item 17: Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2012 through September 30, 2013; and **(2)** execution of the grant agreement - Not to exceed \$880,680 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1182

Item 18: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$154,027 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2012 through November 30, 2013; **(2)** a local match in an amount not to exceed \$9,978; and **(3)** execution of the grant agreement - Total not to exceed \$164,005 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$154,027) and Current Funds (\$9,978) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1183

Item 19: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$257,606 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2012 through September 30, 2013; **(2)** a local match in an amount not to exceed \$15,866; and **(3)** execution of the grant agreement - Total not to exceed \$273,472 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$257,606) and Current Funds (\$15,866) (subject to appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1184

Item 20: Authorize **(1)** the acceptance of a Permanent Supportive Housing Grant in the amount of \$701,906 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for single chronically homeless persons and to provide funding for four staff positions to administer the program for the period October 1, 2012 through September 30, 2013; **(2)** a local match in an amount not to exceed \$36,981; and **(3)** execution of the grant agreement - Total not to exceed \$738,887 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$701,906) and Current Funds (\$36,981) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1185

Item 21: Authorize **(1)** preliminary adoption of Substantial Amendment No. 15 to the FY2011-12 Action Plan for the Housing Opportunities for Persons with AIDS grant to establish a Housing Facilities Rehabilitation/Repair activity and reallocate \$150,000 from the Housing Facilities Operations activity to the Housing Facilities Rehabilitation/Repair activity; and **(2)** a public hearing to be held on June 13, 2012 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1186

Item 22: Authorize **(1)** a public hearing to be held on May 23, 2012 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law; and at the close of the hearing, **(2)** approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1187

Item 23: Authorize a public hearing to be held on June 27, 2012 to receive comments on the proposed use of a portion of Joey Georgusis Park totaling approximately 15,166 square feet of land for roadway improvements for the Chalk Hill Road Improvement Project at Joey Georgusis Park located east of Cockrell Hill Road, south of Pinnacle Point Drive - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1188

Item 24: Authorize **(1)** the receipt and deposit of funds from the Woodall Rodgers Park Foundation in the amount of \$1,275,000 for park and TxDOT deck construction; **(2)** an increase in appropriations in the amount of \$1,275,000 in the Woodall Rodgers Development Fund; **(3)** the return of any funds remaining at construction close-out to the Woodall Rodgers Park Foundation; and **(4)** an increase in the contract with McCarthy Building Companies, Inc. for revisions to the scope of work for the story telling deck, children's garden restroom, mounds in children's garden and dog park and other miscellaneous items at Klyde Warren Park (Woodall Rodgers Park) located at Woodall Rodgers Freeway, from St. Paul Street to Pearl Street - Not to exceed \$88,463, from \$15,836,770 to \$15,925,233 - Financing: 2006 Bond Funds (\$32,263) and Woodall Rodgers Development Funds (\$56,200)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1189

Item 25: Authorize **(1)** the receipt and deposit of funds in the amount of \$150,000 from the Decherd Foundation and \$15,000 from Robert and Maurine Decherd in the Capital Gifts, Donation and Development Fund; **(2)** an increase in appropriations in the amount of \$165,000 in the Capital Gifts, Donation and Development Fund; and **(3)** a professional services contract with Hargreaves Associates, Inc. for planning and consulting services for an update to the Downtown Parks Master Plan - Not to exceed \$165,000 - Financing: Capital Gifts, Donation and Development Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1190

Item 26: Authorize a professional services contract with Linda Tycher & Associates, Inc. for a landscape master plan/design development to include a schematic design and topographic survey, tree survey, erosion control study for the lake edge, and schematic design of an updated trail around the lake and updated tree garden landscaping to a more water wise design at Kidd Springs Park located at 700 West Canty Street - Not to exceed \$41,475 - Financing: 2003 Bond Funds (\$14,581) and 2006 Bond Funds (\$26,894)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1191

Item 27: Authorize an increase in the contract with Hasen Design Build and Development dba Hasen Construction Services for modifications to include sidewalk replacement; access path, stone and bridge repairs; revisions to landscaping and irrigation; and relocate lights from the parking lot to the trail at Reverchon Park located at 3505 Maple Avenue - Not to exceed \$143,886, from \$1,446,121 to \$1,590,007 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1192

Item 28: Authorize an increase in the contract with RoeschCo Construction Company for resurfacing of eighteen existing tennis courts at Samuell-Grand Tennis Center located at 6200 East Grand Avenue - Not to exceed \$96,738, from \$935,695 to \$1,032,433 - Financing: Samuell Expendable Funds (\$68,860) and 2006 Bond Funds (\$27,878)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1193

Item 29: Authorize **(1)** the application for and acceptance of the Texas School Safety Center 2012 Tobacco Enforcement Grant from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period March 1, 2012 through August 31, 2012; and **(2)** execution of the grant agreement - Not to exceed \$69,675 - Financing: Texas Comptroller's Tobacco Compliance Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1194

Item 30: Authorize an increase in the construction contract with SYB Construction Company, Inc. for construction of a sub drain to correct ground water issues and additional alley pavement for water and wastewater improvements for Alley Reconstruction Group 06-2026-N (list attached) - Not to exceed \$64,369, from \$987,987 to \$1,052,356 - Financing: 2003 Bond Funds (\$44,700) and Water Utilities Capital Improvement Funds (\$19,669)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1195

Item 31: Authorize Supplemental Agreement No. 5 to the professional services contract with HKS, Inc. for architectural, engineering and construction administration services for digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar streetscape conceptual design for the Dallas Convention Center Improvement Program - Not to exceed \$245,266, from \$5,468,611 to \$5,713,877 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1196

**Overhead Sign Panels on Freeway Exits  
to Carlton Garrett Street on SH 310**

**Note:** Item Nos. 32 and 33  
must be considered collectively.

Item 32: Authorize **(1)** the receipt and deposit of funds in the amount of \$7,548 from the Lord's Missionary Baptist Church for the update of all overhead sign panels on freeway exits to Carlton Garrett Street on SH 310 within the state rights-of-way; and **(2)** an increase in appropriations in the amount of \$7,548 in the Capital Projects Reimbursement Fund - Not to exceed \$7,548 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1197

**Overhead Sign Panels on Freeway Exits  
to Carlton Garrett Street on SH 310**

**Note:** Item Nos. 32 and 33  
must be considered collectively.

Item 33: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide funding for the update of all overhead sign panels on freeway exits to Carlton Garrett Street on SH 310 within the state rights-of-way  
- Not to exceed \$7,548 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1198

Item 34: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for the operation and maintenance of traffic signs and signals at 20 intersections along the IH 635 Corridor from east of Luna Road to west of Greenville Avenue and on IH 35E from south of the Loop 12 and IH 35E split to Valwood Parkway within the Dallas city limits (list attached) - Not to exceed \$329,696 - Financing: Texas Department of Transportation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1199

Item 35: Authorize acquisition from Susan Wright Key of approximately 47,754 square feet of land located near the intersection of Wheatland and Houston School Roads for the Wheatland Road Improvements Project - Not to exceed \$41,000 (\$38,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2003 Bond Funds

The City Secretary requested that consent agenda item 35 be considered as an individual item to allow citizens to speak. Mayor Rawlings stated that consent agenda item 35 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Later in the meeting, agenda item 35 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Katrina Pitre, 2310 Bonnieview Rd.

Robert Pitre, 2310 Bonnieview Rd.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Davis.

Mayor Rawlings requested action on the item be postponed to later in the meeting to allow clarification on the item from staff.

Later in the meeting, Deputy Mayor Pro Tem Atkins confirmed clarification from staff had been made.

Mayor Rawlings declared the item unanimously adopted. (Hunt absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1200

Item 36: Authorize settlement of the lawsuit styled, City of Dallas v. Lanny Gatlin, The Estate of Steve Gatlin, Cause No. 10-01369-D, pending in the County Court at Law No. 4, in the amount of \$378,000, for the acquisition of a tract of land containing approximately 55,154 square feet from Lanny Gatlin and the Estate of Steve Gatlin located at the intersection of Long Acre Lane and Loop 12 for the Trinity River Audubon Center - Financing: This action has no cost consideration to the City (funds have been deposited into registry of County Court at Law No. 4)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1201

Item 37: Authorize **(1)** the rejection of bids received for the installation of water and wastewater mains at 32 locations; and **(2)** the re-advertisement for new bids -  
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1202

12-1203

Item 38: 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 25, 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.

Mayor Pro Tem Medrano moved to approve the appointment of Richard Meditz to the Housing Finance Corporation Board and Josie Orosco, 55+ years of age, to the Senior Affairs Commission.

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

Mayor Pro Tem Medrano moved to appoint Randy Skinner, Chair, to the Ethics Advisory Commission; Neal Sleeper, Chair, to the Reinvestment Zone Six Board (Farmers Market); B. H. "Mike" Morgan, Chair, to the Reinvestment Zone Eight Board (Design District); and Robert Prejean, Chair, to the Reinvestment Zone Ten Board (Southwestern Medical).

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

Mayor Pro Tem Medrano 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 Alonzo and unanimously adopted. (Hunt absent)

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

<b>12-5176</b>	<b>BOA</b>	<b>BOARD OF ADJUSTMENT</b>
<b>12-5177</b>	<b>CSX</b>	<b>CIVIL SERVICE BOARD ADJUNCT MEMBERS</b>
<b>12-5178</b>	<b>HFC</b>	<b>HOUSING FINANCE CORPORATION BOARD</b>
<b>12-5179</b>	<b>PLA</b>	<b>PERMIT AND LICENSE APPEAL BOARD</b>
<b>12-5180</b>	<b>SAC</b>	<b>SENIOR AFFAIRS COMMISSION</b>
<b>12-5181</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

DESIGNATED PUBLIC SUBSIDY MATTERS

12-1204

Item 39: Authorize on-site reconstruction of two homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at 1434 Claude Street in the amount of \$103,000 and 10141 Oakwood Drive in the amount of \$103,000 - Total not to exceed \$206,000 - Financing: 2011-12 HOME Investment Partnership Program 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", 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 Councilmember Alonzo and Councilmember Koop and unanimously adopted. (Davis absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1205

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

Agenda items 40, 41, 42, 43, 44 and 48 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 40: Zoning Case Z101-369(ND) [considered individually]~~

~~Agenda item 41: Zoning Case Z101-370(ND) [considered individually]~~

~~Agenda item 42: Zoning Case Z101-372(ND) [considered individually]~~

~~Agenda item 43: Zoning Case Z101-375(ND) [considered individually]~~

~~Agenda item 44: Zoning Case Z101-382(ND) [considered individually]~~

Agenda item 45: Zoning Case Z112-116(OTH)

Agenda item 46: Zoning Case Z112-128(JH)

Agenda item 47: Zoning Case Z112-161(RB)

~~Agenda item 48: Zoning Case Z112-170(JH) [considered individually]~~

Agenda item 49: Zoning Case Z112-174(RB)

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

DESIGNATED PUBLIC SUBSIDY MATTERS

12-1206

Item 40: Zoning Case Z101-369(ND)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

Councilmember Greyson requested that zoning consent agenda item 40 be considered as an individual item. Mayor Rawlings stated that zoning consent agenda item 40 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z101-369(ND), regarding an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity videoboard sign on a property zoned Planned Development District No. 619 on the north side of Main Street, west of North Ervay Street

(The staff and city plan commission recommended Approval for a one-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 Kadane moved to close the public hearing, adopt the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called for a vote on Councilmember Kadane's motion to adopt the item.

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

Assigned ORDINANCE NO. 28623

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1207

Item 41: Zoning Case Z101-370(ND)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

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

A public hearing was called on zoning case Z101-370(ND), regarding an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity videoboard sign on a property zoned Planned Development District No. 619 on the south side of Elm Street, west of North Ervay Street

(The staff and city plan commission recommended Approval for a one-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.

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

Motion seconded by Councilmember Koop.

Mayor Rawlings called for a vote on Mayor Pro Tem Medrano's motion to adopt the item.

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

Assigned ORDINANCE NO. 28624

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1208

Item 42: Zoning Case Z101-372(ND)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

Councilmember Greyson requested that zoning consent agenda item 42 be considered as an individual item. Mayor Rawlings stated that zoning consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z101-372(ND), regarding an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity videoboard sign on a property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street, and North Ervay Street

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

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

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

Motion seconded by Councilmember Hill.

Mayor Rawlings called for a vote on Mayor Pro Tem Medrano's motion to adopt the item.

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

Assigned ORDINANCE NO. 28625



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1209

Item 43: Zoning Case Z101-375(ND)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

Councilmember Greyson requested that zoning consent agenda item 43 be considered as an individual item. Mayor Rawlings stated that zoning consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z101-375(ND), regarding an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity videoboard sign on a property zoned Planned Development District No. 619 on the north side of Main Street, east of North Akard Street

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

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

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

Motion seconded by Councilmember Koop.

Mayor Rawlings called for a vote on Mayor Pro Tem Medrano's motion to adopt the item.

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

Assigned ORDINANCE NO. 28626

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1210

Item 44: Zoning Case Z101-382(ND)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

Councilmember Greyson requested that zoning consent agenda item 44 be considered as an individual item. Mayor Rawlings stated that zoning consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z101-382(ND), regarding an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the southeast corner of Elm Street and North Field Street

(The staff and city plan commission recommended Approval for a six-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.

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

Motion seconded by Councilmember Hill.

Mayor Rawlings called for a vote on Mayor Pro Tem Medrano's motion to adopt the item.

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

Assigned ORDINANCE NO. 28627

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1211

Item 45: Zoning Case Z112-116(OTH)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

A public hearing was called on zoning case Z112-116(OTH), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1729 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northwest side of Garland Road, between Easton Road and Lochwood Boulevard

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28628

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1212

Item 46: Zoning Case Z112-128(JH)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

A public hearing was called on zoning case Z112-128(JH), regarding an application for and an ordinance granting a CR Community Retail District on property zoned an R-5(A) Single Family District and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use for a dance hall on property zoned a CR Community Retail District and an R-5(A) Single Family District on the northwest corner of Singleton Boulevard and Peoria Avenue

(The staff and city plan commission recommended Approval of a CR Community Retail District on the R-5(A) portion 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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28629 AND 28630

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1213

Item 47: Zoning Case Z112-161(RB)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

A public hearing was called on zoning case Z112-161(RB), regarding an application for and an ordinance granting a Specific Use Permit for a Handicapped Group Dwelling unit on property zoned an R-10(A) Single Family District, on the northeast line of Wadsworth Drive, north of Ledbetter Drive

(The staff and city plan commission recommended Approval for a three-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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28631

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1214

Item 48: Zoning Case Z112-170(JH)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

Councilmember Greyson requested that zoning consent agenda item 48 be considered as an individual item. Mayor Rawlings stated that zoning consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z112-170(JH), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1659 for an alcoholic beverage establishment use for a bar, lounge, or tavern and a commercial amusement (inside) for a Class A dance hall within Planned Development District No. 619 for mixed uses, on the south side of Main Street, west of South Ervay Street

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

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

Councilmember Greyson moved to close the public hearing, adopt the item with the following change:

- Approve the renewal of Specific Use Permit No. 1659 as adopted by the city plan commission with the Specific Use Permit to expire on April 25, 2014 with no automatic renewals.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28632

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1215

Item 49: Zoning Case Z112-174(RB)

The consent zoning docket, consisting of agenda items 40-49, was presented for consideration.

A public hearing was called on zoning case Z112-174(RB), regarding an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property zoned an R-7.5(A) Single Family District, on property bounded by Mercedes Avenue, Clements Street, Monticello Avenue, and Skillman Street

(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 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. 28633

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1216

Item 50: Zoning Case Z101-281(MW) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z101-281(MW), regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southwest corner of Lake June Road and Barredo Street

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

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 with the following change:

- The ordinance and deed restrictions to return at a later date.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1217

Item 51: Zoning Case Z101-360(RB) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z101-360(RB), regarding an application for and an ordinance granting an amendment to Planned Development District No. 512 for a Public school and R-1/2ac(A) Single Family District Uses on the south corner of Woody Road and Seagoville Road

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

Deputy Mayor Pro Tem Atkins 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 Kadane and unanimously adopted. (Hunt absent)

Assigned ORDINANCE NO. 28634

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1218

Item 52: Zoning Case Z112-117(JH) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z112-117(JH), regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 811 on property zoned Planned Development District No. 811, an IR Industrial Research District, an R-7.5(A) Single Family District, and a RR Regional Retail District on property generally bounded by Interstate 30, Westmoreland Road, Ft. Worth Avenue and Pinnacle Park Boulevard

(The staff and city plan commission recommended Approval, subject to a conceptual plan, street sections, conceptual open space plan, and conceptual topography 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 the city plan commission's recommendation.

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

Larry Good, 3601 Overbrook, representing the applicant  
Suzan Kedron, 901 Main St.

Councilmember Griggs moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

- Delete gas drilling and production and medical/infectious waste incinerator as permitted uses.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1218

Page 2

- Amend the definition of “wind turbine” to read as follows:

WIND TURBINE means a wind-driven turbine for generating electricity primarily, but not exclusively, to serve the energy needs of the building site. Wind turbines may be attached to a building or be an independent free standing structure. Wind turbines mounted on a building may not exceed 30 ft. in height above the roof of the building. Free standing wind turbines may not exceed a height of 100 feet.

and pass the ordinance.

Motion seconded by Councilmember Jasso and Councilmember Margolin.

After discussion, Mayor Rawlings requested action on the item be postponed to later in the meeting to allow clarification on the item from staff.

Later in the meeting, Councilmember Griggs withdrew his original motion to adopt the item.

Councilmember Jasso and Councilmember Margolin, who seconded the original motion, also withdrew their seconded.

After confirming clarification from staff had been made, Councilmember Griggs moved to continue the public hearing and hold under advisement until the May 9, 2012 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1219

Item 53: Zoning Case Z112-160(WE) – DESIGNATED ZONING CASES - INDIVIDUAL

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 Z112-160(WE), regarding an application for and an ordinance granting the creation of a new Subdistrict within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, and an ordinance granting a Specific Use Permit for a restaurant with drive-in or drive through service on the south corner of South R.L. Thornton Freeway (35E) and South Riverfront Boulevard

(The staff recommended Denial and city plan commission recommended Approval of a Subdistrict, subject to conditions and approval of a Specific Use Permit for a restaurant use to operate a drive-in or drive through service for a three-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", 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:

Robert Baldwin, 6035 Vanderbilt, representing the applicant

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1219

Page 2

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

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

Assigned ORDINANCE NOS. 28635 AND 28636

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1220

BENEFIT ASSESSMENT HEARINGS

Item 54: A benefit assessment hearing to receive comments on street paving, storm drainage, water main and wastewater main improvements for Street Group 06-456, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Texas Standard Construction, Ltd., lowest responsible bidder of seven (list attached) - Not to exceed \$3,499,442 - Financing: 2006 Bond Funds (\$2,188,778), Water Utilities Capital Improvement Funds (\$1,280,334) and Water Utilities Capital Construction Funds (\$30,330)

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

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

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

Assigned ORDINANCE NO. 28637

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1221

MISCELLANEOUS HEARINGS

Item 55: A public hearing to receive comments on a proposed municipal setting designation (MSD) to prohibit the use of groundwater as potable water beneath property owned by RP Lot 9, L.P. and RP Downtown Parking Properties, L.P. located near the intersection of Wood and Ervay Streets and adjacent street rights-of-way, authorize issuance of an MSD ordinance, and support the issuance of an MSD certificate to RP Lot 9, L.P. and RP Downtown Parking Properties, L.P. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff commission recommended Approval)

The city secretary read the following statement into the record:

"Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individuals addressed the city council regarding the item:

Cyric Mickiewicz, 4003 Norhill Blvd., Houston, TX, representing Incontrol Technologies, professional geoscientist  
Richard Sheridan, 3022 Forest Ln.

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

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

Assigned ORDINANCE NO. 28638

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1222

MISCELLANEOUS HEARINGS

Item 56: A public hearing to receive comments on the renewal of the Dallas juvenile curfew ordinance, which provides daytime and nighttime curfew hours for minors; and at the close of the hearing, consideration of an ordinance amending Chapter 31 of the Dallas City Code to re-adopt and continue in effect the Dallas juvenile curfew ordinance - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Richard Sheridan, 3022 Forest Ln.

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

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

Assigned ORDINANCE NO. 28639



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1223

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Cityplace Area TIF District**

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

Item 57: A public hearing to receive comments on an amendment to the Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: **(1)** increase the total Cityplace Area TIF budget from \$22,230,084 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) - 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 and 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 25, 2012

12-1224

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Cityplace Area TIF District**

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

Item 58: An ordinance amending Ordinance Nos. 21465 as amended, passed on November 11, 1992, 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) - Not to exceed \$2,851,000 - Financing: Cityplace Area TIF District Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 and pass the ordinance.

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

Assigned ORDINANCE NO. 28640

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1225

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 59: Authorize the establishment of the City of Dallas' Cityplace Area TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Cityplace Area TIF District - Financing: No cost consideration to the City

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1226

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Forest City West Village.**

**Note:** Item Nos. 60 and 61  
must be considered collectively.

Item 60: Authorize **(1)** a development agreement with Forest City Residential Group, Inc., to dedicate TIF revenues supporting the development of Forest City West Village project located at 3700 McKinney Avenue located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$2,851,000 from Cityplace Area TIF District revenues in accordance with the development agreement - Not to exceed \$2,851,000 - Financing: Cityplace Area TIF District Funds

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

Richard Sheridan, 3022 Forest Ln.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1227

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Forest City West Village.**

**Note:** Item Nos. 60 and 61  
must be considered collectively.

Item 61: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to reimburse Forest City Residential Group, Inc., for eligible expenditures pursuant to the development agreement with Forest City Residential Group 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."

The following individual addressed the city council regarding the item:

Richard Sheridan, 3022 Forest Ln.

Councilmember Greyson moved to close the public hearing and adopt the item with the following changes to Section 6 of the resolution to state:

- "Sidewalks will be constructed in accordance with the dimensions shown on site plan exhibit attached and, in any case, will be no less than 25'8" on McKinney Avenue, 18'6" on CityPlace West Blvd., and 20'6" on Blackburn St."

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1228

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 62: Authorize an amendment to the development agreement with Oak Creek Partners, Ltd., previously approved on April 28, 2010, by Resolution Nos. 10-1096 and 10-1097, in Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to: **(1)** add a budget category McKinney Avenue Trolley improvements in an amount not exceed \$300,000; **(2)** reduce the Street, Utility, Intersection Improvement category by \$300,000, from \$8,578,860 to \$8,278,860; and **(3)** extend the project deadline from December 31, 2011 to December 31, 2014 - 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.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1229

Addendum addition 1: Authorize a five-year master agreement for the purchase of multi-band and single-band mobile and portable subscriber radios - Motorola Solutions, Inc., most advantageous proposer of four - Not to exceed \$30,342,001 - Financing: Current Funds (\$12,666,098), Water Utilities Current Funds (\$2,876,980), U.S. Department of Homeland Security Grant Funds (\$13,848,923) and 2010 Buffer Zone Protection Grant Funds (\$950,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1230

Addendum addition 2: Authorize a thirty-six-month Interlocal Agreement with the Dallas County Hospital District for the City to provide two-way radio service and radio system airtime for the period May 1, 2012 through April 30, 2015 - Revenue: \$260

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1231

Addendum addition 3: Authorize Supplemental Agreement No. 1 to extend the service agreement with Paymetric, Inc. for application hosting services, securing all payment card transactions for a nine-month term beginning June 1, 2012 through February 28, 2013 - Not to exceed \$91,067, from \$364,268 to \$455,335 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1232

Addendum addition 4: Authorize **(1)** a Local Collaboration Agreement with Senior Citizens of Greater Dallas, a Texas nonprofit corporation doing business as Senior Source; and **(2)** the acceptance of equipment valued at \$19,942 in consideration for services provided by the Dallas Police Department (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1233

Addendum addition 5: Authorize a decrease in the contract with Facility Solutions Group, Inc. for lighting retrofits at City facilities (list attached) - Not to exceed (\$480,700), from \$2,988,750 to \$2,508,050 - Financing: U.S. Department of Energy Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2012

12-1234

Addendum addition 6: Authorize an increase in the construction services contract with Lee Lewis Construction, Inc. for the addition of show power, lighting controls, architectural changes, and additional life safety improvements to the Upper Level D Meeting Rooms at the Dallas Convention Center - Not to exceed \$759,275, from \$14,641,135 to \$15,400,410 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 25, 2012

EXHIBIT C