

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 27, 2012

12-1600

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

PRESENT: [15] Rawlings, Medrano, Atkins, Jasso, Griggs (*9:23 a.m.), Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt (*9:32 a.m.)

ABSENT: [0]

The meeting was called to order at 9:10 a.m.

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

The invocation was given by Father Jonathan Austin of St. Jude Chapel Church.

Deputy Mayor Pro Tem Atkins led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 4:08 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 27, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 27, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1601

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: Mike Aday, 11121 Wyatt St.
SUBJECT: Gas fracking

SPEAKER: Barak Epstein, 5322 Victor St.
REPRESENTING: Aviation Cinemas
SUBJECT: Thanks to Bank of Texas

SPEAKER: Lynda Ender, 5341 Mercedes Ave.
REPRESENTING: The Senior Source
SUBJECT: Boarding home ordinance

SPEAKER: Anthony Starr, 1822 Young St.
SUBJECT: Housing (renovating vacant buildings)

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Zac Trahan, 6017 La Vista Dr.
REPRESENTING: Texas Campaign for The Environment
SUBJECT: Gas drilling ordinance

SPEAKER: David Marquis, 3110 W. Kiest Blvd.
SUBJECT: Thank City Council for water conservation

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

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

SPEAKER: Richard P. Sheridan, 3022 Forest Ln.
REPRESENTING: Why \$33M to Ross Perot, Jr.
SUBJECT: Dallas Taxpayers

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

SPEAKER: Kyla London, Private
SUBJECT: Trayvon Martin-Part 2

SPEAKER: LaKesha Johnson, 1716 Chattanooga Pl.
REPRESENTING: Arlington Park
SUBJECT: Keep our schools open

SPEAKER: LaKesha Gilbreath, Private
REPRESENTING: Arlington Park
SUBJECT: Arlington Park

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: Real American Women
SUBJECT: Julyth

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Dallas Police Dept./KKK

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1602

Item 1: Approval of Minutes of the June 13, 2012 City Council Meeting

Councilmember Kadane moved to adopt the minutes with the following change:

- Agenda Item 50: record vote to reflect Councilmember Caraway absent when vote taken and Councilmember Davis and Councilmember Kadane voting yes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1603

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-66, and addendum addition consent agenda items 1-26, was presented for consideration.

The city secretary requested that consent agenda item 43 be considered as an individual item to allow citizens to speak. Mayor Rawlings stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to city secretary's request.

Mayor Pro Tem Medrano requested that consent agenda items 27 and 28 be considered as individual items. Mayor Rawlings stated that consent agenda items 27 and 28 would be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Medrano's request.

Councilmember Griggs requested that consent agenda item 61 and addendum addition consent agenda item 2 be considered as individual items. Mayor Rawlings stated that consent agenda item 61 and addendum addition consent agenda item 2 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Griggs' request.

Councilmember Caraway requested that consent agenda item 19 be considered as an individual item. Mayor Rawlings stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Caraway's request.

Councilmember Hill requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Councilmember Koop requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Councilmember Margolin requested that addendum addition consent agenda item 2 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1603

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Councilmember Caraway moved to adopt all items on the consent agenda with the exception of consent agenda items 19, 27, 28, 43, 61 and addendum addition consent agenda items 2 and 10 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1604

Item 2: Authorize a one-year service contract for elevator and escalator preventative maintenance, repairs and cab interior upgrades at City Hall - ThyssenKrupp Elevator Corporation through The Cooperative Purchasing Network - Not to exceed \$446,851 - Financing: Current Funds (\$68,400) and Capital Construction Funds (\$378,451) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1605

Item 3: Authorize a three-year service contract for communicable disease exposure testing for Fire-Rescue personnel - Quest Diagnostics Clinical Laboratories, Inc., lowest responsible bidder of two - Not to exceed \$164,975 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1606

Item 4: Authorize a three-year service contract for installation, monitoring and maintenance of alarm systems and annual fire alarm inspections - Communicon, LTD dba Communication Concepts in the amount of \$1,344,792 and Alarm Security Group, LLC dba ASG Security in the amount of \$311,049, most advantageous proposers of three - Total not to exceed \$1,655,841 - Financing: Current Funds (\$1,555,581), Water Utilities Current Funds (\$76,348), Aviation Current Funds (\$18,912) and Stormwater Drainage Management Current Funds (\$5,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1607

Item 5: Authorize a three-year service contract for pressure washing of City owned parking lots, sidewalks, vertical surfaces, service vehicles and equipment - Commercial Environmental Solutions, Inc. in the amount of \$1,354,273, Russell Lewis and Roselin Lewis, a General Partnership dba Mr. Sparkle and Mobile Detail in the amount of \$182,159 and Ultimate Sweepers Service in the amount of \$33,450, lowest responsible bidders of eight - Total not to exceed \$1,569,882 - Financing: Current Funds (\$1,522,628) and Convention and Event Services Current Funds (\$47,254) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1608

Item 6: Authorize a five-year service contract for pest control services at City facilities - Orkin LLC dba Prime Pest Management in the amount of \$361,326 and Terminix International, Inc. in the amount of \$32,575, lowest responsible bidders of four - Total not to exceed \$393,901 - Financing: Current Funds (\$301,886), Water Utilities Current Funds (\$30,535), Convention and Event Services Current Funds (\$22,355), Aviation Current Funds (\$15,145), Department of State Health Services Grant Funds (\$12,845), Stormwater Drainage Management Current Funds (\$8,135) and Municipal Radio Current Funds (\$3,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1609

Item 7: Authorize the purchase of a deployable shelter system for Fire-Rescue - W.W. Grainger, Inc., through Texas Multiple Award Schedules - Not to exceed \$79,092 - Financing: U. S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1610

Item 8: Authorize the purchase of furniture, fixtures and equipment for Dallas Love Field - Facilitech dba Business Interiors through the Texas Multiple Award Schedules - Not to exceed \$112,261 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1611

Item 9: Authorize the purchase of one track bulldozer - Holt Texas Ltd. through Texas Association of School Boards (BuyBoard) - Not to exceed \$659,311 - Financing: Municipal Lease Agreement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1612

Item 10: Authorize a two-year master agreement for the purchase of brass fittings - Mueller Company LTD in the amount of \$403,500, Municipal Water Works Supply, L.P. in the amount of \$369,100 and Four Star Hose & Supply, Inc. in the amount of \$1,000, lowest responsible bidders of six - Total not to exceed \$773,600 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1613

Item 11: Authorize a two-year master agreement for trees, bedding plants, seed and sod - Southwest Wholesale Nursery in the amount of \$294,675, John Deere Landscapes in the amount of \$183,538, Broker's Grass DFW dba Combination Plus Brokers in the amount of \$122,387, Justin Seed Company, Inc. in the amount of \$87,190, Urban Environments LLC in the amount of \$66,460 and Harry's Greenhouse, Inc. in the amount of \$3,777, lowest responsible bidders of six - Total not to exceed \$758,027 - Financing: Current Funds (\$498,501), Aviation Current Funds (\$38,473), Water Utilities Current Funds (\$63,798), Stormwater Drainage Management Current Funds (\$7,255) and Dallas Urban Restoration Funds (\$150,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1614

Item 12: Authorize a three-year master agreement for various types of pressure reducing valves, parts and accessories - Hugh M. Cunningham, Inc. in the amount of \$265,000 and Municipal Valve & Equipment in the amount of \$205,000, lowest responsible bidders of two - Total not to exceed \$470,000 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1615

Item 13: Authorize the purchase of hardware to continue the upgrade of the existing fuel inventory management system - Asset Works, Inc., through the General Services Administration - Not to exceed \$199,009 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1616

Item 14: Authorize **(1)** the purchase of fourteen ambulances, five fire pumpers and two aerial trucks for Fire-Rescue - Metro Fire Apparatus Specialists, Inc. in the amount of \$4,566,908 and San Antonio Ambulance Sales Inc. in the amount of \$2,443,944, through the Houston-Galveston Area Council of Governments, a Texas Local Government Purchasing Cooperative; and **(2)** an increase in appropriations in the amount of \$2,443,944, from \$16,929,076 to \$19,373,020 in the Municipal Lease Agreement Fund - Total not to exceed \$7,010,852 - Financing: Municipal Lease Agreement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1617

Item 15: Authorize Supplemental Agreement No. 1 to exercise a one year renewal with forty-three professional service contracts for geotechnical studies and construction materials testing, analytical laboratory testing, and asbestos environmental and non-asbestos environmental testing services (list attached) - Not to exceed \$5,705,223, from \$23,882,328 to \$29,587,551 - Financing: Current Funds (\$3,215,490), Water Utilities Current Funds (\$1,791,175), Stormwater Drainage Management Current Funds (\$370,176) and Aviation Current Funds (\$328,382) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1618

Item 16: Authorize Supplemental Agreement No. 2 to exercise the first renewal option to extend the term of the service contract with Linebarger Goggan Blair & Sampson, LLP, with a minimum annual guarantee, for the collection of delinquent fines and fees for City ordinance, traffic and state law violations, excluding parking violations, for the period August 1, 2012 through July 31, 2013 - Estimated Revenue: \$6,400,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1619

Item 17: Authorize settlement of the lawsuit styled Rafael Patino and Homero Patino v. City of Dallas, Cause No. DC-12-03805-K - Not to exceed \$10,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1620

Item 18: Authorize settlement of the lawsuit styled Kenneth Miller v. City of Dallas, Cause No. DC-12-03646-L - Not to exceed \$16,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1621

Item 19: Authorize a professional services contract with the law firm of Carter Stafford Arnett Hamada & Mockler, PLLC, for legal services necessary to represent the City in the lawsuit styled Staci Williams v. City of Dallas, Cause No. 3:11-CV-00397-P - Not to exceed \$267,000 - Financing: Current Funds

Councilmember Caraway requested that consent agenda item 19 be considered as an individual item. Mayor Rawlings stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Caraway's request.

Later in the meeting, consent agenda item 19 was brought up for consideration.

Councilmember Greyson moved to adopt the item.

Motion seconded by Councilmember Hill.

Councilmember Caraway moved that the city council meet in executive session to confer with the city attorney.

Motion seconded by Councilmember Alonzo and unanimously adopted.

Mayor Rawlings called a recess of the city council meeting at 9:31 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the city attorney.

Mayor Rawlings reconvened the city council meeting after the executive session at 9:37 a.m. No other matters were discussed during the executive session.

Mayor Rawlings requested the item be held for action later in the meeting in order to have Councilmember Caraway's questions answered by the City Attorney's Office.

Later in the meeting, Councilmember Caraway stated his questions were answered by the City Attorney's Office and moved to adopt the item.

Motion seconded by Councilmember Alonzo and unanimously adopted.

Note: Initial motion by Councilmember Greyson and subsequent second by Councilmember Hill were not voted on.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1622

**Pedestrian Improvements for Omni Convention
Hotel and Convention Center DART Station**

Note: Item Nos. 20 and 21
must be considered collectively.

Item 20: Authorize **(1)** an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding for the costs of design and construction of the pedestrian improvements project for the Omni Convention Hotel and Convention Center DART Station in an amount not to exceed \$2,156,842; **(2)** the receipt and deposit of funds in the amount of \$2,156,842 from the North Central Texas Council of Governments; and **(3)** the establishment of appropriations in the amount of \$2,156,842 in the Omni/CC DART Station COG SD Fund - Not to exceed \$2,156,842 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1623

**Pedestrian Improvements for Omni Convention
Hotel and Convention Center DART Station**

Note: Item Nos. 20 and 21
must be considered collectively.

Item 21: Authorize a Development Agreement with Matthews Holdings Southwest, Inc., in support of the design and construction of the pedestrian improvements project for the Omni Convention Hotel and Convention Center DART Station - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1624

Item 22: Authorize **(1)** an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding for the costs of design and construction of the Zang Triangle Sustainable Development Infrastructure Project in an amount not to exceed \$1,750,000; **(2)** the receipt and deposit of funds in the amount of \$1,750,000 from the North Central Texas Council of Governments; and **(3)** the establishment of appropriations in the amount of \$1,750,000 in the Zang Triangle COG SD Fund - Not to exceed \$1,750,000 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1625

**Atmos Lofts Sustainable Development
Infrastructure Project**

Note: Item Nos. 23 and 24
must be considered collectively.

Item 23: Authorize (1) an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer, Hamilton Atmos, LP for the costs of construction of the Atmos Lofts Sustainable Development Infrastructure Project in an amount not to exceed \$462,686; and (2) the receipt and deposit of funds in the amount of \$462,686 from the North Central Texas Council of Governments - Not to exceed \$462,686 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1626

**Atmos Lofts Sustainable Development
Infrastructure Project**

Note: Item Nos. 23 and 24
must be considered collectively.

Item 24: Authorize (1) a Development agreement with Hamilton Atmos, LP for reimbursement of the costs of construction of the Atmos Lofts Sustainable Development Infrastructure Project; and (2) the establishment of appropriations in the amount of \$462,686 in the Atmos COG SD Fund - Not to exceed \$462,686 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1627

**Continental Sustainable Development
Infrastructure Project**

Note: Item Nos. 25 and 26
must be considered collectively.

Item 25: Authorize **(1)** an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer, FC Continental Landlord, LLC, for the costs of design and construction of the Continental Sustainable Development Infrastructure Project in an amount not to exceed \$607,739; and **(2)** the receipt and deposit of funds in the amount of \$607,739 from the North Central Texas Council of Governments - Not to exceed \$607,739 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1628

**Continental Sustainable Development
Infrastructure Project**

Note: Item Nos. 25 and 26
must be considered collectively.

Item 26: Authorize **(1)** a Development Agreement with FC Continental Landlord, LLC, for reimbursement of the costs of design and construction of the Continental Sustainable Development Infrastructure Project; and **(2)** the establishment of appropriations in the amount of \$607,739 in the Continental COG SD Fund - Not to exceed \$607,739 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1629

Item 27: Authorize **(1)** adoption of the final FY 2012-13 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$25,942,114 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$15,755,740; **(b)** HOME Investment Partnerships Program in the amount of \$4,750,686; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$4,060,375; and **(d)** Emergency Solutions Grant in the amount of \$1,375,313; and **(2)** adoption of the FY 2011-12 Reprogramming Budget in the amount of \$1,335,137 - Financing: No cost consideration to the City

Mayor Pro Tem Medrano requested that consent agenda item 27 be considered as an individual item. Mayor Rawlings stated that consent agenda item 27 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Medrano's request.

Later in the meeting, consent agenda item 27 was brought up for consideration.

Councilmember Margolin moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1630

Item 28: A resolution approving Resolution No. 2007-12-232 of the Dallas/Fort Worth International Airport Board ("Airport Board"), adopted by the Airport Board on December 6, 2007, and authorizing the Airport board to enter into a new electric utility infrastructure agreement with Oncor Electric Delivery Company LLC ("Oncor") for a term that may exceed 40 years if the Airport Board chooses not to purchase the electric utility infrastructure system - Financing: No cost consideration to the City

Mayor Pro Tem Medrano requested that consent agenda item 28 be considered as an individual item. Mayor Rawlings stated that consent agenda item 28 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Medrano's request.

Later in the meeting, consent agenda item 28 was brought up for consideration.

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Jasso and unanimously adopted

Note: At the time this item was considered individually, Mayor Pro Tem Medrano stated she had requested addendum item 28 be pulled for individual consideration and not consent agenda item 28. As this item was pulled for individual consideration earlier in the meeting and not considered as part of the consent agenda, consideration as an individual item was necessary.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1631

Item 29: A resolution approving Resolution No. 2010-11-289 of the Dallas/Fort Worth International Airport Board ("Airport Board"), adopted by the Airport Board on November 4, 2010, and authorizing the Airport board to enter into a new natural gas infrastructure agreement with Atmos Energy Corporation ("Atmos"), for a term that may exceed 40 years if the Airport Board chooses not to purchase the natural gas infrastructure system - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1632

Item 30: Authorize a contract for playground replacements at Fruitdale Park located at 4400 Vandervoot Drive and Ricketts Branch Park located at 7300 Albert Williams Drive; playground expansion at J.J. Lemmon Park located at 6100 J.J. Lemmon Road; and construction of a new loop trail at Seaton Park located at 3200 Seaton Drive - A S Con, Inc., lowest responsible bidder of three - Not to exceed \$356,250 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1633

Item 31: Authorize a contract for renovations to the driving range, improvements to include a new irrigation system, improved drainage, new target greens and re-grassing at Tenison Park Golf Course located at 3501 Samuell Boulevard - TDI International, Inc. dba TDI Golf Classic Restoration, lowest responsible bidder of five - Not to exceed \$312,086 - Financing: Samuell Expendable Funds (\$225,000) and Golf Improvement Funds (\$87,086)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1634

Item 32: Authorize an increase in the contract with Turner Construction Company for **(1)** additional scope of work to include: wireless lighting control systems and landscaping; and **(2)** credits for landscaping electrical, and testing lab cancellation fees at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$47,112, from \$3,536,085 to \$3,583,197 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1635

Item 33: Authorize Supplemental Agreement No. 1 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. to increase the Guaranteed Maximum Price (GMP) for additional scope items for the clubhouse including a new canopy, porch and miscellaneous changes to the golf course for the L.B. Houston Sports Complex located at 11223 Luna Road - Not to exceed \$397,682, from \$4,770,259 to \$5,167,941 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1636

Item 34: Authorize an agreement with The Dallas Foundation, a Texas charitable foundation, to establish a fund to support the charitable or educational purposes of the Dallas SafeLight Program including promotions, advertisement, promotional items, training, and education for the community - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1637

Item 35: Authorize a decrease in the contract with JC Commercial, Inc. for roadway connector relocation and other modifications necessary for the construction of the new White Rock Hills Branch Library located at 9150 Ferguson Road and extend the contract by seventy-five calendar days - Not to exceed (\$3,312), from \$4,365,429 to \$4,362,117 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1638

Item 36: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 06-450; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on September 12, 2012, to receive comments (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1639

Item 37: Authorize the purchase of furniture and equipment for the Polk-Wisdom Branch Library located at 7151 Library Lane - Libra-Tech through BuyBoard in the amount of \$244,350 and Agati, Inc. through Texas Multiple Award Schedules in the amount of \$59,043 - Total not to exceed \$303,393 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1640

Item 38: Authorize a professional services contract with Jacobs Engineering Group, Inc. for the operation and maintenance oversight work for Woodall Rodgers Deck Plaza Tunnel - Not to exceed \$122,450 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1641

Item 39: Authorize an increase in the contract with JC Commercial, Inc. for a concrete drive connecting the facility with the airport's perimeter road, vehicle gate and gate opener, ventilation fans and additional hardscape adjacent to the building for the Snow and Ice Removal Facility project at Dallas Love Field - Not to exceed \$172,824, from \$4,033,151 to \$4,205,975 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1642

Item 40: Authorize Supplemental Agreement No. 1 to the professional services contract with KAI Texas, LC to provide additional architectural and engineering services to integrate an enlarged community room into the design of the replacement Highland Hills Branch Library located at 6200 Bonnie View Road - Not to exceed \$84,240, from \$433,490 to \$517,730 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1643

Item 41: Authorize Supplemental Agreement No. 2 to the professional services contract with EJES, Inc. for additional engineering design services to include street modifications for the DART transfer station, sidewalks and barrier free ramps for the Pearl Street from Commerce Street to Live Oak Street Project - Not to exceed \$149,165, from \$295,254 to \$444,419 - Financing: 2003 Bond Funds (\$124,165) and Farmers Market TIF District Funds (\$25,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1644

Item 42: Authorize Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group, Inc. for additional engineering design services for sidewalks, barrier free ramps and pavement striping for Cesar Chavez Boulevard (Central Expressway) from Canton Street to Live Oak Street - Not to exceed \$183,037, from \$993,461 to \$1,176,498 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1645

Item 43: Authorize an amendment to Resolution No. 11-1760, previously approved on June 22, 2011, which authorized the sale of City-owned property to Minerva Partners, Ltd., located at the Northeast corner of Live Oak and Cantegral Streets, to extend the deadline from June 30, 2012 to December 31, 2012 to complete environmental remediation and demolish the buildings currently on the property - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 43 be considered as an individual item to allow citizens to speak. Mayor Rawlings stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to the City Secretary's request.

Later in the meeting, consent agenda item 43 was brought up for consideration.

The following individual addressed the city council on the item:

Eric Williamson, 3507 Bryan St., representing Bryan Place Neighborhood Association

Councilmember Hunt moved to adopt the item with the following change:

- Extend the deadline from June 30, 2012 to September 30, 2012.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1646

Item 44: Authorize moving expense and replacement housing payments for Elena Becerra in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 911 LaSalle Drive for future City facilities - Not to exceed \$35,900 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1647

Item 45: An ordinance amending Chapter 2 of the Dallas City Code to provide requirements and procedures for the sale of unwanted and unneeded City real property by public auction - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28684

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1648

Item 46: A resolution **(1)** declaring 22 properties unwanted and unneeded and authorizing their sale by public auction (list attached); **(2)** establishing reserves for certain properties; and **(3)** authorizing a Purchase and Sale Agreement to be prepared for each auctioned surplus property receiving the highest qualified bid that **(a)** meets or exceeds the reserve; or **(b)** is sold absolute - Estimated Revenue: \$1,900,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1649

Item 47: Authorize the acceptance of a grant from the Texas Department of Transportation functioning as agent for the North Central Texas Council of Governments (NCTCOG) for the development of a modern streetcar loop extending from the McKinney Avenue Trolley terminus at St. Paul Street to the connection with the Olive Street extension - Not to exceed \$5,000,000 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1650

Item 48: A resolution authorizing the dedication of a utility easement containing approximately 34,248 square feet of City-owned land to Oncor Electric Delivery Company LLC and Southwestern Bell Telephone Company for the purpose of installing and maintaining utility service located near the intersection of Walnut Hill and Goodnight Lanes - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1651

Item 49: A resolution authorizing conveyance of two wastewater easements with two temporary construction easements containing a total of approximately 92,712 square feet of land to the City of Rowlett for the construction and maintenance of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of Chiesa and Miller Roads - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1652

Item 50: A resolution authorizing conveyance of a wastewater easement containing approximately 1,248 square feet of land to the City of Carrollton for the maintenance and use of existing wastewater facilities across City-owned land in the City of Carrollton located near the intersection of Crosby Road and Interstate Highway 35 - Revenue: \$2,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1653

Item 51: A resolution authorizing conveyance of a wastewater easement with a temporary construction easement containing a total of approximately 102,209 square feet of land to the City of Garland for the construction, maintenance and use of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of Club Creek Drive and the west shoreline of Lake Ray Hubbard - Revenue: \$37,227

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1654

Item 52: Authorize a five-year extension of the lease agreement with Donald J. Tivens and Marilyn Tivens, Trustees of the Donald J. Tivens and Marilyn Tivens Family Trust for approximately 5,015 square feet of office space located within Seville III at 3218 Highway 67 (I-30), Mesquite, Texas, to be used as a Women, Infants, and Children Clinic for the period August 1, 2012 through July 31, 2017 - Not to exceed \$401,201 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1655

Item 53: An ordinance abandoning portions of Avenues A, B, D, E, Fiji Street, Danel Street and two easements to Sphinx Development Corporation and SDC Sachse Senior Villas, L.L.C., the abutting owners, containing a total of approximately 79,446 square feet of land located near the intersection of Avenue B and Corinth Street, authorizing the quitclaim and providing for the dedication of approximately 108,101 square feet of land needed for street right-of-way - Revenue: \$10,800 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28685

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1656

Item 54: An ordinance abandoning portions of Borger Street, formerly known as Terry Street, and a street easement to Austin International Ventures, Inc., the abutting owner, containing a total of approximately 73,689 square feet of land located near the intersection of Borger and Duluth Streets and authorizing the quitclaim - Revenue: \$147,378 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28686

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1657

Item 55: An ordinance abandoning portions of Assembly Court, a fire lane easement and a right-of-way and drainage area to Dallas Independent School District, the abutting owner, containing a total of approximately 40,305 square feet of land located near the intersection of Assembly Court and Webb Chapel Road and authorizing the quitclaim - Revenue: \$163,385 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28687

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1658

Item 56: A resolution authorizing the conveyance of an easement and right-of-way containing approximately 3,906 square feet of land to Oncor Electric Delivery Company, LLC for the construction and maintenance of electric facilities across City-owned land located at the corner of Canada Drive and Bataan Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1659

Item 57: Authorize a construction contract with Austin Filter Systems, Inc., lowest responsible bidder of eight, for erosion control improvements at 3908 and 3918 Vinecrest Drive and 3809 Sleepy Lane - Not to exceed \$276,709 - Financing: 2006 Bond Fund

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1660

Item 58: Authorize an increase in the construction contract with OCI-Omega Contracting, Inc., for the repair of an additional existing levee utility line crossing in the Dallas Floodway System for the 100-Year Levee Remediation - Utility Mitigation and Other Improvements - Not to exceed \$39,927, from \$577,224 to \$617,151 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1661

Item 59: Authorize Supplemental Agreement No. 3 to the professional services contract with HDR Engineering, Inc. for additional engineering services needed for the Ricketts Branch Detention Basin to prepare and submit a Federal Emergency Management Agency (FEMA) Letter of Map Revision to FEMA - Not to exceed \$39,687, from \$529,269 to \$568,956 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1662

Item 60: 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 Preston Road 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 27, 2012

12-1663

Item 61: Authorize a contract with Magnus Pacific Corporation to purchase untreated water from the Elm Fork water supply system for a period of one year, from July 1, 2012 to June 30, 2013 for use in the Trinity River levee cutoff wall construction - Estimated Revenue: \$5,887

Councilmember Griggs requested that consent agenda item 61 be considered as an individual item. Mayor Rawlings stated that consent agenda item 61 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Grigg's request.

Later in the meeting, consent agenda item 61 was brought up for consideration.

Councilmember Koop moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1664

Item 62: Authorize a contract for the cleaning and rehabilitation of the Bachman Water Treatment Plant Sludge Lagoon No. 2 and the Elm Fork Water Treatment Plant Sludge Lagoons A, B, and C - Oscar Renda Contracting, Inc., lowest responsible bidder of five - Not to exceed \$18,215,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1665

Item 63: Authorize a contract for the construction of the Eastside Water Treatment Plant filter to waste and electrical improvements project - AUI Contractors, LLC, lowest responsible bidder of nine - Not to exceed \$21,970,756 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1666

Item 64: Authorize a contract for the restoration of the exterior envelope of the White Rock Pump Station and security improvements at White Rock Pump Station and Hoyle Avenue Operations Facility - Chamberlin Dallas, LLC, lowest responsible bidder of three - Not to exceed \$1,572,266 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1667

Item 65: Authorize a design-build contract with CH2M HILL Engineers, Inc. for the renewal of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system - Not to exceed \$273,673 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1668

Item 66: Authorize a professional services contract with Conley Group to provide architectural and engineering services to perform condition assessment of the roof and HVAC systems at the Water Utilities Department's 230 facilities - Not to exceed \$1,897,800 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1669

12-1670

Item 67: 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 2011-2013 board term updated through June 27, 2012.

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

Mayor Pro Tem Medrano moved to appoint Mario Canizares and Sid Grant, Initial Directors, to the Cypress Waters Municipal Management District; and Sylvia L. Benenson, 55+ years of age, to the Senior Affairs Commission.

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

Councilmember Hill moved to appoint Elizabeth D. Frizell, Chair, to the Judicial Nominating Commission, and Mickie Simpson Bragalone, Vice Chair, to the Ethics Advisory Commission.

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

Mayor Pro Tem Medrano moved to appoint a nominee to an "individual appointment" position in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2013.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1669

12-1670

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

12-5201	CDC	COMMUNITY DEVELOPMENT COMMISSION
12-5202	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
12-5203	CYP	CYPRESS WATERS MUNICIPAL MANAGEMENT DISTRICT
12-5204	MLK	MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD
12-5205	SAC	SENIOR AFFAIRS COMMISSION
12-5206		BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1671

Item 68: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Fanney Frances Reece Price, of approximately 2,502 square feet of land located near the intersection of Thedford and Victoria Avenues for the K. B. Polk Park Expansion Project - Not to exceed \$21,700 (\$20,000 plus closing costs and title expenses not to exceed \$1,700) - 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 such becomes necessary, to acquire approximately 2,502 square feet of land located near the intersection of Thedford and Victoria Avenues in the City of Dallas Block N/2604, and more fully described in Exhibit A of the written resolution for this item, for the K. B. Polk Park Expansion Project.

Councilmember Jasso moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

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

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

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1672

Item 69: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Pan Coastal Limited PS of approximately 2,736 square feet of land located at Cesar Chavez Boulevard and Pacific Street for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$115,500 (\$110,000 plus closing costs and title expenses not to exceed \$5,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *Pan Coastal Limited, PS* a tract of land containing approximately 2,736 square feet of land located at 2306 Pacific Street, in City of Dallas Block 148, Dallas, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1673

Item 70: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from CJT Partnership & Trust 12 of approximately 3,624 square feet of land located near the intersection of Elm Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$122,000 (\$120,000 plus closing costs and title expenses not to exceed \$2,000) - 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 *CJT Partnership* a tract of land containing approximately 3,624 square feet of land located at 2221 Elm Street, in City of Dallas Block B/136, Dallas, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1674

Item 71: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from FTL Associates, LTD of approximately 4,500 square feet of land located near the intersection of Main Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$155,500 (\$150,000 plus closing costs and title expenses not to exceed \$5,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *FTL Associates Ltd.* a tract of land containing approximately 4,500 square feet of land located at 2124 Main Street, in City of Dallas Block 21/138, Dallas, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1675

Item 72: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dallas 2224 Elm, LTD. of approximately 1,620 square feet of land located near the intersection of Elm Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$222,500 (\$220,000 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *Dallas 2224 Elm Ltd.* a tract of land containing approximately 1,620 square feet of land located at 2224 Elm Street, in City of Dallas Block 22/137, Dallas, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1676

Item 73: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from City Park-A-Lot, LP of approximately 4,500 square feet of land located near the intersection of Main Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$245,500 (\$240,000 plus closing costs and title expenses not to exceed \$5,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *Park-a-Lot, limited partnership* a tract of land containing approximately 4,500 square feet of land located at 2125 Main Street, in City of Dallas Block 22/137, Dallas, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1677

Item 74: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Hymie Schwartz Trust & Jeannette Schwartz Trust of approximately 2,250 square feet of land located near the intersection of Elm Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$403,500 (\$400,000 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *Hymie Schwartz Trust and Jeanette Schwartz Trust* a tract of land containing approximately 2,250 square feet of land located at 2226 Elm Street, in City of Dallas Block 22/137, Dallas, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1678

Item 75: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tomaino Properties, LP of approximately 12,389 square feet of land located near the intersection of Elm Street and Central Expressway for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$413,500 (\$410,000 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *Tomaino Properties, LP* a tract of land containing approximately 12,389 square feet of land located at 2219 Elm Street, in City of Dallas Block B/136, Dallas, Dallas County, Texas and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1679

Item 76: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Harvard Partners I, LLC of approximately 2,880 square feet of land located near the intersection of Elm Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$757,000 (\$750,000 plus closing costs and title expenses not to exceed \$7,000) - 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 *Harvard Partners I, LLC* a tract of land containing approximately 2,880 square feet of land located at 2222 Elm Street, in City of Dallas Block 22/137, Dallas, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Central Expressway from Commerce to Live Oak.

Mayor Rawlings moved to read agenda items 69 through 76 (all eminent domain items) to be considered collectively if all members of the City Council were voting the same. City Secretary Rios subsequently read agenda items 69 through 76 into the record.

Deputy Mayor Pro Tem Atkins' moved to adopt items 69-76.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [10] Rawlings, Medrano, Atkins, Jasso, Caraway, Hill,
Alonzo, Allen, Koop, Margolin
Voting No: [5] Griggs, Davis, Kadane, Greyson, Hunt
Absent when vote taken: [0]
Absent on city business: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1680

Item 77: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 27,559 square feet from Soon A. Song and Hyun Jin Park located near the intersection of Seagoville Road and Interstate Highway I20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$126,378 (\$124,078 plus closing costs and title expenses not to exceed \$2,300) - Financing: Water Utilities Capital Improvement Funds

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1681

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 78: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Reel FX, Inc. to offset development costs associated with its headquarters retention at 301 North Crowds Street, Dallas, Texas - Not to exceed \$1,750,000 - 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."

Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1682

DESIGNATED PUBLIC SUBSIDY MATTERS

Sports Arena TIF District
- Victory Sub-district

Note: Item Nos. 79 and 80
must be considered collectively.

Item 79: Authorize **(1)** a development agreement with Victory Park UST Joint Venture I, LP, to dedicate future TIF revenues, pursuant to the Sports Arena TIF District Grant Program to reimburse costs related to planning efforts related to parking, vehicular and pedestrian circulation, place making and retail design for 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 \$400,000 in the form of a TIF Grant from future Victory Sub-district Sports Arena TIF District revenues, in accordance with the development agreement - Not to exceed \$400,000 - 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."

Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1683

DESIGNATED PUBLIC SUBSIDY MATTERS

Sports Arena TIF District
- Victory Sub-district

Note: Item Nos. 79 and 80
must be considered collectively.

Item 80: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Seven (Sports Arena TIF District) to reimburse Victory Park UST Joint Venture I, LP, up to \$400,000, for project costs pursuant to the development agreement with Victory Park UST Joint Venture I, LP - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1684

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedars TIF District

Note: Item Nos. 81 and 82
must be considered collectively.

Item 81: Authorize (1) a development agreement with CCH Lamar Partners I, L.P. to dedicate TIF revenues for the design and construction of public improvements related to the South Side Pedestrian Improvement Project in the Cedars TIF District; and (2) the Cedars TIF District Board of Directors to dedicate up to \$207,830 from Cedars TIF District revenues in accordance with the development agreement - Total not to exceed \$207,830 - Financing: Cedars 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."

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (Griggs, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1685

DESIGNATED PUBLIC SUBSIDY MATTERS

Cedars TIF District

Note: Item Nos. 81 and 82
must be considered collectively.

Item 82: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse CCH Lamar Partners I, L.P. up to \$207,830 for certain TIF-eligible project costs related to the South Side Pedestrian Improvement Project in the Cedars TIF District - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (Griggs, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1686

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 83-86, was presented for consideration.

Agenda item 84 was removed from the consent zoning docket, to be considered as an individual item.

Agenda item 83: Zoning Case Z112-108(MW)

~~Agenda item 84: Zoning Case Z112-190(RB)~~ **[considered individually]**

Agenda item 85: Zoning Case Z112-200(MW)

Agenda item 86: Zoning Case Z112-223(RB)

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

Deputy Mayor Pro Tem Atkins moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1687

Item 83: Zoning Case Z112-108(MW)

The consent zoning docket, consisting of agenda items 83-86, was presented for consideration.

A public hearing was called on zoning case Z112-108(MW), 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 of less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northwest corner of Seagoville Road and South Belt Line Road

(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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28688

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1688

Item 84: Zoning Case Z112-190(RB)

The consent zoning docket, consisting of agenda items 83-86, was presented for consideration.

Theresa O'Donnell, director of sustainable development and construction, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of sustainable development and construction.

A public hearing was called on zoning case Z112-190(RB), regarding an application for and an ordinance granting a Specific Use Permit for a Truck stop on property zoned an IR Industrial Research District and an ordinance terminating a portion of Specific Use Permit No. 98 for a Quarrying and Mining Operation use on the southeast corner of North Westmoreland Road and West Commerce Street

(The staff and city plan commission recommended Approval of a Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, and conditions, and approval of the termination of a portion of Specific Use Permit No. 98)

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

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1688

Page 2

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

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

Assigned ORDINANCE NOS. 28689 AND 28690

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1689

Item 85: Zoning Case Z112-200(MW)

The consent zoning docket, consisting of agenda items 83-86, was presented for consideration.

A public hearing was called on zoning case Z112-200(MW), regarding an application for and an ordinance granting a Planned Development District on property zoned Subdistrict 1 within Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, and an IM Industrial Manufacturing District on the north side of C. F. Hawn Freeway, west of Haymarket Road

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28691

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1690

Item 86: Zoning Case Z112-223(RB)

The consent zoning docket, consisting of agenda items 83-86, was presented for consideration.

A public hearing was called on zoning case Z112-223(RB), regarding an application for and an ordinance granting an amendment to and expansion of the Tract 1 portion of Planned Development District No. 486 for a Community service center, Retirement Housing, and Certain Nonresidential Uses on property zoned a CH Clustered Housing District and Planned Development District No. 486 in an area generally bounded by Bank Street, Gurley Avenue, Carroll Avenue and Parry Avenue

(The staff and city plan commission recommended Approval, subject to a conceptual plan, Tract 1 development 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. 28692

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1691

Item 87: Zoning Case Z090-239(WE) - INDIVIDUAL

A public hearing was called on zoning case Z090-239(WE), regarding an application for a CS Commercial Service District on property zoned an R-7.5(A) Single Family District on the southeast corner of Marine Way and Stillwell Boulevard and an ordinance granting an NO(A) Neighborhood Office District

(The staff and city plan commission recommended Approval of an NO(A) Neighborhood Office District in lieu of a CS Commercial Service District)

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

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

Tailim Song, 13140 Coit Rd., representing the applicant
Stella Esparza, 5842 Beau Purple, representing Walton Walker Community

Councilmember Alonzo moved to close the public hearing, approve a CS Commercial Service District subject to deed restrictions volunteered by the applicant with the ordinance and deed restrictions to return on a future agenda.

As the deed restrictions volunteered by the applicant had just been recently submitted, Councilmember Alonzo read them into the record as follows:

The following uses are prohibited:

Commercial and business service uses.

- Bus or rail transit vehicle maintenance or storage facility.
- Commercial bus station and terminal.
- Commercial cleaning or laundry plant.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Vehicle or engine repair or maintenance.

Lodging uses.

- Lodging or boarding house.
- Overnight general purpose shelter.

Retail and personal service uses.

- Alcoholic beverage establishments.
- Ambulance service.
- Car wash.
- Commercial amusement (inside).
- Commercial amusement (outside).
- Truck stop.
- Vehicle display, sales, and service.

Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.
- Railroad passenger station.
- Transit passenger shelter.
- Transit passenger station or transfer center.

Wholesale, distribution, and storage uses.

- Auto auction.
- Building mover's temporary storage yard.
- Freight terminal.
- Manufactured building sales lot.
- Petroleum product storage and wholesale.
- Vehicle storage lot.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1692

Item 88: Zoning Case Z112-111(WE) - INDIVIDUAL

A public hearing was called on zoning case Z112-111(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 of less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northwest corner of Lake June Road and North Jim Miller Road

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

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

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

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

Assigned ORDINANCE NO. 28693

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1693

Item 89: Zoning Case Z112-114(RB) - INDIVIDUAL

A public hearing was called on zoning case Z112-114(RB), regarding an application for and an ordinance granting the creation of a new Subdistrict on property within the Subdistrict 2 portion of Planned Development District No. 534, the C. F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay, and an ordinance granting a Specific Use Permit for an Office/showroom warehouse use on the southwest line of C. F. Hawn Freeway, southeast of Big Oaks Drive

(The staff recommended Approval of a new Subdistrict, subject to conditions with retention of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for an Office/showroom warehouse for a fifteen-year period with eligibility for automatic renewals for additional fifteen-year periods, subject to a site plan and conditions and city plan commission recommended Approval of a new Subdistrict, subject to conditions with retention of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for an Office/showroom warehouse for a twenty-year period with eligibility for automatic renewals for additional twenty-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.

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

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

Assigned ORDINANCE NOS. 28694 AND 28695

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1694

Item 90: Zoning Case Z112-153(RB) - INDIVIDUAL

A public hearing was called on zoning case Z112-153(RB), regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 82 for O-2 Subdistrict Uses with a D Liquor Control Overlay within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Fairmount Street, between Enid Street and Turtle Creek Boulevard

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1695

Item 91: Zoning Case Z112-188(WE) - INDIVIDUAL

A public hearing was called on zoning case Z112-188(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 store of less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, south of Great Trinity Forest Way (Loop 12), east of Oklaumon Drive

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

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

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

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

Assigned ORDINANCE NO. 28696

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1696

Item 92: Zoning Case Z112-214(WE) - INDIVIDUAL

A public hearing was called on zoning case Z112-214(WE) regarding an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and MF-2(A) Multifamily Subdistrict uses on property zoned an MF-2(A) Multifamily Subdistrict, an NC Neighborhood Commercial Subdistrict and a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north side of Grand Avenue, between South Good Latimer Expressway and South Malcolm X Boulevard

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

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

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

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

Assigned ORDINANCE NO. 28697

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1697

Item 93: Zoning Case Z112-156(RB) - UNDER ADVISEMENT - INDIVIDUAL

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)

Note: This item was considered by the City Council at a public hearing on June 13, 2012, and was taken under advisement until June 27, 2012, with the public hearing open.

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

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

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

Assigned ORDINANCE NOS. 28698 AND 28699

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1698

Item 94: Zoning Case Z112-157(OTH) – DESIGNATED ZONING CASES - INDIVIDUAL

Theresa O'Donnell, director of sustainable development and construction , reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of sustainable development and construction.

A public hearing was called on zoning case Z112-157(OTH), application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1609 for a potentially incompatible industrial (outside) use, limited to concrete and asphalt crushing, on property zoned an IM Industrial Manufacturing District, located on the west side of Spangler Road, north of Manana Drive

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

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

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

Councilmember Alonzo moved to hold the public hearing and hold the item under advisement until the August 8, 2012 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1699

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Item 95: A public hearing to receive comments regarding consideration of amendments to the Dallas Development Code to develop appropriate standards for alcoholic beverage manufacturing including establishing specific regulations for microbreweries, micro-distilleries and wineries and an ordinance granting the amendments

(The staff and city plan commission recommended Approval)

The following individuals addressed the city council regarding the item:

Audra Buckley, 416 S. Ervay, representing Four Corners Brewing Co.
George Esquivel, 6270 Richmond Ave., representing Four Corners Brewing Co.

Councilmember Alonzo moved to close the public hearing and follow the city plan commission's recommendation for approval with the following change:

- Residential Adjacency Review is required for alcoholic beverage manufacturing uses and microbrewery, microdistillery, and winery subuses in industrial districts.

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

Assigned ORDINANCE NO. 28700

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1700

Item 96: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Walnut Hill Lane from Luna Road to Stemmons Freeway (IH-35) from a six-lane divided roadway S-6-D* within 107 feet of right-of-way to a special four-lane divided roadway (SPCL 4-D) within 110 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28701

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1701

Item 97: A public hearing to receive comments to amend the Central Business District (CBD) Streets and Vehicular Circulation Plan to: **(1)** reduce the right-of-way on Main Street from Akard Street to Ervay Street from 80 feet to 76 feet; and **(2)** change the operational characteristic of Commerce Street from Houston Street to Cesar Chavez Boulevard from five lanes eastbound to four lanes eastbound within 80 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Richard Sheridan, 3022 Forest Ln.

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

Motion seconded by Councilmember Koop.

After discussion, Mayor Pro Tem Medrano called for a vote on the motion.

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

Assigned ORDINANCE NO. 28702

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1702

MISCELLANEOUS HEARINGS

Item 98: A public hearing to receive comments on a proposed municipal setting designation (MSD) to prohibit the use of groundwater as potable water beneath property owned by Continental Electronics Corporation located near the intersection of Buckner Boulevard and Hoyle Avenue and adjacent street rights-of-way, authorize issuance of an MSD ordinance, and support the issuance of an MSD certificate to Continental Electronics Corporation by the Texas Commission on Environmental Quality - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

Dick Record, 4212 S. Buckner, representing Continental Electronics, professional geoscientist

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

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

Assigned ORDINANCE NO. 28703

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1703

MISCELLANEOUS HEARINGS

Item 99: A public hearing to receive comments on the proposed use of a portion of Joey Georgusis Park, totaling approximately 28,716 square feet of land, for the realignment and widening of Chalk Hill Road; and at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1704

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 100, 101 & 102
must be considered collectively.

Cummins Southern Plains, LLC

Item 100: A public hearing 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."

No one addressed the city council regarding the item.

Councilmember Griggs moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1705

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Cummins Southern Plains, LLC

Note: Item Nos. 100, 101 & 102 must be considered collectively.

Item 101: An ordinance designating the approximately 20 acres of property located at the northwest corner of Mountain Creek Parkway and Interstate-20 in Dallas as City of Dallas Reinvestment Zone No. 78, for the purpose of granting economic development incentives to Cummins Southern Plains, LLC, establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

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

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

No one addressed the city council regarding the item.

Councilmember Griggs moved to pass the ordinance.

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

Assigned ORDINANCE NO. 28704

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1706

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Cummins Southern Plains, LLC

Note: Item Nos. 100, 101 & 102 must be considered collectively.

Item 102: Authorize a real property tax abatement agreement with Cummins Southern Plains, LLC located at the northwest corner of Mountain Creek Parkway and Interstate-20 in Dallas in the amount of 50 percent on the value of new real property for seven years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$70,654; seven-year revenue estimated at \$474,366; (Estimated revenue foregone for a seven-year new real property abatement estimated at \$474,366)

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 Griggs moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1707

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Item 103: Authorize an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating Cummins Southern Plains, LLC located at the northwest corner of Mountain Creek Parkway and Interstate-20 in Dallas to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - 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 Kadane and unanimously adopted. (Rawlings absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1708

MISCELLANEOUS HEARINGS

Item 104: A public hearing to receive comments on the proposed 2012 Capital Bond Program - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

David King, 4201 Hunters View

Barbara Fluker, 724 Green Cove, representing Southern Hill Homeowners Association

Carolyn King-Arnold, 835 Timber Bell, representing Glen Oaks Homeowners Association

Kay Taylor, 2845 Vacherie Ln.

Jesse Greer, 7740 Brownsville Ave., representing South Central Civic League – Joppa Area

Warren Melton, 613 Mt. Auburn Ave.

Shelly White, 801 Cove St., representing Trinity Strand Trail

Gwain Wooten, 1000 Grigsby Ave., representing Real American Women

Ewing Moseley, 4719 Cole Ave.

William Hopkins, 2011 Leath St.

Mike Kutner, 2900 McKinnon St., representing Friends of Trinity Strand Trail

Councilmember Caraway moved to close the public hearing.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1709

Closed Session [**HELD**]

6ES

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

- Legal issues under the Texas Public Information Act regarding requests for personally identifiable information

At 12:13 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 under the Texas Public Information Act regarding requests for personally identifiable information

Mayor Rawlings reconvened the city council meeting after the closed session at 1:25 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1710

Addendum addition 1: Authorize an application for and acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible capital improvement projects at Dallas Love Field - Not to exceed \$3,435,277 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1711

Addendum addition 2: An ordinance amending Chapter 2 of the Dallas City Code to: **(1)** provide that a preference may be given to local businesses in awarding City contracts under certain circumstances; **(2)** raise the thresholds on when City contracts must be competitively bid or approved by the City Council as authorized by state law; and **(3)** raise the thresholds on when settlements of claims against the City must be approved by the City Council - Financing: This action has no cost consideration to the City

Councilmember Griggs and Councilmember Margolin requested that addendum addition consent agenda item 2 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs and Councilmember Margolin's request.

Later in the meeting addendum addition consent agenda item 2 was brought up for consideration.

Councilmember Margolin requested the vote be divided so the vote for Part 1 of the item is voted on separately and Parts 2 and 3 of the item be voted together.

Motion seconded by Councilmember Jasso and unanimously adopted.

City Secretary Rios reread Part 1 of the item into the record.

Councilmember Margolin moved to adopt Part 1 of the item.

Motion seconded by Councilmember Jasso and unanimously adopted.

City Secretary Rios reread Parts 2 and 3 of the item into the record.

Deputy Mayor Pro Tem Atkins moved to adopt Parts 2 and 3 of the item.

Motion seconded by Councilmember Hill.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1711

Page 2

Councilmember Greyson made a substitute motion for the vote to be divided to allow Parts 2 and 3 of the item to be voted on separately.

Motion seconded by Councilmember Hunt and unanimously adopted.

City Secretary Rios reread Part 2 of the item into the record.

Deputy Mayor Pro Tem Atkins moved to adopt Part 2 of the item.

Motion seconded by Councilmember Hill.

Mayor Rawlings called for a vote on the motion for Part 2 of the item.

Mayor Rawlings declared the motion on Part 2 of the item adopted on a divided vote, with Councilmember Griggs, Councilmember Greyson, Councilmember Margolin and Councilmember Hunt voting "No."

City Secretary Rios reread Part 3 of the item into the record.

Deputy Mayor Pro Tem Atkins moved to adopt Part 3 of the item.

Motion seconded by Councilmember Hill.

Mayor Rawlings called for a vote on the motion for Part 3 of the item.

Mayor Rawlings declared the motion on Part 3 of the item adopted on a divided vote, with Councilmember Griggs, Councilmember Margolin and Councilmember Hunt voting "No."

Assigned ORDINANCE NO. 28705

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1712

Addendum addition 3: Authorize a three-year service contract, with two one-year renewal options, for a workforce leadership development program - Finish Well Companies, Inc. dba Global Bridgebuilders, most advantageous proposer of four - Not to exceed \$800,000 - Financing: Current Funds (\$515,000), Water Utilities Current Funds (\$225,000) and Aviation Current Funds (\$60,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1713

Addendum addition 4: Authorize a five-year service contract for maintenance, support and upgrades for the Citizen Request Management System - Motorola Solutions, Inc. through the Houston-Galveston Area Council of Governments Purchasing Cooperative - Not to exceed \$1,835,653 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1714

Addendum addition 5: Authorize **(1)** a five-year service contract for maintenance, support and upgrade of the Kronos system in the amount of \$800,063; and **(2)** a five-year master agreement for hardware and software for the Kronos system in the amount of \$572,541 - Kronos Incorporated, most advantageous proposer of two - Total not to exceed \$1,372,604 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1715

Addendum addition 6: Authorize Supplemental Agreement No. 1 to increase the maintenance and support service contract with Orion Communications, Inc. to provide enhancements to the Orion Communications software applications utilized by Police and Court and Detention Services for court case scheduling and to extend the term through January 31, 2015 - Not to exceed \$172,765, from \$223,870 to \$396,635 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1716

Addendum addition 7: Authorize an acquisition contract for the purchase and implementation of a ballistic identification system - Forensic Technology WAI, Inc., Sole Source - Not to exceed \$153,000
- Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1717

Addendum addition 8: Authorize **(1)** an acquisition contract for the purchase and implementation of an enterprise virtual tape library system and decommission of the existing system in the amount of \$1,580,304; **(2)** a six-year service contract for maintenance and support of the virtual tape library system in the amount of \$726,052 - PetroSys Solutions, Inc. dba PSI Technology, most advantageous proposer of four; and **(3)** an increase in appropriations in the amount of \$1,580,304, from \$19,373,020 to \$20,953,324 in the Municipal Lease Agreement Fund - Total not to exceed \$2,306,356 - Financing: Municipal Lease Agreement Funds (\$1,580,304) and Current Funds (\$726,052) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1718

Addendum addition 9: Authorize **(1)** a five-year acquisition contract for the purchase and implementation of enterprise servers - Thomas Gallaway Corporation dba Technologent in the amount of \$1,559,835; **(2)** a five-year acquisition contract for the purchase and implementation of enterprise servers - Hewlett Packard Company in the amount of \$1,022,048, through the Department of Information Resources, State of Texas Cooperative contract; **(3)** a five-year service contract for maintenance and support of existing servers - Thomas Gallaway Corporation dba Technologent in the amount of \$805,912; and **(4)** a five-year service contract for system architecture, server management, configurations, and implementation - Hewlett Packard Company in the amount of \$837,737 through the Department of Information Resources, State of Texas Cooperative contract, most advantageous proposers of five - Total not to exceed \$4,225,532 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1719

Addendum addition 10: An ordinance adding Chapter 8A and an amendment to Chapter 33 of the Dallas City Code to provide: **(1)** licensing procedures, requirements, qualifications, and fees for boarding home facilities; **(2)** requirements and procedures for inspection of boarding home facilities; **(3)** construction, maintenance, reporting, record keeping, education, and care requirements for boarding home facilities; **(4)** requirement for criminal background history checks for the owners, operators, and employees of boarding home facilities; **(5)** food handler requirements for boarding home facilities that serve community meals; and **(6)** updated terminology in Chapter 33 to correspond with changes to Chapter 247 of the Texas Health and Safety Code governing assisted living facilities - Financing: No cost consideration to the City

Councilmember Hill and Councilmember Koop requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill and Councilmember Koop's request.

Later in the meeting addendum addition consent agenda item 10 was brought up for consideration.

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

The following individuals addressed the city council regarding the item:

Marion Shaw, 8030 Frankford Rd.

Charlie Lindsey, 5650 Gaston Ave. (handouts provided)

Frank Delgado, 7229 Ferguson Rd.

Matt Roberts, 624 N. Good Latimer Expy., President of Mental Health America of Greater Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1719

Page 2

Councilmember Hill requested the vote on this item be delayed until the end of the meeting in order to give city councilmembers time to review the answers to her questions from the City Attorney's Office as well as additional amendments she will be making to the ordinance.

Mayor Rawlings confirmed the vote on the item would be held to the end of the meeting before adjournment.

Later in the meeting, Councilmember Griggs moved to pass the proposed ordinance with the following amendments to be read into the record by Councilmember Hill:

Councilmember Hill seconded the motion.

Councilmember Hill read the amendments as follows:

- Page 5 – adds until the respective time periods designated in Section 8A-37 have expired to the end of the section.
- Page 14, Section 8A-8(c)(6) – changes from a certified public accountant to accounting personnel.
- Page 17, Section 8A-11(d) – modifies the 10 day period to be from the date the notice was sent or delivered; and Section 8A-11(e) – adds An appeal of the revocation does not suspend or toll this deadline. It further standardizes the wording throughout the section due to the addition.
- Page 20, Section 8A-17(b) – changes the notification period from 10 to 5 days.
- Page 22, Section 8-19(d)(2) – restructures the wording to include subsection (A) and adds subsection (B) the applicant must make the property, the facility, and its records available for the inspection within 20 days of the date of the request or the request is automatically denied.
- Page 24, Section 8A-20(e)(1) and (2) – changes to put the reinspection fee in this code in line with the reinspection fee in other city places and departments.
- Page 27, Section 8A-23(f)(2) – changes to provide at least two extra of the items noted.
- Page 30, Section 8A-29(f) – changes to provide for the inspection and recharge of fire extinguishers by a person licensed to inspect and recharge fire extinguishers.
- Page 34, Section 8A-34(c)(1) and (2) – eliminates this subsection (and the type of individual) and renumbers subsections that follow.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1719

Page 3

- Page 35, Section 8A-34(g)(1) – adds a family member designated by the resident to the notification list.
- Page 36, Section 8A-34(g)(2)(F) and Section 8A-34(h) – adds a family member designated by the resident to the notification list
- Page 37, Section 8A-34((i)(8)(C) – restructures the wording to include subsection (i) and add (ii) include an individual designated by the spouse to those already listed.
- Page 38, Section 8A-34(j)(3) - adds a family member designated by the resident to the notification list.
- Page 39, Section 8A-34(j)(4)(E) and 8A-34(K)(2)(G) - adds a family member designated by the resident, the legal guardian, or the legally authorized representative to the notification list.
- Page 40, Section 8A-34(m) – clarifies visitors to include family members of an operator, employee or volunteer.
- Page 43, Section 8A-37(a) – modifies the wording to read: A person may not own or operate a boarding home facility or be employed in a position the duties of which involve direct contact with a resident in a boarding home facility before the tenth anniversary of the date the person is convicted of any of the following offenses.
- Page 46, Section 8A-39(a) – adds wording: The initial assessment of a resident must be completed within 30 days of the date the resident began residing at the facility.
- Page 47, Section 8A-39(d) – adds subsection (3) a family member designated by the resident, the legal guardian, or the legally authorized representative and renumbers the remaining subsections.

Motion seconded by Councilmember Hill.

Councilmember Greyson requested to add the following amendments not read into the record by Councilmember Hill:

- Page 8, Section 8A-2(6) – removes deferred adjudication from the definition.
- Page 30, Section 8A-(29)(b) – adds If a boarding home facility has a resident who is non-ambulatory or has a mobility impairment, the licensee shall submit the written plan to Dallas Fire-Rescue and obtain its approval of the plan to the end of the subsection.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1719

Page 4

Councilmember Griggs stated the amendment on Page 14, Chapter 8A-8(c)(6) will require the applicant's financial condition for the last three years is to be done in accordance with generally accepted accounting principles.

Councilmember Griggs amended his original motion to pass the ordinance with the proposed amendments read into the record by Councilmember Hill to include the two additional amendments read into the record by Councilmember Greyson as well as his clarification to the requirement referenced on Page 14, Chapter 8A-8(c)(6).

Motion seconded by Councilmember Hill, who seconded the original motion, also accepted Councilmember Greyson's additional amendments and Councilmember Griggs clarification and unanimously adopted. (Koop abstain)

Note: Councilmember Caraway requested the record reflect he would be supporting approval of the ordinance but that it was still not strong enough. The City was very far from solving this issue in certain areas as the ownership and operation of this type of facility is completely out of control. In District 3, the problem rose to the extent that homeowners were moving because of this type of operation existing in their neighborhood.

Assigned ORDINANCE NO. 28706

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1720

Addendum addition 11: Authorize the preparation of plans for issuance in an amount not to exceed \$435,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2012A/B - Financing: This action has no cost consideration to the City

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1721

Addendum addition 12: Authorize an amendment to Resolution No. 12-0167, previously approved on January 11, 2012, to amend the existing conditional grant agreement with Urban Mixed-Use, LLC to extend the construction start date from June 2012 to June 2013 for the construction of thirty-eight residential units as part of the Economic Development Plan for the JB Jackson Transit Area - Financing: No cost consideration to the City

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1722

Addendum addition 13: Authorize acquisition of one parcel improved with a vacant multifamily residential structure located at 3015 Grand Avenue for the redevelopment of this site (list attached) - Not to exceed \$450,730 (including estimated closing costs and title expenses) - Financing: 2010-11 Community Development Block Grant Funds (\$430,730) and Current Funds (\$20,000)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1723

Addendum addition 14: Authorize a contract with the Museum of African American Life and Culture for services provided to the City through the Cultural Services Contracts Program during the period October 1, 2011 through September 30, 2012 - Not to exceed \$108,828 - Financing: Current Funds

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1724

Addendum addition 15: A resolution removing a requirement that Time Warner Cable, Inc. (“Time Warner Cable”) provide free service to schools when operating under a State-Issued Cable Franchise; and providing an effective date - Financing: No cost consideration to the City

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1725

Addendum addition 16: Authorize an increase in the construction contract with Lee Lewis Construction, Inc. for the removal and replacement of concrete floor for the Lobby A and A/B Prefunction Area Interior Improvement Project at the Dallas Convention Center - Not to exceed \$171,333, from \$1,329,155 to \$1,500,488 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1726

Addendum addition 17: Authorize an increase in the construction contract with Ratcliff Constructors, LP to the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications that comply with amended program requirements including modifications to the mechanical, electrical and plumbing system, security enhancements, elevator upgrades, new electrical switchgear and new water utility service - Not to exceed \$646,172, from \$9,286,644 to \$9,932,816 - Financing: 2006 Bond Funds (\$616,706) and Current Funds (\$29,466)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1727

Addendum addition 18: Authorize an amended and restated lease agreement with Cobalt Industrial REIT to: **(1)** extend the lease term for an additional ten years with one five-year renewal option; and **(2)** amend the current leased square footage for office/classroom space of approximately 46,730 square feet to include an additional 11,371 square feet of office/classroom space for a total of approximately 58,101 square feet of space located at 5310 and 5610 Red Bird Center Drives, for the continued use of a Police Training and Education Academy and a vehicle obstacle course, for the extended period of August 1, 2012 through July 31, 2022, plus additional rental for leasehold improvements for the expansion space, in an amount not to exceed \$1,266,284 (additional base monthly rental during extended and amended term \$7,826,391) - Total not to exceed \$9,092,675 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1728

Addendum addition 19: An ordinance amending Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, as amended; providing definitions for temporary structures and value or valuation, requiring research reports when supporting data is necessary to assist in the evaluation of alternate materials or methods of construction, amending the requirements for approval of alternate materials or methods of construction, amending the minimum requirements for a person to be considered for the position of building official, amending the scope of work that does not require a permit, correcting the occupancy of the alternative provisions section, adding provisions on withholding permits and inspections, and providing for fee exemptions for work involving structures owned by the United States or the State of Texas that are devoted exclusively to governmental use in Chapter 52; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Adopted as part of the consent agenda

Assigned ORDINANCE NO. 28707

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1729

Addendum addition 20: An ordinance amending Ordinance No. 28485, which abandoned portions of two street and utility easements, two drainage easements, two water easements, and four utility easements to Lovers Tradition, LP, to allow for the dedication of needed right-of-way by separate instrument and/or replat, to extend the dedication deadline from one year to eighteen months and to extend the deadline to complete certain paving and drainage infrastructure requirements 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. 28708

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1730

Addendum addition 21: An ordinance abandoning a portion of Llewellyn Avenue to Jose´ Fuentes Co., Inc., the abutting owner, containing approximately 5,917 square feet of land located near the intersection of Seventh Street and Llewellyn Avenue and authorizing the quitclaim - Revenue: \$65,088 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda

Assigned ORDINANCE NO. 28709

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1731

Addendum addition 22: Authorize a construction contract with AUI Contractors, LP, lowest responsible bidder of eight, for the construction of the Levee Drainage System - Hampton-Oak Lawn Sump, also referred to as the Baker Pump Station - Not to exceed \$37,869,184 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1732

Addendum addition 23: Authorize Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group, Inc., for additional design services on the Levee Drainage System - Hampton-Oak Lawn Sump also referred to as Baker Pump Station to complete the design of the sump improvements including the evaluation of the hydraulic conditions within the discharge pipe, respond to U.S. Army Corps of Engineers (USACE) approval process, and additional construction management services - Not to exceed \$1,500,000, from \$14,023,440 to \$15,523,440 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1733

Addendum addition 24: Authorize Supplemental Agreement No. 2 to the contract with Oncor Electric Delivery Company LLC to increase the escrow of City funds for disbursement of the City's twenty-five percent share of the incremental cost to underground approximately 0.7 miles of the Public Utility Commission of Texas approved 345-kilovolt West Levee to Norwood transmission line from the West Levee switching station to near Sylvan Avenue - Not to exceed \$1,084,421, from \$4,500,000 to \$5,584,421 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1734

Addendum addition 25: Authorize acquisition from Oncor Electric Delivery Company, LLC of approximately 2,859 square feet of land improved with a fence and related electrical improvements which require relocation and the conveyance of an easement to Oncor containing approximately 2,112 square feet, both located near the intersection of Sylvan Avenue and Morris Street for the Sylvan Bridge Project - Not to exceed \$181,431 (\$29,431 plus closing costs and title expenses not to exceed \$2,000, plus a relocation expense not to exceed \$150,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1735

Addendum addition 26: Authorize settlement, in lieu of proceeding with condemnation, for four unimproved tracts of land containing a total of approximately 73,441 square feet from TKD Mapleshade, LLC located on Creek Drive near its intersection with Cross Timbers Lane for the McKamy Branch (Upper) Project - Not to exceed \$447,376 (\$440,646 plus closing costs and title expenses not to exceed \$6,730) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1736

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 27: Authorize a loan in the amount of \$3,653,000 to Cadillac Apartments LLC for development costs associated with the construction of Cadillac Apartments, a 164-unit multifamily residential development for low income permanent supportive housing, to be located at the Southwest corner of Cadiz and South Ervay Streets, contingent upon award of Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credits (LIHTC) for 2012 - Total not to exceed \$3,653,000 - Financing: 2012-13 HOME Investment Partnership Program Grant Funds (subject to appropriations)

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:

Tanya Ragan, 807 Park Ave., representing Farmers Market Stakeholders Association
Craig Melde, 1907 Marilla St., representing Farmers Market Stakeholders Association
Leslie Ingendorf, 4420 Highlander Dr., representing Farmers Market Stakeholders Association
Charles Lingerfelt, 1608 Vail Meadow Ln.
Michael Przekwas, 1602 Beaumont St., representing The Cedars Neighborhood Association

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
12-1736
Page 2

Councilmember Kadane moved to deny the item.

Motion seconded by Councilmember Greyson.

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

Voting Yes:	[8]	Medrano, Jasso, Griggs, Alonzo, Kadane, Koop, Greyson, Hunt
Voting No:	[7]	Rawlings, Atkins, Caraway, Hill, Davis, Allen, Margolin
Absent when vote taken:	[0]	
Absent on city business:	[0]	

Mayor Rawlings declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1737

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 28: Authorize (1) a loan in an amount of \$2,000,000 to EVERgreen Residential Ltd. for development costs associated with the construction of EVERgreen Residences, a 130-unit multifamily residential development for low income permanent supportive housing for families, to be located at 1701 Canton Street, contingent upon award of Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credits (LIHTC) for 2012; and (2) a set aside of up to \$2,603,720 for the acquisition and site improvements at the 1701 Canton Street contingent upon award of TDHCA 9% LIHTC for the EVERgreen Residences for 2012 - Total not to exceed \$4,603,720 - Financing: 2010-11 HOME Investment Partnership Program Grant Funds (\$2,000,000), 2005 Bond Funds (\$620,000) and 2012-13 Community Development Block Grant Funds (\$1,983,720) (subject to appropriations)

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:

Michael Przekwas, 1602 Beaumont St., representing The Cedars Neighborhood Association

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1738

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 29: Authorize a loan in the amount of \$475,000 to Frazier HS, L.P. for development costs associated with the construction of Hatcher Square, a 136-unit multifamily residential development for low income families, to be located at 4600 Scyene Road, contingent upon award of Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credits (LIHTC) for 2012 -Total not to exceed \$475,000 - Financing: 2011-12 HOME Investment Partnership Program Grant Funds

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

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2012

12-1739

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 30: Authorize an Interlocal Agreement with the Texas Department of Transportation to establish responsibilities for construction funding for the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridge over the Trinity River - Financing: This action has 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 Koop moved to adopt the item.

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

After discussion, Mayor Rawlings called for a vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Griggs, Councilmember Greyson and Councilmember Hunt voting "No."

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 27, 2012

EXHIBIT C