

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 13, 2012

12-1510

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR PRO TEM PAULINE MEDRANO, PRESIDING

PRESENT: [14] Medrano, Atkins, Jasso, Griggs, Caraway (\*9:24 a.m.), Hill, Alonzo, Davis (\*9:16 a.m.), Kadane, Allen, Koop, Greyson (\*9:05 a.m.), Margolin, Hunt (\*9:45 a.m.)

ABSENT: [1] \*\* Rawlings (Absent on city business)

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

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

The invocation was given by John P. Hadley, Senior Pastor, Marsh Lane Baptist Church.

Councilmember Koop 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 3:32 p.m.

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Mayor

ATTEST:

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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**

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 13, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 13, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1511

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: Sherry Peel, 1808 Timbergrove Cir.  
SUBJECT: Arts education

SPEAKER: Jacobina Sheppard, 1514 Life Ave.  
SUBJECT: Arts education

SPEAKER: Miracle Sheppard, 1514 Life Ave.  
SUBJECT: Arts education

SPEAKER: Mary Donna Perez, 2915 Idaho Ave.  
SUBJECT: Arts education

SPEAKER: Lillie Rose Thomas, 3117 50<sup>th</sup> Ave.  
REPRESENTING: TeCo Theatrical Productions, Inc.  
SUBJECT: Funding for TeCo

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Cheryl Franklin, 310 Glen Oaks Blvd.  
SUBJECT: Community Development Block Grant Funds

SPEAKER: Gabriella Reyes-Cruz, 1445 Cibola Dr.  
SUBJECT: Arts education

SPEAKER: Ronay Matthews, 1930 Gallagher St.  
REPRESENTING: New Pilgrim Rest Missionary Baptist Church  
SUBJECT: Community Enrichment Project

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

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

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

SPEAKER: Richard P. Sheridan, 3022 Forest Ln.  
REPRESENTING: County residents  
SUBJECT: The power of the County Sheriff

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Merrill Lynch/EPA/RSR Lead

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.  
REPRESENTING: Real American Women  
SUBJECT: The emperor wears no clothes

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

SPEAKER: LaKesha Johnson, 1716 Chattanooga Pl.  
REPRESENTING: Children of Arlington Park  
SUBJECT: No subject provided

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1512

Item 1: Approval of Minutes of the May 23, 2012 City Council Meeting

Councilmember Kadane moved to adopt the minutes.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Davis, Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1513

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-47, and addendum addition consent agenda items 1 - 3, was presented for consideration.

Councilmember Greyson requested that consent agenda items 9 and 34 be considered as individual items. Mayor Pro Tem Medrano stated that consent agenda items 9 and 34 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Kadane moved to adopt all items on the consent agenda with the exception of consent agenda items 9 and 34 which would be considered later in the meeting.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Davis, Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1514

Item 2: Authorize **(1)** a two-year service contract for vehicle and equipment rental - Hertz Equipment Rental Corporation in the amount of \$6,532,920, Bane Machinery, Inc. in the amount of \$2,780,690, Romco Equipment Company in the amount of \$2,084,040, Four Seasons Equipment, Inc. in the amount of \$1,473,120, EAN Holdings, LLC a/k/a Enterprise Rent-A-Car in the amount of \$794,868 R.B. Everett & Company in the amount of \$1,023,600, Landmark Equipment, Inc. in the amount of \$698,946, Holt Texas, LTD in the amount of \$530,190, Kirby-Smith Machinery, Inc. in the amount of \$393,000, Berry Companies, Inc. a/k/a Bobcat of Dallas in the amount of \$201,960, Texarkana Tractor Company a/k/a Nor-Tex Tractor in the amount of \$151,800, lowest responsible bidders of eleven; **(2)** participation in the Western States Contracting Alliance contract; and **(3)** a two-year service contract for vehicle and equipment rental - EAN Holdings, LLC a/k/a Enterprise Rent-A-Car through the Western States Contracting Alliance contract in the amount of \$343,752 - Total not to exceed \$17,008,886 - Financing: Current Funds (\$15,394,049), Water Utilities Current Funds (\$1,590,837) and Aviation Current Funds (\$24,000) (subject to annual appropriations)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1515

Item 3: Authorize a three-year service contract for plumbing services at City facilities - A Star Heat & Air, Inc., lowest responsible bidder of three - Not to exceed \$537,009 - Financing: Current Funds (\$335,718), Water Utilities Current Funds (\$157,577), Convention and Event Services Current Funds (\$23,542) and Aviation Current Funds (\$20,172) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1516

Item 4: Authorize the purchase of three rescue boats to be used by Fire-Rescue - Rescue ONE Connector Boats through General Services Administration - Not to exceed \$70,444 - Financing: 2010 Equipment Acquisition Notes

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1517

Item 5: Authorize settlement of the lawsuit styled Maria Rojas, Individually and as Next Friend of Michael Rojas v. City of Dallas, Cause No. DC-10-09355-J - Not to exceed \$80,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1518

Item 6: Authorize settlement of the lawsuit styled Lavell Fairbanks v. Travis French,  
No. DC-10-02144-I - Not to exceed \$450,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1519

Item 7: Authorize settlement of the lawsuit styled Rodarick Lyles v. City of Dallas, et al., Civil Action No. 3:11-cv-0428-P - Not to exceed \$500,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1520

Item 8: Authorize re-adoption of the City of Dallas Public/Private Partnership Program Guidelines and Criteria, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax Code, Chapter 312), governing tax abatement agreements and other City incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1521

Item 9: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Builders of Hope CDC for the construction of affordable houses; **(2)** the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope CDC; **(3)** the exchange of deed restrictions from the 2 lots proposed to be purchased from the Land Bank to 2 comparable lots owned by the developer located at 1816 and 1818 Dennison Street; and **(4)** execution of a release of lien for any non-tax liens that may have been filed by the City (list attached) - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 9 be considered as an individual item. Mayor Pro Tem Medrano stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1522

Item 10: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by SCB Investments, Inc. for the construction of affordable houses; **(2)** the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to SCB Investments, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1523

Item 11: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Santos J. Coria for the construction of affordable houses; **(2)** the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Santos J. Coria; and **(3)** execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1524

- Item 12: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by East Dallas Community Organization for the construction of affordable houses; **(2)** the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to East Dallas Community Organization; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached)  
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1525

Item 13: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Altura Homes DFW, LP for the construction of affordable houses; **(2)** the sale of 7 vacant lots from Dallas Housing Acquisition and Development Corporation to Altura Homes DFW, LP; and **(3)** execution of a release of lien for any non-tax liens on the 7 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1526

Item 14: A resolution authorizing approval of **(1)** the DFW Rental Car Center (the “RAC”) and the proposed Southgate Hyatt Place Hotel as Public Facilities and as Approved Airport Projects of DFW’s Public Facility Improvement Corporation (the PFIC); and **(2)** the assignment and transfer by the DFW Facility Improvement Corporation (the FIC) of all assets, rights, duties and obligations relating to the RAC facility and bus fleet to the PFIC - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1527

Item 15: An ordinance approving Dallas/Fort Worth International Airport Board Resolution No. 2011-11-327, an amendment to add Chapter 6A Storm Water to the Code of Rules and Regulations of the Dallas/Fort Worth International Airport Board - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28674

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1528

Item 16: Authorize a contract for a concrete hike and bike trail reconstruction from Forest Lane to Cottonwood Creek Trail to include signage and a temporary asphalt detour trail at White Rock Creek Greenbelt Trail from Forest Lane to Greenville Avenue - A S Con, Inc., lowest responsible bidder of ten - Not to exceed \$576,807 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1529

Item 17: Authorize a contract for interior renovation, roof replacement and heating, ventilation and air conditioning upgrades at Walnut Hill Recreation Center located at 10011 Midway Road - Speed Fab-Crete Corporation, best value proposer of five - Not to exceed \$1,871,352 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1530

Item 18: Authorize a contract for renovation of the existing gazebo/bandstand, new entrances at the existing plaza, and additional plaza space with pedestrian connecting walkways at Pike Park located at 2807 Harry Hines Boulevard - A S Con, Inc., lowest responsible bidder of four - Not to exceed \$404,665 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1531

Item 19: Authorize Supplemental Agreement No. 2 to the professional services contract with Brand-Sayers Architects, Inc. for additional design services for furniture, fixtures and equipment package, and other miscellaneous design services at Kidd Springs Recreation Center located at 700 West Canty Street - Not to exceed \$11,305, from \$239,200 to \$250,505 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1532

Item 20: Authorize an Interlocal Agreement with Richardson Independent School District for the construction of sidewalks, pedestrian crosswalk, driveways and traffic signals at 9663 Forest Lane - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1533

Item 21: Authorize a contract with JC Commercial, Inc., best value proposer of six, for the construction of the Fire Station No. 37 replacement facility located at 6780 Greenville Avenue - Not to exceed \$3,842,177 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1534

Item 22: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of six, for sidewalks and partial street reconstruction at DART Crossings (list attached) - Not to exceed \$202,592 - Financing: 2003 Bond Funds (\$34,003) and 2006 Bond Funds (\$168,589)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1535

Item 23: Authorize a construction contract with System Electric Company, lowest responsible bidder of two, for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center - Not to exceed \$3,893,704 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1536

Item 24: Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with HNTB Corporation to provide engineering design services for the reconstruction of an additional section of roadway, and to prepare a construction safety and phasing plan for the Perimeter Road Reconstruction and Extension Project at Dallas Love Field in an amount not to exceed \$182,554, from \$1,332,425 to \$1,514,979; and **(2)** an increase in appropriations in the amount of \$191,000 in the Federal Aviation Administration Airport Improvement Program Grant Fund for construction, testing, and other contract administration costs - Not to exceed \$182,554 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1537

Item 25: Authorize Supplemental Agreement No. 2 to the professional services contract with Atkins North America, Inc. (formerly PBS&J) to provide additional design services to relocate position hold line markings and signage, develop a glideslope grading plan, and create a Federal Aviation Administration Construction Safety Phasing Plan for the Taxiway M Reconstruction and Extension Project at Dallas Love Field - Not to exceed \$287,400, from \$1,176,236 to \$1,463,636 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1538

Item 26: Authorize Supplemental Agreement No. 5 to the Construction Manager at Risk contract with McCarthy Building Companies, Inc. for catering kitchen building systems modifications and portable theatrical stage lighting for the City Performance Hall - Not to exceed \$281,669, from \$32,116,886 to \$32,398,555 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1539

Item 27: Authorize the purchase of furniture and equipment for the City Performance Hall located at 2520 Flora Street - Wenger Corporation in the amount of \$117,919 through The Cooperative Purchase Network and Bauhaus Interiors Group in the amount of \$206,704 through U.S. Communities - Total not to exceed \$324,623 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1540

Item 28: Authorize the second amendment to Contract No. 582-11-86427 with the Texas Commission on Environmental Quality to accept additional state grant funds to continue the Rockwall Ambient Air Monitoring Program for the period September 1, 2012 through August 31, 2013 - Not to exceed \$26,812, from \$53,623 to \$80,435 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1541

Item 29: Authorize the second amendment to Contract No. 582-11-86432 with the Texas Commission on Environmental Quality for additional grant funds for particulate matter 2.5 network activities for the period September 1, 2012 through August 31, 2013 - Not to exceed \$67,587, from \$135,173 to \$202,760 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1542

Item 30: Authorize the third amendment to Contract No. 582-10-86403 with Texas Commission on Environmental Quality to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2013 - Not to exceed \$422,360, from \$1,122,688 to \$1,545,048 - Financing: Texas Commission on Environmental Quality Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1543

Item 31: Authorize **(1)** the fourth amendment to Contract No. 582-10-90257 with the Texas Commission on Environmental Quality to accept additional state grant funds in the amount of \$525,117 to continue the Air Pollution Compliance program to provide investigation services and complaint response, extending the term of the contract for the period September 1, 2012 through August 31, 2013; and **(2)** a local match in an amount not to exceed \$258,640 - Total not to exceed \$783,757, from \$2,375,019 to \$3,158,776 - Financing: Texas Commission on Environmental Quality Grant Funds (\$525,117) and Current Funds (\$258,640) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1544

Item 32: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 100,827 square feet from Joel Requenez and Minerva Requenez located near the intersection of Interstate Highway 20 and Garden Grove Road for the Southwest 120/96" Water Transmission Pipeline Project - Not to exceed \$91,000 (\$88,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1545

Item 33: Authorize the quitclaim of 60 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$650,009

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1546

Item 34: An ordinance granting a revocable license to Prestonwood East Homeowners Association for the use of approximately 6 square feet of land to install and maintain a subdivision sign on portions of Hillcrest Road and LaBolsa Drive - Revenue: \$1,000 one-time fee plus the \$20 ordinance publication fee

Councilmember Greyson requested that consent agenda item 34 be considered as an individual item. Mayor Pro Tem Medrano stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, consent agenda item 34 was brought up for consideration.

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

Councilmember Koop moved to pass the ordinance.

Motion seconded by Councilmember Caraway and unanimously adopted. (Greyson abstain; Hunt absent when vote taken; Rawlings absent on city business)

Assigned ORDINANCE NO. 28675



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1547

Item 35: An ordinance abandoning a portion of a detention area easement and water easement to PR Crow I-20 II, L.L.P., the abutting owner, containing a total of approximately 46,128 square feet of land located near the intersection of Beckleymeade Avenue and Hampton Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28676

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1548

Item 36: An ordinance abandoning a portion of an alley to Sapphire Road Development, LLC, the abutting owner, containing approximately 1,198 square feet of land located near the intersection of Lancaster Road and Mentor Avenue and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28677

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1549

Item 37: Authorize a construction contract with Jeske Construction Company, lowest responsible bidder of thirteen, for the Ledbetter Dike Storm Drainage Improvements, which includes a new drainage structure, a self cleaning trash rack and the replacement of six flap gates at three existing pump stations - Not to exceed \$986,881 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1550

Item 38: Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates Inc. for additional engineering services for the Upper McKamy Branch Flood Control Improvements from Mapleshade Lane to Villa Road - Not to exceed \$92,400, from \$73,000 to \$165,400 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1551

Item 39: Authorize Supplemental Agreement No. 4 to the professional services contract with Birkhoff, Hendricks & Carter, LLP, for Alley Reconstruction Group 06-2027 to provide additional engineering services for drainage system design (list attached) - Not to exceed \$7,500, from \$251,039 to \$258,539 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1552

Item 40: Authorize settlement in lieu of proceeding further with condemnation in the lawsuit styled, City of Dallas v. James Robert McDaniel, Cause No. 10-01370-E, pending in the County Court at Law No. 5, for the acquisition of a tract of land containing approximately 49,047 square feet from James Robert McDaniel located near the intersection of Long Acre Lane and Loop 12 for the Trinity River Audubon Center - Not to exceed \$34,755 (\$30,755 plus closing costs and title expenses not to exceed \$4,000) - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1553

Item 41: Authorize a Utility Attachment Agreement for On-System Bridges with the State of Texas, acting through the Texas Department of Transportation, for the City's use of the Montfort Drive Bridge crossing over Interstate Highway 635 (Lyndon B. Johnson Freeway) to attach a City of Dallas waterline - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1554

Item 42: Authorize a professional services contract with CDM Smith Inc. to provide engineering services associated with the rehabilitation of the Raw Sewage Pump Station at the Central Wastewater Treatment Plant - Not to exceed \$1,224,983 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1555

Item 43: Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide engineering design services for the renewal of water and wastewater mains at 11 locations (list attached) - Not to exceed \$784,352 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1556

Item 44: Authorize a professional services contract with DAL-TECH Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 14 locations (list attached) - Not to exceed \$785,237 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1557

Item 45: Authorize a professional services contract with Stream Water Group, Inc. to provide engineering design services for the renewal of water and wastewater mains at 19 locations (list attached) - Not to exceed \$683,073 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1558

Item 46: Authorize a professional services contract with APM & Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 33 location and design and surveying services for water and wastewater main locations in advance of outside agency projects (list attached) - Not to exceed \$766,563 - Financing: Water Utilities Capital Construction Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1559

Item 47: Authorize Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering services for design improvements to the Walcrest Pump Station - Not to exceed \$379,082, from \$2,051,750 to \$2,430,832 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1560

Item 48: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1561

Item 49: Authorize an increase in the annual base salary of City Auditor Craig Kinton in the amount of \$8,970, from \$170,630 to \$179,600 plus the associated pension contribution in the amount of \$824 and Medicare in the amount of \$131 for a total annual additional cost of \$9,925, effective May 29, 2012 - Financing: Current Funds

Councilmember Allen moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1562

Item 50: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Saber Development Company of an unimproved tract of land containing approximately 17 acres located near the intersection of Leath Street and Ingersoll Street for continued operation and maintenance associated with the Dallas Floodway Project - Not to exceed \$45,000 (\$42,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Saber Development Company* an unimproved tract of land containing approximately 17 acres located on the Trinity River near the intersection of Leath and Ingersoll Streets in City of Dallas Block 7166, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the use and maintenance of a levee in connection with the Dallas Floodway Project.

Councilmember Alonzo moved to adopt the item.

Motion seconded by Councilmember Koop.

Mayor Pro Tem Medrano called the vote on Councilmember Alonzo's motion to adopt the item:

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

The city secretary declared the motion adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1563

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 51: Authorize a public hearing to be held on June 27, 2012 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 78 located at the northwest corner of Mountain Creek Parkway and Interstate-20 in Dallas, Texas; and at the close of the hearing, consideration of (1) an ordinance creating City of Dallas Reinvestment Zone No. 78; and (2) a 50 percent real property tax abatement for seven years with Cummins Southern Plains, LLC associated with the development of an equipment and engine re-manufacturing facility - 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 Griggs moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted. (Caraway, Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1564

DESIGNATED PUBLIC SUBSIDY MATTERS

**Prologis**

**Note:** Item Nos. 52 and 53  
must be considered collectively.

Item 52: Authorize a real property tax abatement agreement with Prologis and/or its affiliates and subsidiaries for the purpose of granting a seven-year abatement of 75 percent of the taxes on added value to the real property at Buckner Boulevard and Eastpoint Drive for a commercial warehouse distribution facility in a Texas Enterprise Zone and in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$19,925; seven-year revenue estimated at \$139,475 (Estimated revenue forgone for a seven-year new real property abatement estimated at \$418,425)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", 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 Kadane and unanimously adopted. (Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1565

DESIGNATED PUBLIC SUBSIDY MATTERS

**Prologis**

**Note:** Item Nos. 52 and 53  
must be considered collectively.

Item 53: Authorize a Chapter 380 economic development grant agreement with Prologis and/or its affiliates to provide funding for the construction of public infrastructure improvements in support of the development of a commercial warehouse distribution facility at Buckner Boulevard and Eastpoint Drive in a Texas Enterprise Zone in an amount not to exceed 50 percent of the cost or \$800,000 whichever is less - Financing: 2006 Bond 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 Kadane and unanimously adopted. (Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1566

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 54: Authorize a development agreement with US Real Estate, LP to provide funding for the construction of public infrastructure improvements to support the development of a multi-building commercial/industrial business park at the northwest quadrant of Danieldale Road and Old Hickory funding subject to future City Council authorization of a construction contract - Not to exceed 50 percent of the cost or \$1,400,000 whichever is less - 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."

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Margolin and unanimously adopted. (Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1567

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 55: Authorize (1) a Chapter 380 economic development grant agreement pursuant to the City's Public/Private Partnership Program with Horizon Scripted Television in an amount up to \$200,000 per year for up to six years to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of the television series "Dallas"; and (2) an increase in appropriations in an amount not to exceed \$980,000 - Not to exceed \$1,200,000 - Financing: Public/Private Partnership Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", City Secretary Rios read the following certification into the record:

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

The following individuals addressed the city council regarding the item:

Kenneth Topolsky, 1409 S. Lamar Blvd., representing the television show "Dallas"  
Joe Dishner, 3449 Westminster Ave., University Park, TX

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Jasso and Councilmember Kadane and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1568

DESIGNATED PUBLIC SUBSIDY MATTERS

**Sports Arena TIF District**  
**- Victory Sub-District**

**Note:** Item Nos. 56 and 57  
must be considered collectively.

Item 56: Authorize (1) a development agreement with Anland GP, L.P. to dedicate future TIF revenues for project costs related to the construction of a public parking garage at the northwest corner of the intersection of Victory Avenue and Olive Street in the Victory Sub-district of Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District); and (2) the Sports Arena TIF District Board of Directors to dedicate an amount not to exceed \$33,271,841 from future Victory Sub-district, Sports Arena TIF District revenues, a portion of which in the form of a Economic Development TIF Grant, in accordance with the development agreement - Not to exceed \$33,271,841 - Financing: Sports Arena 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."

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted. (Hunt absent when vote take; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1569

DESIGNATED PUBLIC SUBSIDY MATTERS

**Sports Arena TIF District**  
**- Victory Sub-District**

**Note:** Item Nos. 56 and 57  
must be considered collectively.

Item 57: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Seven (Sports Arena TIF District) to reimburse Anland GP, L.P., up to \$33,271,841, for project costs pursuant to the development agreement with Anland, GP, L.P. - 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."

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Kadane and unanimously adopted. (Hunt absent when vote take; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1570

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 58-62, was presented for consideration.

Agenda items 59 and 61 were removed from the consent zoning docket, to be considered as an individual hearing.

Agenda item 58: Zoning Case Z112-149(RB)

~~Agenda item 59: Zoning Case Z112-156(RB)~~ **[considered individually]**

Agenda item 60: Zoning Case Z112-196(JH)

~~Agenda item 61: Zoning Case Z112-183(RB)~~ **[considered individually]**

Agenda item 62: Zoning Case Z112-204(WE)

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

Councilmember Hill 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 Deputy Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Hunt absent when vote taken; Rawlings absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1571

Item 58: Zoning Case Z112-149(RB)

The consent zoning docket, consisting of agenda items 58-62, was presented for consideration.

A public hearing was called on zoning case Z112-149(RB), regarding an application for and an ordinance granting an NS(A) Neighborhood Service 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 Scyene Road and Belle Starr Drive

(The staff recommended Approval 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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28678

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1572

Item 59: Zoning Case Z112-156(RB)

The consent zoning docket, consisting of agenda items 58-62, was presented for consideration.

Councilmember Alonzo requested that zoning consent item 59 be considered as an individual item. Mayor Pro Tem Medrano stated that zoning consent item 59 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Alonzo's request.

A public hearing was called on zoning case Z112-156(RB), regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting the deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for a Metal salvage facility on property zoned an IR Industrial Research District on the north line of Northwest Highway, east of Luna Road

(The staff and city plan commission recommended Approval of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for a Metal salvage facility for a three-year period, with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions)

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

Councilmember Alonzo moved to continue the public hearing and hold under advisement until the June 27, 2012 voting agenda meeting of the city council.

Motion seconded by Councilmember Davis and unanimously adopted. (Caraway, Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1573

Item 60: Zoning Case Z112-196(JH)

The consent zoning docket, consisting of agenda items 58-62, was presented for consideration.

A public hearing was called on zoning case Z112-196(JH), regarding an application for and an ordinance granting a Specific Use Permit for a public library on property zoned a MF-2(A) Multifamily District on the southeast corner of Marsh Lane and High Vista Drive

(The staff and city plan commission recommended Approval for a permanent 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 NO. 28679

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1574

Item 61: Zoning Case Z112-183(RB)

The consent zoning docket, consisting of agenda items 58-62, was presented for consideration.

Councilmember Kadane requested that zoning consent item 61 be considered as an individual item. Mayor Pro Tem Medrano stated that zoning consent item 61 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

A public hearing was called on zoning case Z112-183(RB), regarding an application for and an ordinance granting a Planned Development District for a Public school other than an open-enrollment charter school and R-7.5(A) Single Family District Uses on property zoned an R-7.5(A) Single Family District, with Specific Use Permit No. 1592 for a Monopole cellular tower on an internal portion of the property, on the west corner of Easton Road and Northcliff Drive

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

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

Stephen Smith Vance, 573 Classen Dr.

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

Karl Crawley, 900 Jackson St., representing DISD

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

- Screening is not required for off-street parking

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1574

Page 2

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

Assigned ORDINANCE NO. 28680

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1575

Item 62: Zoning Case Z112-204(WE)

The consent zoning docket, consisting of agenda items 58-62, was presented for consideration.

A public hearing was called on zoning case Z112-204(WE), regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1255 for a Public school other than an open-enrollment charter school on property zoned a TH-2(A) Townhouse District on the west line of Pleasant Vista Drive, south of Elam Road

(The staff and city plan commission recommended Approval, subject to a site plan, traffic management plan and conditions)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28681

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1576

Item 63: Zoning Case Z112-169(RB) - INDIVIDUAL

A public hearing was called on zoning case Z112-169(RB), regarding an application for the expansion of Conservation District No. 7, the Bishop/Eighth Street Conservation District, on property zoned within the Subdistrict 1 portion of Planned Development District No. 830, the Davis Street Special Purpose District, and the removal of the D Liquor Control Overlay on the southern portion of the request site, zoned within Conservation District No. 7 and the Subdistrict 1 portion of Planned Development District No. 830, on the southwest corner of Bishop Avenue and Neely Street

(The staff and city plan commission recommended Denial)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1577

DEVELOPMENT CODE AMENDMENTS - CONSENT

Item 64: A public hearing to receive comments regarding consideration of amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-8.500, Subdivision Layout and Design, providing that lots for certain governmental uses are excluded from the requirement that lots must conform in width, depth, and area to the pattern already established in adjacent areas and an ordinance granting the amendments

(The staff and city plan commission recommended Approval)

Deleted on the addendum to the agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1578

MISCELLANEOUS HEARINGS

Item 65: A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned MF-1(A) Multifamily District, on approximately 18 acres generally located on the northeast corner of Spur 408 and Grady Niblo Road with consideration given to appropriate zoning for the area including use, development standards, parking, landscape, sign, and other appropriate regulations - Financing: No cost consideration to the City (via Mayor Pro Tem Medrano, and Councilmembers Caraway, Greyson, Griggs, and Jasso)

The following individuals addressed the city council regarding the item:

John Ceornero, 6739 Trailblazer Way  
Art Anderson, 1201 Elm St.  
Deanna Metzger, 6708 Natures Way (handout provided)  
Stashka Star, 5428 Kiwanis Rd.  
Siobhain Bierschenk, 5415 Cliffhaven Dr.  
Matt Murrah, 8479 Winecup Ridge, representing Dallas Baptist University  
Chris Lomax, 6430 Dixie Garden  
Joe Turner, 6714 Natures Way  
Bob Lankford, 238 Van Rowe, Duncanville, TX  
Frank Bracken, 5717 Kiwanis Rd.

Councilmember Griggs moved to close the public hearing.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1579

MISCELLANEOUS HEARINGS

Item 66: A public hearing to receive comments on Substantial Amendment No. 15 to the FY2011-12 Action Plan for the Housing Opportunities for Persons with AIDS (HOPWA) grant to establish a Housing Facilities Rehabilitation/Repair activity and reallocate \$150,000 of unobligated funds from the Housing Facilities Operations activity to the Housing Facilities Rehabilitation/Repair activity; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 15 to the FY2011-12 Action Plan - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Cameron E. Williams, Sr., 700 E. Ash Ln., Euless, TX (handout provided)

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

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1580

MISCELLANEOUS HEARINGS

Item 67: A public hearing to receive comments on the Proposed FY 2012-13 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and the Proposed FY 2011-12 Reprogramming Budget - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Ronay Matthews, 1930 Gallagher St., representing New Pilgrim Rest Missionary Baptist Church (handout provided)  
Francis Wagnor, 11000 Walnut Hill, representing East Dallas Health Center Denistry  
Sharon Boyd, 7855C Meadow Park Dr., representing East Dallas Dental Clinic  
William Hopkins, 2011 Leath St.  
Ozumba Lnuk-X, 4106 Vineyard Dr.  
Gwain Wooten, 1000 Grigsby Ave.  
Richard P. Sheridan, 3022 Forest Ln.

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

Motion seconded by Councilmember Davis and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1581

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 68: A public hearing to receive comments concerning the establishment of a Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Dallas area, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on Dallas hotels with 100 or more rooms, based on hotel room nights sold; and at the close of the hearing, approval of: **(1)** a resolution establishing the District for five years; **(2)** the Service Plan for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on Dallas hotels with 100 or more rooms; and **(3)** a management contract with the Dallas Tourism Public Improvement District Management Corporation, a private non-profit corporation as the management entity for the Tourism Public Improvement 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."

The following individual addressed the city council regarding the item:

Veletta Forsythe-Lill, 622 Blair Blvd., representing Dallas Arts District

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

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Margolin and unanimously adopted. (Caraway, Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1582

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Tourism PID**

**Note:** Item Nos. 69 and 70  
must be considered collectively.

Item 69: A public hearing to receive comments regarding the annual assessment rate for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Dallas area, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on Dallas hotels with 100 or more rooms, based on hotel room nights sold - 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.

Councilmember Jasso moved to close the public hearing.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Margolin and unanimously adopted. (Caraway, Hunt absent when vote taken; Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1583

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Tourism PID**

**Note:** Item Nos. 69 and 70  
must be considered collectively.

Item 70: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the hotel properties in the District, approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2012; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2012 assessment; and providing an effective date - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", City Secretary Rios read the following certification into the record:

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Margolin and unanimously adopted. (Caraway, Hunt absent when vote taken; Rawlings absent on city business)

Assigned ORDINANCE NO. 28682

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1584

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 71: A public hearing to receive comments concerning the renewal of the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize **(1)** approval of a resolution renewing the Uptown Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Uptown Dallas, Inc., a non-profit corporation as the management entity for the Uptown Public Improvement 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."

The following individuals addressed the city council regarding the item:

Amy Gibson, 4409 Travis, representing Uptown Dallas, Inc.  
Gwain Wooten, 1000 Grigsby Ave.

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

Motion seconded by Councilmember Hill and Councilmember Davis and unanimously adopted. (Rawlings absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1585

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 72: A public hearing to receive comments concerning the renewal of the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the South Side Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize **(1)** approval of a resolution renewing the South Side Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the South Side Quarter Development Corporation, a non-profit corporation as the management entity for the South Side Public Improvement 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."

The following individuals addressed the city council regarding the item:

Shannon Brown, 1409 S. Lamar St., Director of the South Side Quarter Development Corporation  
Gwain Wooten, 1000 Grigsby Ave.  
William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Davis and Councilmember Koop and unanimously adopted. (Rawlings absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1586

Addendum addition 1: Authorize a turnkey contract with Trane U.S., Inc., through The Cooperative Purchasing Network, for domestic water system retrofit work to include all project labor, equipment, field materials and project management to replace existing domestic water system booster pumps and appurtenances with new booster pumps and to furnish and install a new centrifugal action sand separator filter rated for potable water at the Cotton Bowl in Fair Park located at 3750 Midway Plaza - Not to exceed \$161,519 - Financing: Fair Park Maintenance Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1587

Addendum addition 2:            Authorize a public hearing to be held on June 27, 2012 to receive comments regarding the proposed 2012 Capital Bond Program - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1588

Addendum addition 3: An ordinance amending Ordinance No. 28245, which abandoned portions of Tenth Street, an alley and a sight easement to Dallas Independent School District, to extend the paving and drainage infrastructure requirement from one year to eighteen months - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28683

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1589

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 4: Authorize an amendment to the terms of a housing redevelopment loan provided for The Parks at Wynnewood located at 1910 Argentia Drive to forgive \$850,000 of the current balance of the loan; to receive a partial payment of \$500,000, to amend the terms of the \$843,750 remaining balance of the loan to a five-year, 0% interest loan; and to reimburse the City \$125,000 for master planning for the Parks at Wynnewood and the Wynnewood Village Shopping Center, with all amended terms subject to certain conditions to be negotiated in future definitive agreements - Revenue: \$500,000

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", City Secretary Rios read the following certification into the record:

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

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Jasso and Councilmember Hill and unanimously adopted. (Caraway absent when vote taken; Rawlings absent on city business)

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 13, 2012

EXHIBIT C

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2012

12-1562

Item 50: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Saber Development Company of an unimproved tract of land containing approximately 17 acres located near the intersection of Leath Street and Ingersoll Street for continued operation and maintenance associated with the Dallas Floodway Project - Not to exceed \$45,000 (\$42,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Saber Development Company* an unimproved tract of land containing approximately 17 acres located on the Trinity River near the intersection of Leath and Ingersoll Streets in City of Dallas Block 7166, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the use and maintenance of a levee in connection with the Dallas Floodway Project.

Councilmember Alonzo moved to adopt the item.

Motion seconded by Councilmember Koop.

Mayor Pro Tem Medrano called the vote on Councilmember Alonzo’s motion to adopt the item:

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

Voting No: [0]

Absent when vote taken: [1] Caraway

Absent on city business: [1] Rawlings

The city secretary declared the motion adopted.

**Note:** On June 27, 2012 city council meeting, corrections to this item were formally approved by the City Council.