

**“CORRECTED”**  
MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 9, 2012

12-1248

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

PRESENT: [14] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway (\*9:23 a.m.), Hill (\*9:09 a.m.), Alonzo, Davis (\*9:12 a.m.), Kadane, Allen, Koop, Greyson (\*9:09 a.m.), Hunt (\*10:00 a.m.)

ABSENT: [1] Margolin\*\*

The meeting was called to order at 9:06 a.m.

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

The invocation was given by Reverend Sheron Patterson, Communications Manager for the United Methodists of North Texas.

Samantha Perez, student of Maya Angelou High 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 3:45 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**

\*\* **Absent on city business per Resolution 12-1434 approved May 23, 2012**

G:\2012MIN\cc050912M.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 9, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 9, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1249

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: Carlos Marroquin, 5106 Cedar Springs Rd.  
REPRESENTING: Area Director for the SEIU  
SUBJECT: Restitution of 2%/justice in some depts.

SPEAKER: Steve Mathis, 4334 Brown St.  
REPRESENTING: Ex Offenders  
SUBJECT: Praise Housing Cmsn./City Hiring Practices

SPEAKER: Amy Phan, Private  
REPRESENTING: Irma L. Rangel Women's Leadership School  
SUBJECT: 29 Pieces – MasterPEACE

SPEAKER: Meredith Storey, Private  
REPRESENTING: Parish Episcopal School  
SUBJECT: 29 Pieces – MasterPEACE

SPEAKER: Karen Blessen, 6327 Vickery Blvd. (handouts provided)  
SUBJECT: 29 Pieces – MasterPEACE

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Steven Lewis, 13907 Montfort Dr.  
SUBJECT: DPD/City Manager/City Streets

SPEAKER: Matthew Kempf, 6915 Windy Ridge Dr. (handouts provided)  
[petitions]  
SUBJECT: Campbell Green Park/door to door solicitors

SPEAKER: Chris Herron, 1155 Timplemore Dr.  
REPRESENTING: Emerald Isle Neighborhood Association  
SUBJECT: Winfrey Point Park

G:\2012MIN\cc050912M.doc

**OPEN MICROPHONE – END OF MEETING:**

(continued)

SPEAKER: Donna Harris, 6939 Cornelia Ln.  
REPRESENTING: Save Winfrey Point Park  
SUBJECT: Winfrey Point Park

SPEAKER: Tabitha Harper, 5210 Bexar St. (handouts provided)  
REPRESENTING: South Dallas businesses on Malcolm X & MLK  
SUBJECT: Incident on Sunday/businesses blocked off

SPEAKER: Bruce Davenport, 4717 Columbia Ave.  
SUBJECT: DPD would rather arrest him not criminals

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

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

SPEAKER: Richard P. Sheridan, 3022 Forest Ln.  
REPRESENTING: The Homeless  
SUBJECT: Homeless Economic Development Program

SPEAKER: LaKoyla London, 1716 Chattanooga Pl.  
REPRESENTING: Children of America  
SUBJECT: Education

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Environmental racism/EPA/Trinity Plan

SPEAKER: Trina Triche, 1818 Corsicana St.  
SUBJECT: Health and Safety

SPEAKER: LaKesha Johnson, 1716 Chattanooga Pl.  
REPRESENTING: Children in Dallas  
SUBJECT: Schools in Dallas

**OPEN MICROPHONE – END OF MEETING:**

By general consensus of the city council, Section 6.3 of the City Council Rules of Procedures were suspended to allow the following individuals to speak:

SPEAKER: Carol Bell Walton, 6705 Velasco Ave.  
REPRESENTING: Save Winfrey Point Park  
SUBJECT Use of park lands

SPEAKER: Jennifer Peal, 9747 Whitehurst Dr.  
SUBJECT White Rock Lake parking

SPEAKER: Megan McGowan, 10220 Kilarney Dr.  
REPRESENTING: "Save Winfrey Point Park"  
SUBJECT Winfrey Point – White Rock Lake

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1250

Item 1: Approval of Minutes of the April 25, 2012 City Council Meeting

Mayor Pro Tem Medrano moved to adopt the minutes.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Davis, Hunt absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1251

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-26, and addendum addition consent agenda item 1, was presented for consideration.

Councilmember Kadane moved to adopt the consent agenda consisting of items 2-26 and addendum addition consent agenda item 1.

Motion seconded by Deputy Mayor Pro Tem Atkins unanimously adopted. (Caraway, Davis, Hunt absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1252

Item 2: Authorize a three-year service contract for internal pipe joint seal - Miller Pipeline, LLC, lowest responsible bidder of two - Not to exceed \$577,742 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1253

Item 3: Authorize a two-year master agreement for bagged cement and cement related items to be utilized citywide - Simba Industries, Inc. in the amount of \$662,589, Crafcot Texas, Inc. in the amount of \$207,026 and Hi-Standard Equipment & Supply Company in the amount of \$112,095, lowest responsible bidders of three - Total not to exceed \$981,710 - Financing: Current Funds (\$710,472), Water Utilities Current Funds (\$132,986) and Stormwater Drainage Management Current Funds (\$138,252)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1254

Item 4: Authorize a three-year master agreement for heating, ventilation and air conditioning parts and supplies for various City facilities - Johnson Supply & Equipment, lowest responsible bidder of three - Not to exceed \$1,488,700 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1255

Item 5: Authorize settlement of the lawsuit styled Young Chevrolet, Inc. et al, v. Texas Commission on Environmental Quality, Cause No. D-1-GN-10-000772 - Not to exceed \$11,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1256

Item 6: An ordinance amending the TOD TIF District Project Plan Ordinance No. 27854, as amended, to clarify eligible costs that may be included in the Affordable Housing TIF Budget category - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28641

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1257

- Item 7: Authorize an amendment to the development agreement for the Lancaster Urban Village Project located in the TOD TIF District, previously approved on May 10, 2010, by Resolution Nos. 10-1259 and 10-1260, as amended, to: **(1)** divide the total funding dedication from the TOD TIF District of up to \$8,492,273 and development obligations into two separate agreements between the City and City Wide Community Development Corporation's affiliates Lancaster Urban Village Commercial, LLC in the amount of \$7,742,000 and Lancaster Urban Village Residential, LLC in the amount of \$750,273 without cross-defaults; and **(2)** authorize the Director of the Office of Economic Development to make any other structural modifications necessary to close the remaining sources of financing for the project - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1258

Item 8: Authorize **(1)** the acceptance of a grant from the U.S. Department of Housing and Urban Development to provide housing placement and rental assistance for ex-offenders with HIV/AIDS through Project Reconnect for the period January 1, 2013 through December 31, 2015; **(2)** establishment of appropriations in the amount of \$746,853; and **(3)** execution of the grant agreement - Not to exceed \$746,853 - Financing: Competitive Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1259

Item 9: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Eric Miller Homes, Inc. for the construction of an affordable house; **(2)** the sale of 1 vacant lot located at 1501 Barry Avenue from Dallas Housing Acquisition and Development Corporation to Eric Miller Homes, Inc.; and **(3)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1260

Item 10: Authorize **(1)** the sale of one vacant lot located at 531 Nomas Street from the Dallas Housing Acquisition and Development Corporation to Edith Coria; and **(2)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1261

Item 11: Authorize **(1)** the sale of two vacant lots located at 1742 Avenue B and 1806 Avenue B from the Dallas Housing Acquisition and Development Corporation to Cayetano Hernandez; and **(2)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1262

Item 12: Authorize a public hearing to be held on May 23, 2012 to receive comments on the proposed FY 2012-13 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1263

Item 13: Authorize **(1)** an application for and acceptance of the FY2012 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2011 through September 30, 2015; **(2)** execution of the Fiscal Agency and Funds Sharing Agreement between the City of Dallas, Dallas County, and eligible units of local government; and **(3)** execution of the grant agreement - Not to exceed \$1,034,178 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1264

Item 14: Authorize a twenty-year development and maintenance agreement, with one consecutive five-year renewal option, with Alamo Manhattan Carlisle, LLC for the development and maintenance of a pedestrian bridge and landscape improvements for the purpose of connecting an adjacent development at 3009 Carlisle Street to the Katy Trail - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1265

Item 15: Authorize a twenty-year development and maintenance agreement, with one consecutive five-year renewal option, with Houseman Building, LLC for the development and maintenance of outdoor seating improvements to Akard Park located at 410 North Akard Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1266

Item 16: Authorize a contract for the Garland Road improvements including deceleration lanes and median modifications, associated with parking and The Rory Meyers Children's Adventure Garden at the Dallas Arboretum located at 8525 Garland Road - Axis Contracting, Inc., lowest responsible bidder of nine - Not to exceed \$354,768 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1267

Item 17: Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period March 1, 2012 through September 30, 2012 in the amount of \$39,978; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$11,574; and **(3)** execution of the grant agreement - Total not to exceed \$51,552 - Financing: Current Funds (\$11,574) and Texas Department of Transportation Grant Funds (\$39,978)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1268

Item 18: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of five, for the construction of concrete sidewalks, driveways and landscape improvements on Herbert Street from Canada Drive to Toronto Street - Not to exceed \$159,211 - Financing: 2008-09 Community Development Block Grant Funds (\$27,449), 2009-10 Community Development Block Grant Funds (\$85,009), 2009-10 Community Development Block Grant Reprogramming Funds (\$41,152) and Water Utilities Capital Construction Funds (\$5,601)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1269

Item 19: Authorize a contract with AMX Veterans Specialty Services, LLC for Design/Build, Phase 1, design services for the Dalfort Demolition Project at Dallas Love Field - Not to exceed \$570,529 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1270

Item 20: Authorize an increase in the contract with McMahon Contracting, L.P. for additional water main work, installation of a handicap ramp and other miscellaneous items needed for construction of Street Group 06-454 consisting of Oldgate Lane from Garland Road to Diceman Drive and Laneri Avenue from Merrimac Avenue to Mercedes Avenue - Not to exceed \$189,342, from \$1,152,203 to \$1,341,545 - Financing: 2006 Bond Funds (\$71,736), Water Utilities Capital Construction Funds (\$13,140) and Water Utilities Capital Improvement Funds (\$104,466)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1271

Item 21: Authorize Supplemental Agreement No. 6 to the contract with HNTB Corporation to provide additional engineering services for modification of design elements of the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard including storm drainage, illumination, retaining walls and fencing, and additional professional services during the construction phase of the project - Not to exceed \$290,059, from \$5,290,372 to \$5,580,431 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1272

Item 22: Authorize a professional services contract for the design and construction oversight of a sector of waste cell 6 at McCommas Bluff Landfill - Biggs & Mathews Environmental, Inc., most advantageous proposer of four - Not to exceed \$447,875 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1273

Item 23: Authorize the quitclaim of 42 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$496,273

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1274

Item 24: An ordinance amending Ordinance No. 26903 which closed a portion of Elihu Street located near its intersection with Trunk Avenue, to extend the deadline from 120 days to 180 days to receive approval from Dallas Area Rapid Transit and to extend the dedication requirement of needed right-of-way from 120 days to five years - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28642

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1275

Item 25: Authorize **(1)** an eighteen-month master agreement for water and wastewater small services installations in the amount of \$2,585,440; **(2)** a contract for the installation of water and wastewater mains at six locations in the amount of \$1,073,332 (list attached); and **(3)** an eighteen-month master agreement for water and wastewater mainline extensions and emergency mainline installations at various locations in the amount of \$2,214,535 with Barson Utilities, Inc., lowest responsible bidder of seven - Total not to exceed \$5,873,307 - Financing: Water Utilities Capital Improvement Funds (\$1,073,332) and Water Utilities Capital Construction Funds (\$4,799,975)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1276

Item 26: Ratify an increase in the contract with Archer Western Construction, LLC for emergency construction work to restore earthen slope embankment sections of the Forney Dam Spillway (Lake Ray Hubbard) - Not to exceed \$145,532, from \$436,000 to \$581,532 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1277

Item 27: 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 May 9, 2012.

The city secretary noted the report indicated nominees for vice chair cleared for city council action met all qualifications for service.

Mayor Pro Tem Medrano moved to appoint Darlene Reynolds and Robert Moore, Vice Chair, to the Board of Adjustment Commission.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Davis, Hunt absent when vote taken; \*Margolin absent)

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

**12-5183**

**BOARD OFFICERS**

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1278

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 28: Authorize a public hearing to be held on May 23, 2012 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Seven (Sports Arena TIF District) and the Project and Reinvestment Zone Financing Plans for the Sports Arena TIF District to: **(1)** add two new sub-districts within the Sports Arena TIF District: **(a)** Riverfront Gateway Sub-district and **(b)** West Dallas Sub-district; **(2)** increase the geographical area of the Sports Arena TIF District to add approximately: **(a)** 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); **(b)** 33 acres in the Riverfront Gateway Sub-district; and **(c)** 89.2 acres in the West Dallas Sub-district; **(3)** extend the termination date of the Sports Arena TIF District for a 10 year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; **(4)** decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; **(5)** increase the Sports Arena TIF District budget from \$25,498,568 NPV (approximately \$46,961,785 total dollars) to \$94,409,005 NPV (approximately \$273,599,175 total dollars), an increase of \$68,910,432 NPV (approximately \$176,675,605 total dollars); **(6)** create an Economic Development TIF Grant Program within the District and adopt program guidelines; and **(7)** make corresponding modifications to the Sports Arena TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and at the close of the hearing, consideration of an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24023, previously approved on August 25, 1999, 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."

G:\2012MIN\cc050912M.doc

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1278

Page 2

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Caraway and unanimously adopted. (Hunt absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1279

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 29: Authorize the execution of a Loan Agreement with West Dallas Community Centers, Inc. (WDCC) for the renovation of recreational facilities located at 3232 Bataan Street - Not to exceed \$85,000 - Financing: 2011-12 Community Development Block 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 Alonzo moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Davis and unanimously adopted. (Hunt absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1280

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

No item was removed from the consent zoning docket, to be considered as an individual hearing.

- Agenda item 30: Zoning Case Z112-124(JH)
- Agenda item 31: Zoning Case Z112-141(MD)
- Agenda item 32: Zoning Case Z112-152(WE)
- Agenda item 33: Zoning Case Z112-180(MW)
- Agenda item 34: Zoning Case Z112-181(MW)
- Agenda item 35: Zoning Case Z112-184(WE)
- Agenda item 36: Zoning Case Z112-187(MW)
- Agenda item 37: Zoning Case Z112-189(RB)

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 items 30-37.

Councilmember Caraway moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases; pass the ordinances for items 30-35 and 37; and approve agenda item 36.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted. (Davis absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1281

Item 30: Zoning Case Z112-124(JH)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

Councilmember Griggs requested that zoning consent item 30 be considered as an individual item. Mayor Rawlings stated that zoning consent item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' request.

A public hearing was called on zoning case Z112-124(JH), regarding an application for and an ordinance granting an amendment to and an expansion of Specific Use Permit No. 1526 for a private school on property zoned an R-7.5(A) Single Family District on the southwest corner of Abrams Road and Kenwood Avenue

(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, landscape plan, traffic management plan and conditions)

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28643

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1282

Item 31: Zoning Case Z112-141(MD)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing was called on zoning case Z112-141(MD), regarding an application for and an ordinance granting an Historic District Overlay on property zoned an R-7.5 Single Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast side of Maple Springs Boulevard at the terminus of Stoneleigh Avenue

(The staff and city plan commission recommended Approval)

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28644



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1283

Item 32: Zoning Case Z112-152(WE)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing was called on zoning case Z112-152(WE), regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet use on property within Subdistrict 2B of Planned Development District No. 714, the West Commerce Street/Ft. Worth Avenue Special Purpose District, with a D-1 Liquor Control Overlay on the west side of Sylvan Avenue, north of the Dallas-Fort Worth Turnpike (I-30)

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

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28645

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1284

Item 33: Zoning Case Z112-180(MW)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing was called on zoning case Z112-180(MW), regarding an application for and an ordinance granting an LC Light Commercial Subdistrict and a resolution accepting deed restrictions volunteered by the applicant on property zoned a TH-3 Townhome Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast side of Vagas Street, north of Harry Hines Boulevard

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

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28646

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1285

Item 34: Zoning Case Z112-181(MW)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing was called on zoning case Z112-181(MW), regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest corner of Hatcher Street and Crozier Street

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

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28647

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1286

Item 35: Zoning Case Z112-184(WE)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing was called on zoning case Z112-184(WE), regarding an application for and an ordinance granting for the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Elm Street, east of Crowds Street

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

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28648

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1287

Item 36: Zoning Case Z112-187(MW)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing was called on zoning case Z112-187(MW), regarding an application for and a resolution terminating deed restrictions on property zoned an RR Regional Retail District on the southeast corner of North Central Expressway and Walnut Hill Lane

(The staff and city plan commission recommended Approval)

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1288

Item 37: Zoning Case Z112-189(RB)

The consent zoning docket, consisting of agenda items 30-37, was presented for consideration.

A public hearing was called on zoning case Z112-189(RB), regarding an application for and an ordinance granting a Specific Use Permit for a Contractor's maintenance yard on property within the Subdistrict 1 portion of Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, on the southwest line of C. F. Hawn Freeway, southeast of Cade Road

(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.

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke on items 30-37

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28649

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1289

Item 38: Zoning Case Z112-171(WE) – DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z112-171(WE), regarding an application for and an ordinance granting a Planned Development Subdistrict for I-2 Industrial Subdistrict uses on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Harry Hines Boulevard and Payne Street

(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 the city plan commission's recommendation.

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

Matt Segrest, 3606 Harvard Ave., applicant  
Spence Sowa, 5016 Lilac Lane, representing Harwood International

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

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Koop and unanimously adopted. (Davis absent when vote taken; \*Margolin absent)

Assigned ORDINANCE NO. 28650

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

G:\2012MIN\cc050912M.doc

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1290

Item 39: 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)

Note: This item was considered by the City Council at a public hearing on April 25, 2012, and was taken under advisement until May 9, 2012, with the public hearing open.

In accordance with Section 7.13 of the City Council Rules of Procedures, “Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters”, 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



**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1290

Page 2

Councilmember Griggs moved to close the public hearing and follow the city plan commission recommendations for approving Planned Development District No. 811 with the following changes:

- Delete medical/infectious waste incinerator as a permitted use.
- Require a special use permit for a car wash use.
- Amend the definition and regulations for “wind turbine” 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.”

Motion seconded by Councilmember Alonzo and Councilmember Kadane and unanimously adopted. (Davis absent when vote taken; \*Margolin absent)

Assigned ORDINANCE NO. 28651

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1291

MISCELLANEOUS HEARINGS

Item 40: A public hearing to receive comments on Substantial Amendment No. 14 to amend the 2008-09 through 2012-13 Consolidated Plan and the 2011-12 Action Plan for U.S. Department of Housing and Urban Development Funds to incorporate additional City priority needs, resources, and eligible activities including **(1)** job creation as an enumerated Community Development Block Grant (CDBG) activity to expand economic opportunities for low-and moderate-income persons and **(2)** identification of the use of Section 108 Guarantee Loan Program funds for the Lake Highlands Town Center Project as an eligible CDBG economic development activity providing permanent full-time jobs held by approximately 394 low-and moderate-income persons; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 14 - Financing: No cost consideration to the City

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Davis, Hunt absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

Closed Session [**12-1292; HELD**]

6ES

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

- Legal issues regarding operations of golf pros with which the City has contracts.

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Review and evaluations of City Council appointees

At 9:45 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues regarding operations of golf pros with which the City has contracts.

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Review and evaluations of City Council appointees

Mayor Rawlings reconvened the city council meeting after the closed session at 1:55 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1293

Addendum addition 1:            Authorize a construction contract with Special Fire Systems, Inc., lowest responsible bidder of two, for the installation of new fire protection and suppression systems at the Dallas Museum of Art located at 1807 Harwood Street - Not to exceed \$324,086 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1294

Addendum addition 2: Authorize **(1)** civilian salary adjustments effective May 30, 2012 in an amount not to exceed \$1,420,551 in the General Fund and an amount not to exceed \$999,934 in various enterprise, internal service, and special revenue funds; and **(2)** an increase in appropriations in the General Fund in an amount not to exceed \$1,420,551 and in various enterprise and special revenue funds in an amount not to exceed \$113,872 - Total not to exceed \$2,420,485 - Financing: Current Funds (\$1,590,700), Water Utilities Current Funds (\$432,784), Various Special Revenue Funds (\$168,173), Building Inspection Current Funds (\$72,111), Aviation Current Funds (\$59,480), Stormwater Drainage Management Current Funds (\$58,357), Convention and Event Services Current Funds (\$32,478) and WRR Current Funds (\$6,402)

Deputy Mayor Pro Tem Atkins moved to approve the item.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted. (Hunt absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1295

Addendum addition 3: Authorize an increase in the annual base salary of City Attorney Thomas P. Perkins, Jr. in the amount of \$4,836, from \$234,120 to \$238,956 plus the associated pension contribution in the amount of \$444 for a total annual additional cost of \$5,280, effective May 9, 2012 - Financing: Current Funds

Councilmember Hill moved to adopt the item with the following changes:

- Authorize an increase in the annual base salary of City Attorney Thomas P. Perkins, Jr. in the amount of \$12,309 from \$234,120 to \$246,429 plus the associated pension contribution in the appropriate amount for a total additional cost of \$246,429 plus the pension contribution, effective May 9, 2012.

Motion seconded by Councilmember Caraway and unanimously adopted. (\*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1296

Addendum addition 4: Authorize an increase in the annual base salary of City Manager Mary K. Suhm in the amount of \$25,100, from \$265,617 to \$290,717, plus the associated pension contribution in the amount of \$2,307, effective May 9, 2012 and an increase in the deferred compensation account in the amount of \$4,000 from \$4,000 to \$8,000 for a total additional cost of \$31,407 - Financing: Current Funds

Councilmember Koop moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

After discussion, Mayor Rawlings called for a vote on Councilmember Koop's motion to adopt the item.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Hunt voting "No." (\*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1297

Addendum addition 5: Authorize the Third Modification Agreement to the Community Development Block Grant Economic Development Loan with Kaminski Holdings, Inc. to: **(1)** increase the loan amount from \$597,500 to \$629,000; **(2)** change the amount of the forgivable portion of the loan from \$150,000 to \$298,905 over a five year period beginning with full occupancy of the retail space; and **(3)** set the repayment terms for the \$330,095 balance to be repaid to allow for interest only payments from January 15, 2013 through January 14, 2018 and principal and interest payments amortized monthly at 3% to begin January 15, 2018 and continue for 15 years for the commercial portion of a mixed-use building at 5208 Bexar Street - Total not to exceed \$31,500 - Financing: 2003-04 Community Development Block Grant Reprogramming Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, “Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters”, 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 Caraway and unanimously adopted. (Hunt absent when vote taken; \*Margolin absent)

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.



**“CORRECTED”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 9, 2012

12-1298

Addendum addition 6: Authorize the Fourth Modification to the HOME Investment Partnership Housing Development Loan with Hai Tak Enterprises, Inc. to: **(1)** change the amount of the forgivable portion of the loan from \$270,700 to \$509,620; and **(2)** set the repayment terms for the \$383,080 balance to be repaid to allow for interest only payments from January 15, 2013 through January 14, 2018 and principal and interest payments amortized monthly at 3% to begin January 15, 2018 and continue for 15 years for the residential portion of the mixed-use building at 5203 Bexar Street - 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."

Councilmember Davis moved to adopt the item.

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

**\*Note:** Councilmember Margolin absent on city business per Resolution 12-1434 approved May 23, 2012.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 9, 2012

EXHIBIT C