

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 8, 2012

12-1872

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

PRESENT: [14] Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen (*9:13 a.m.) Koop, Greyson (*9:14 a.m.), Margolin, Hunt (*9:36 a.m.)

ABSENT: [1] Rawlings

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

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

The invocation was given by Pastor Curtis Pruitt, The Upper Room Bible Fellowship.

Councilmember Margolin 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 4:25 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, AUGUST 8, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 8, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1873

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: Trina Triche, 1818 Corsicana St.
SUBJECT: Shelter safety

SPEAKER: Charles Goodrum, 3420 Baker St., (handouts provided)
SUBJECT: Defendant-paid health program

SPEAKER: Robert Ceccarelli, 2218 Norwood Dr.
SUBJECT: Mike Faenza's resignation from MDAJ

SPEAKER: Roy Williams, 5851 Prestonview Blvd.
REPRESENTING: 40 Acres and a Mule
SUBJECT: Police shooting

SPEAKER: Thelma Youngblood, Private
SUBJECT: Apology from 2 Code Compliance officers

Following consideration of Agenda Item 1 (Approval of Minutes of the June 27, 2012 City Council Meeting), Councilmember Davis moved to suspend the City Council Rules of Procedure to allow Carolyn Johnson to speak.

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

SPEAKER: Carolyn Johnson, 5311 Banting Way, (handouts provided)
SUBJECT: Median at Samuell Blvd.

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Claudia Meyer, 6015 Fox Point Trl.
SUBJECT: Gas drilling ordinance

SPEAKER: Debbie Castillega, Private
SUBJECT: Discrimination

G:\2012MIN\cc080812M.doc

OPEN MICROPHONE – END OF MEETING:

(Continued)

SPEAKER: Patricia Kobes, 5727 Richmond Ave.
SUBJECT: Aerial spraying for mosquitos

SPEAKER: Jennifer Land, 3905 Weeburn Dr., (handout provided)
REPRESENTING: Concerned citizens for safer mosquito control
SUBJECT: Health affects for aerial spraying

SPEAKER: Gene Helmick-Richardson, 9003 Piper Ln.
SUBJECT: Potential aerial spray for mosquitos

SPEAKER: Griselda Oliver, 10333 N. Central Expy.
SUBJECT: Health hazards on aerial spraying

SPEAKER: Eddie Morgan, 2343 Vagas St.
SUBJECT: Fracking

SPEAKER: Richard DiMaria, 5727 Richmond Ave.
SUBJECT: Aerial spraying

SPEAKER: Jada Wooten, 4724 Coles Manor Pl.
REPRESENTING: African Americans in the City
SUBJECT: What is really going on?

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

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J. B. Jackson Jr. Institute
SUBJECT: Rouge police

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

SPEAKER: Richard P. Sheridan, 3022 Forest Ln., (handout provided)
REPRESENTING: The black community
SUBJECT: James Harper and Ron Paul

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

SPEAKER: LaKolya London, 1716 Chattanooga Pl.
REPRESENTING: The people
SUBJECT: DPD/Irving developers

SPEAKER: Kyla London, Private
REPRESENTING: The children/Arlington Park
SUBJECT: Irving developers

SPEAKER: LaKesha Johnson, 1716 Chattanooga Pl.
REPRESENTING: Rosemont
SUBJECT: Manager not taking care of property

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1874

Item 1: Approval of Minutes of the June 27, 2012 City Council Meeting

Deputy Mayor Pro Tem Atkins moved to adopt the minutes.

Motion seconded by Councilmember Greyson and unanimously adopted. (Hunt absent when vote taken; Rawlings absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1875

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-60 and addendum addition consent agenda items 1-5, was presented for consideration.

The city secretary requested that consent agenda items 21, 22, 36, 39, 40, 41, 42, 43, 44 and addendum addition consent agenda item 2 be considered as individual items to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda items 21, 22, 36, 39, 40, 41, 42, 43, 44 and addendum addition consent agenda item 2 would be considered as individual items later in the meeting, there being no objection voiced to the city secretary's request.

The city secretary announced the city manager's request to delete consent agenda item 45.

Councilmember Koop moved to adopt all items on the consent agenda with the exception of consent agenda items 21, 22, 36, 39, 40, 41, 42, 43, 44 and addendum addition consent agenda item 2 which would be considered later in the meeting and to delete consent agenda item 45.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1876

Item 2: Authorize a service contract for a financial feasibility study for parking revenue to support the construction of a parking structure and/or surface parking to accommodate the Dallas Arboretum Botanical Gardens - Desman, Inc., most advantageous proposer of two - Not to exceed \$79,650 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1877

Item 3: Authorize a two-year service contract for the rental of cranes with operators - TNT Crane & Rigging, Inc., lowest responsible bidder of three - Not to exceed \$316,920 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1878

Item 4: Authorize a three-year service contract for leak detection equipment, parts and maintenance for Dallas Water Utilities - Fluid Conservation Systems, Inc., lowest responsible bidder of five - Not to exceed \$727,715 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1879

Item 5: Authorize a three-year service contract for industrial painting of Water Utilities facilities and pump stations - JNA Painting & Contracting Company, Inc., lowest responsible bidder of three - Not to exceed \$1,514,722 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1880

Item 6: Authorize a three-year service contract for inspection and maintenance of fire extinguishers and sprinkler systems for City departments - Total Fire & Safety, Inc., in the amount of \$1,791,750 and Eagle Fire Extinguisher Co., Inc. in the amount of \$728,293, lowest responsible bidders of four - Total not to exceed \$2,520,043 - Financing: Current Funds (\$1,277,867), Convention and Event Services Current Funds (\$870,185), Aviation Current Funds (\$183,785), Water Utilities Current Funds (\$162,717) and Stormwater Drainage Management Current Funds (\$25,489) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1881

Item 7: Authorize a three-year service contract for maintenance and support for the supervisory control and data acquisition systems at five water and wastewater treatment plants - CDM Smith, Inc., most advantageous proposer of three - Not to exceed \$1,555,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1882

Item 8: Authorize a three-year service contract for street sweeping services - Flagship Sweeping Services, Inc., lowest responsible bidder of four - Not to exceed \$1,568,844 - Financing: Current Funds (\$1,473,397) and Water Utilities Current Funds (\$95,447) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1883

Item 9: Authorize a three-year service contract to repair and rebuild hydraulic cylinders, pumps and valves - Herco Equipment Company, Inc. in the amount of \$2,033,480 and FLR Solutions in the amount of \$68,830, lowest responsible bidders of three - Total not to exceed \$2,102,310 - Financing: Current Funds (\$2,092,004) and Stormwater Drainage Management Current Funds (\$10,306) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1884

Item 10: Authorize Supplemental Agreement No. 1 to increase the service contract with NEC Solutions, Inc. for maintenance and support of the Automated Fingerprint Identification System and to extend the term five years through June 2016 - Not to exceed \$349,659, from \$508,889 to \$858,548 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1885

Item 11: Authorize the purchase of six scissor lifts for Water Utilities - Kirby-Smith Machinery, Inc. in the amount of \$72,495 and Simba Industries in the amount of \$31,884, lowest responsible bidders of three - Not to exceed \$104,379 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1886

Item 12: Authorize a five-year concession contract for the operation of mobile food and beverage concessions at Fair Park - A-Plus Events, LLC, Sharon Thomas dba Texas Snow Cones and John Russell Pena dba Taz's Trailer, most advantageous proposers of three - Estimated Annual Revenue: \$5,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1887

Item 13: Authorize a one-year master agreement for anthracite filter media to be used in the water purification process - CEI Anthracite, lowest responsible bidder of six
- Not to exceed \$264,510 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1888

Item 14: Authorize a two-year master agreement for original equipment manufacturers parts and accessories for water treatment equipment for Water Utilities - Environmental Improvements, Inc. in the amount of \$582,700, Simba Industries in the amount of \$495,100 and Hartwell Environmental Corporation in the amount of \$183,500, lowest responsible bidders of three - Total not to exceed \$1,261,300 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1889

Item 15: Authorize a two-year master agreement for the purchase of smoke detectors to be installed by Fire-Rescue - Asset Lighting & Electric, Inc., lowest responsible bidder of seven - Not to exceed \$105,276 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1890

Item 16: Authorize a three-year master agreement for after-market automotive parts - Midway Auto Supply in the amount of \$983,745, Installer Sales and Service in the amount of \$778,650, Stuart Hose and Pipe Company in the amount of \$230,000 and Southwest International in the amount of \$205,700, lowest responsible bidders of seven - Total not to exceed \$2,198,095 - Financing: Current Funds (\$1,937,675) and Water Utilities Current Funds (\$260,420)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1891

Item 17: Authorize a three-year master agreement for emergency road flares - Standard Fusee Corp. dba Orion, lowest responsible bidder of two - Not to exceed \$463,536 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1892

Item 18: Authorize a three-year master agreement for laboratory products - Idexx Distribution, Inc., lowest responsible bidder of two - Not to exceed \$624,540 - Financing: Water Utilities Current Funds (\$592,556) and Stormwater Drainage Management Current Funds (\$31,984)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1893

Item 19: Authorize a three-year master agreement for microwave radio tower parts and equipment - Star Microwave Service Corporation, lowest responsible bidder of four - Not to exceed \$68,305 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1894

Item 20: Authorize a three-year master agreement for saw blades - Simba Industries in the amount of \$167,639, Desert Diamond Industries in the amount of \$39,794, National Diamond Enterprises, LLC in the amount of \$28,704, Lawson Products, Inc. in the amount of \$17,818, Fort Worth Bolt & Tool Co. LLP in the amount of \$9,643 and Fastenal Company in the amount of \$250, lowest responsible bidders of nine - Total not to exceed \$263,848 - Financing: Current Funds (\$217,656), Water Utilities Current Funds (\$31,945) and Stormwater Drainage Management Current Funds (\$14,247)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1895

Item 21: Authorize settlement of the lawsuit styled Jose C. Aranda v. City of Dallas, Cause No. DC-11-10484-B - Not to exceed \$20,000 - Financing: Current Funds

The city secretary requested that consent agenda item 21 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 21 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 21 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1896

Item 22: Authorize settlement of the lawsuit styled Allan Geovanny Ramirez v. City of Dallas, Cause No. CC-12-03045-D - Not to exceed \$7,189 - Financing: Current Funds

The city secretary requested that consent agenda item 22 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 22 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 22 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1897

Item 23: An ordinance authorizing: **(1)** the issuance and sale of Waterworks and Sewer System Revenue Refunding Bonds, Series 2012A, in an amount not to exceed \$326,000,000; **(2)** the establishment of parameters regarding the sale of the Bonds; and **(3)** approval of the execution of the Bond Purchase Agreement and all other matters related thereto - Not to exceed \$520,234 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28710

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1898

Item 24: An ordinance authorizing: **(1)** the issuance and sale of Waterworks and Sewer System Revenue Refunding Bonds, Taxable Series 2012B, in an amount not to exceed \$109,000,000; **(2)** the establishment of parameters regarding the sale of the Bonds; and **(3)** approval of the execution of the Bond Purchase Agreement and all other matters related thereto - Not to exceed \$217,681 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28711

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1899

Item 25: Authorize Supplemental Agreement No. 1 to the contract with TranStar Energy Company, L.P., to extend the Compressed Natural Gas (CNG) Facilities Agreement for five years to maintain and operate two public access CNG fueling sites on City properties located at 1551 Baylor Street and 8000 Denton Drive, adjacent to Love Field, with an option to extend the contract for an additional five year term - Estimated Revenue: \$60,000 over the five-year extension

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1900

Item 26: Authorize **(1)** a public hearing to be held October 10, 2012 to receive comments on the proposed City of Dallas FY 2012-13 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, **(2)** consideration of approval of the City of Dallas FY 2012-13 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1901

Item 27: Authorize a public hearing to be held on August 22, 2012 to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1902

- Item 28: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat for the construction of an affordable house; **(2)** the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached)
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1903

- Item 29: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat for the construction of affordable houses; **(2)** the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat; and **(3)** execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached)
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1904

Item 30: Authorize the release of lien on a secured, no interest, forgivable loan with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue in the amount of \$29,706 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1905

Item 31: Authorize the twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2012 through September 30, 2013 - Not to exceed \$265,000 - Financing: 2012-13 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1906

Item 32: Authorize the twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2012 through September 30, 2013 - Not to exceed \$1,058,800 - Financing: 2012-13 Housing Opportunities for Persons with AIDS Grant Funds (\$818,899) and 2011-12 Housing Opportunities for Persons with AIDS Grant Funds (\$239,901)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1907

Item 33: Authorize **(1)** the third amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period April 1, 2012 through September 30, 2012 in an amount not to exceed \$583,450; and **(2)** an increase in appropriations in the amount of \$583,450 in the Women, Infants and Children Program Fund - Not to exceed \$583,450, from \$14,744,905 to \$15,328,355 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1908

Item 34: Authorize a public hearing to be held on August 22, 2012 to receive comments on the proposed FY 2012-13 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1909

Item 35: Authorize a Copyright License Agreement with James Carpenter Design Associates, Inc. associated with the Design/Build Contract for the Cotton Bowl - 2013 Improvements with Heery International, Inc. at the Cotton Bowl in Fair Park located at 3750 Midway Plaza - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1910

Item 36: Authorize an increase in the contract with J.C. Commercial, Inc. to (1) add utilities required for remote fire department connection, relocation of existing storm sewer, additional brick wall demolition, and additional drywall; and (2) deduct for refinishing the gym floor, painting the existing bleachers and ceiling grid and adding lighting in the gymnasium at Beckley Saner Recreation Center located at 114 West Hobson Avenue - Not to exceed \$80,247, from \$2,211,810 to \$2,292,057 - Financing: 2006 Bond Funds

The city secretary requested that consent agenda item 36 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 36 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 36 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1911

Item 37: Authorize Supplemental Agreement No. 2 to the professional services contract with Quimby McCoy Preservation Architecture, LLP for survey, landscape architecture and structural services for a construction document package for bidding for further State and National Historic Registry of the site at Sharrock-Niblo Park located at 5429 Kiwanis Road - Not to exceed \$74,385, from \$101,533 to \$175,918 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1912

Item 38: Authorize a decrease in the construction contract with Special Fire Systems, Inc. due to a reduced cost of material and labor for the installation of new fire protection and suppression systems at the Dallas Museum of Art located at 1807 Harwood Street - Not to exceed (\$38,282), from \$324,086 to \$285,804 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1913

Item 39: Authorize a contract with Cole Construction, Inc., lowest responsible bidder of three, to provide landscape and irrigation construction services for the Mockingbird Lane and Denton Drive Landscape Project at Dallas Love Field - Not to exceed \$241,343 - Financing: Aviation Capital Construction Funds

The city secretary requested that consent agenda item 39 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 39 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 39 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1914

Item 40: Authorize Supplemental Agreement No. 8 to the professional services contract with Huitt-Zollars, Inc. to provide construction administration services on the Mockingbird Lane and Denton Drive Landscape Project at Dallas Love Field - Not to exceed \$12,000, from \$393,756 to \$405,756 - Financing: Aviation Capital Construction Funds

The city secretary requested that consent agenda item 40 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 40 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 40 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1915

Item 41: Authorize a contract with PAEE Corporation, lowest responsible bidder of five, for the reconstruction of alley paving, drainage and wastewater main improvements for Alley Reconstruction Group 06-1125 (list attached) - Not to exceed \$271,474 - Financing: 2006 Bond Funds (\$93,078), Cedars TIF District Funds (\$83,816), Water Utilities Capital Construction Funds (\$3,865) and Water Utilities Capital Improvement Funds (\$90,715)

The city secretary requested that consent agenda item 41 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 41 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 41 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1916

Item 42: Authorize an increase in the construction contract with Ark Contracting Services, LLC for the relocation of a water main under Simpson Stuart Road at Five Mile Creek as part of the Bridge Repair and Modification Group 10-01 - Not to exceed \$49,042, from \$1,515,126 to \$1,564,168 - Financing: Water Utilities Capital Improvement Funds

The city secretary requested that consent agenda item 42 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 42 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 42 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1917

Item 43: Authorize **(1)** an increase in the construction contract with Texas Sterling Construction Company to provide airfield signage modifications for the Taxiway "L" Extension/Reconstruction Project at Dallas Love Field in an amount not to exceed \$57,817, from \$15,003,277 to \$15,061,094; and **(2)** an increase in appropriations in the amount of \$57,817 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Financing: Aviation Passenger Facility Charge Funds (\$20,294) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$37,523)

The city secretary requested that consent agenda item 43 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano 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 regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1918

Item 44: Authorize Supplemental Agreement No. 1 to the professional services contract with Huitt-Zollars, Inc. for additional engineering services to provide sidewalk alignment and landscape revisions for Coit Road from Spring Valley Road to Haymeadow Drive - Not to exceed \$20,830, from \$51,545 to \$72,375 - Financing: 2003 Bond Funds

The city secretary requested that consent agenda item 44 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano stated that consent agenda item 44 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 44 was brought up for consideration.

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1919

Item 45: Authorize acquisition from Waggoner Family Properties, Inc. of approximately nine acres of land improved with a single family residential dwelling located near the intersection of Kiest Boulevard and Ledbetter Drive for a future fire station - Not to exceed \$418,075 (\$412,575 plus closing costs and title expenses not to exceed \$5,500) - Financing: 2006 Bond Funds

Deleted at the time the consent agenda was considered.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1920

Item 46: Authorize acceptance of a donation from Downtown Dallas Inc. for implementation of the Central Connector Phase I Project - Not to exceed \$41,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1921

Item 47: Authorize the acceptance of funds from the Texas Department of Transportation through a grant from the North Central Texas Council of Governments (NCTCOG) for the development of a modern streetcar system that will operate from Union Station in the Central Business District into North Oak Cliff near Methodist Hospital - Not to exceed \$5,800,000 - Financing: North Central Texas Council of Governments Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1922

Item 48: An ordinance granting a private license to TC Timbercreek Associates, L.P. and RC Timbercreek Dunhill LP for the use of a total of approximately 46,052 square feet of land to install and maintain streetscape improvements on portions of Melody Lane and Skillman Street near their intersection with Eastridge Drive
- Revenue: \$5,400 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28712

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1923

Item 49: An ordinance granting a private license to Dallas Independent School District for the use of a total of approximately 240 square feet of subsurface space to install and maintain a telecommunication conduit under portions of Crawford and Eighth Streets - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28713

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1924

Item 50: An ordinance repealing Ordinance No. 24258, previously granted to Dallas Theological Seminary, consolidating this into a new license for the continued use of three existing subsurface communication cables, and to install and maintain three new subsurface communication cables under St. Joseph and Apple Streets and Swiss Avenue rights-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28714

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1925

Item 51: An ordinance abandoning portions of Cranfill and Gladys Streets to Atmos Energy Corporation, the abutting owner, containing a total of 5,180 square feet of land located near the intersection of Cranfill Street and Malcolm X Boulevard - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28715

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1926

Item 52: An ordinance abandoning a water main easement and a portion of a sanitary sewer easement to Dallas Housing Corporation, the abutting owner, containing approximately 11,106 square feet of land located near the intersection of Van Cleave Drive and Kiest Boulevard - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28716

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1927

Item 53: An ordinance abandoning a portion of a 27' drainage easement to 7-Eleven, Inc., the abutting owner, containing approximately 6,000 square feet of land located near the intersection of Zang Boulevard and Illinois Avenue - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28717

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1928

Item 54: An ordinance abandoning portions of Denton Drive, Minert Street, one storm sewer easement, four sanitary sewer easements and three fire lane easements to PCB Properties, L.L.C., the abutting owner, containing a total of approximately 34,379 square feet of land located near the intersection of Kings Road and Fairmount Street, authorizing the quitclaim and providing for the dedication of approximately 29,377 square feet of land needed for street right-of-way - Revenue: \$68,424 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28718

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1929

Item 55: Authorize acquisition from Lois Billingsly and Lillie Bessie Spross of approximately 1.6 acres of land located at the intersection of Pemberton Hill Road and Lake June Road for the Trinity River Corridor Project - Not to exceed \$26,000 (\$24,000 plus closing costs and title expenses not to exceed \$2,000) - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1930

Item 56: Authorize acquisition from David Billingsly of approximately 10.5 acres of land located near the intersection of Pemberton Hill Road and Lake June Road for the Trinity River Corridor Project - Not to exceed \$103,523 (\$101,023 plus closing costs and title expenses not to exceed \$2,500) - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1931

Item 57: Authorize Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. for additional floodplain management assistance for an integrated floodplain database - Not to exceed \$319,000, from \$982,700 to \$1,301,700- Financing: Stormwater Drainage Management Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1932

Item 58: Authorize **(1)** an Interlocal Agreement with the Town of Addison to add the construction of Addison's 12-inch water distribution main to the existing City of Dallas contract with P & E Contractors, Inc.; **(2)** the receipt and deposit of funds in the amount of \$146,726 from the Town of Addison for the construction, inspection, and project administration of Addison's 12-inch water main; and **(3)** an increase in the contract with P & E Contractors, Inc. for the installation of Addison's 12-inch water main - Not to exceed \$146,726, from \$4,499,953 to \$4,646,679 - Financing: Water Utilities Current Funds (\$7,438) (to be reimbursed by the Town of Addison) and Water Capital Construction Funds (\$139,288) (to be provided by the Town of Addison for the construction of Addison's 12-inch water main)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1933

Item 59: Authorize an Interlocal Agreement with the Trinity River Authority, North Texas Municipal Water District, Tarrant Regional Water District and the City of Houston to continue the evaluation of inflows into the Galveston Bay and the impact of the Trinity River Basin instream flow requirements on Trinity River Basin water rights - Not to exceed \$20,900 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1934

Item 60: Authorize a three-year franchise agreement, with a three-year renewal option, between the City of Rockwall and Parasailing the Harbor, LLC, for parasailing tours from the docks at The Harbor of Rockwall, Texas, on Lake Ray Hubbard - Estimated Annual Revenue: \$3,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1935

Item 61: Authorize a three-year franchise agreement, with a three-year renewal option, between the City of Rockwall and Sailing with Scott, LLC, for parasailing tours from the docks at The Harbor of Rockwall, Texas, on Lake Ray Hubbard - Estimated Annual Revenue: \$3,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1936

Item 62: Authorize a contract for the installation of water and wastewater mains at 31 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of seven - Not to exceed \$9,924,855 - Financing: Wastewater Capital Improvement Funds (\$3,473,699) and Water Utilities Capital Improvement Funds (\$6,451,156)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1937

Item 63: Authorize an increase in the contract with Archer Western Construction, LLC for additional construction services required for major maintenance and rehabilitation improvements at the Central Wastewater Treatment Plant - Not to exceed \$120,878, from \$2,384,871 to \$2,505,749 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1938

Item 64: Authorize **(1)** an increase in the thirty-six month service contract with NPL Construction Co. for additional lane miles of street repairs; and **(2)** a twelve month extension to the thirty-six month service contract - Not to exceed \$5,118,013, from \$20,473,941 to \$25,591,954 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1939

Item 65: 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 AUGUST 8, 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.

Deputy Mayor Pro Tem Atkins moved to appoint Cris Jordan, experienced in Historic Preservation, to the Landmark Commission.

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

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

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

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

12-5230 JNC JUDICIAL NOMINATING COMMISSION
12-5231 LMC LANDMARK COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1940

Item 66: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TGIF/DFW Restaurant Joint Venture of the leasehold interest in Lease Agreement No. 238280 located at Terminal A of the Dallas/Fort Worth International Airport for the Terminal Renewal and Improvement Program - Financing: No cost consideration to the City

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 TGIF/DFW Restaurant Joint Venture of the leasehold interest in Lease Agreement No. 238280 located at Terminal A of the Dallas/Fort Worth International Airport for the Terminal Renewal and Improvement Program.

Deputy Mayor Pro Tem Atkins moved to adopt item.

Motion seconded by Councilmember Margolin.

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

Voting Yes:	[14]	Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[1]	Rawlings

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1941

Item 67: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Maxine Johnson of approximately 5,266 square feet of land located near the intersection of Bexar Street and Bethurum Avenue for the Bexar Street Improvement Project - Not to exceed \$23,000 (\$21,500 plus closing costs and title expenses not to exceed \$1,500) - Financing: 2003 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Maxine Johnson* a tract of land containing approximately 5,266 square feet of land located at 2530 Bethurum Avenue near the intersection of Bethurum Avenue and Bexar Street in City of Dallas Block 13/2555, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Bexar Street.

Councilmember Davis moved to adopt item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

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

Voting Yes:	[14]	Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[1]	Rawlings

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1942

Item 68: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Laura Jernigan Espensen and James William Jernigan, of three tracts of land containing a total of approximately 25 acres located near the intersection of Faithon P. Lucas, Sr. Boulevard and Scyene Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$1,184,890 (\$1,172,046 plus closing costs and title expenses not to exceed \$12,844) - Financing: Water Utilities Capital Improvement 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 *Laura Jernigan Espensen and James W. Jernigan* 3 tracts of land containing approximately 24.644 acres of land located on Berry Street and Faithon P. Lucas, Sr. Blvd. in Mesquite, Texas, near the intersection of Faithon P. Lucas, Sr. Blvd. and Scyene Road in the City of Mesquite, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use, and maintenance of one or more pipelines for the transmission of treated water, together with such appurtenant facilities as may be necessary.

Deputy Mayor Pro Tem Atkins moved to adopt item.

Motion seconded by Councilmember Caraway.

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

Voting Yes: [14] Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No: [0]
Absent when vote taken: [0]
Absent: [1] Rawlings

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1943

Item 69: Authorize a loan in an amount of \$535,000 to Shared Housing Center, Inc. for the development of transitional housing for homeless single-parents at 4611 East Side Avenue for the development of a 24-unit facility - Not to exceed \$535,000 - Financing: 2010-11 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."

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1944

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

Agenda item 79 was removed from the consent zoning docket, to be considered as an individual item.

Agenda item 70: Zoning Case Z101-371(WE)
Agenda item 71: Zoning Case Z112-201(RB)
Agenda item 72: Zoning Case Z112-202(JH)
Agenda item 73: Zoning Case Z112-207(RB)
Agenda item 74: Zoning Case Z112-211(MW)
Agenda item 75: Zoning Case Z112-212(RB)
Agenda item 76: Zoning Case Z112-222(RB)
Agenda item 77: Zoning Case Z112-230(MW)
Agenda item 78: Zoning Case Z112-231(MW)
~~Agenda item 79: Zoning Case Z112-232(JH)~~ **[considered individually]**

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 Caraway and unanimously adopted. (Davis, Hunt absent when vote taken; Rawlings absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1945

Item 70: Zoning Case Z101-371(WE)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z101-371(WE), regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern on property zoned Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District on the north side of Elm Street between Malcolm X Boulevard and Crowds Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28719

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1946

Item 71: Zoning Case Z112-201(RB)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-201(RB), regarding an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 493 for certain Nonresidential Uses and an ordinance granting a Specific Use Permit for a Child-care facility on the west line of Skillman Street, north of Woodcrest Lane

(The staff and city plan commission Approval of an amendment to Planned Development District No. 493, subject to a development plan and conditions, and approval of a Specific Use Permit for a Child-care facility for a three-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 NOS. 28720 AND 28721

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1947

Item 72: Zoning Case Z112-202(JH)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-202(JH), 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 3,500 square feet or less on property zoned RR Regional Retail District with a D-1 Liquor Control Overlay on the east side of Longbranch Lane, south of South Loop 12/Great Trinity Forest Way

(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. 28722

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1948

Item 73: Zoning Case Z112-207(RB)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-207(RB), regarding an application for and an ordinance granting a Specific Use Permit for a Machinery, heavy equipment, or truck sales and service use on property within the Subdistrict 3 portion of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the northeast line of C. F. Hawn Freeway, southeast of Lake June Road

(The staff and city plan commission recommended Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to 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. 28723

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1949

Item 74: Zoning Case Z112-211(MW)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-211(MW), regarding an application for and an ordinance granting for a Specific Use Permit for an open-enrollment charter school on property zoned a Light Mixed Use Subdistrict in Planned Development District No. 631, the West Davis Special Purpose District with deed restrictions and an R-7.5(A) Single Family District on the southwest corner of West Davis Street and North Dwight Avenue

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28724

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1950

Item 75: Zoning Case Z112-212(RB)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-212(RB), comments regarding an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 103 for Church Uses on the east line of Pastor Bailey Drive, north of Camp Wisdom Road

(The staff and city plan commission recommended Approval, subject to a 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. 28725

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1951

Item 76: Zoning Case Z112-222(RB)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-222(RB), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1765 for a Recycling buy-back center use on property zoned an IM Industrial Manufacturing District on the northwest line of Hickory Street, east of Malcolm X Boulevard

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 28726

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1952

Item 77: Zoning Case Z112-230(MW)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-230(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 greater than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay on the southeast corner of South Buckner Boulevard and Bruton 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. 28727

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1953

Item 78: Zoning Case Z112-231(MW)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

A public hearing was called on zoning case Z112-231(MW), regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a retail food store on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the southwest side of Lemmon Avenue, southeast of McKinney Avenue

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28728 AND 28729

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1954

Item 79: Zoning Case Z112-232(JH)

The consent zoning docket, consisting of agenda items 70-79, was presented for consideration.

Mayor Pro Tem Medrano requested that zoning consent item 79 be considered as an individual item. Deputy Mayor Pro Tem Atkins stated that zoning consent item 79 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Medrano's request.

A public hearing was called on zoning case Z112-232(JH), regarding an application for and an ordinance granting an amendment to Planned Development District No. 865 on the northeast line of Forest Park Road, northwest of Stutz Drive

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

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

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

Robert Baldwin, 3904 Elm, representing the applicant

Mayor Pro Tem Medrano moved to close the public hearing and approve the amendment to Planned Development District No. 865 subject to a revised development plan with the following change:

- A minimum eight-foot-wide sidewalk must be provided along street frontages

and pass the ordinance.

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

Assigned ORDINANCE NO. 28730

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1955

Item 80: Zoning Case Z112-169(RB) - 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 a 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 Z112-169(RB), regarding an application for the expansion of Conservation District No. 7, the Bishop/Eighth Street Conservation District, on property zoned within the Subdistrict 1 portion of Planned Development District No. 830, the Davis Street Special Purpose District, and the removal of the D Liquor Control Overlay on the southern portion of the request site, zoned within Conservation District No. 7 and the Subdistrict 1 portion of Planned Development District No. 830, on the southwest corner of Bishop Avenue and Neely Street

(The staff and city plan commission recommended Denial)

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

Barry R. Knight, 5400 Renaissance Tower, representing the applicant

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

Pam Conley, Private, (handout provided)

Eloyd Trevino, 2007 W. Colorado

Phil Leven, 1606 Hollywood Ave., representing Old Oak Cliff Conservation League

Keith Jasiocki, 718 Haines Ave.

Anne Campbell, 710 Haines Ave., (handout provided)

Annemarie Bristol, 802 N. Haines Ave., representing Kidd Springs Neighborhood

Sara Gradual, 302 W. Neely St., (handout provided)

Mari Hidalgo, 818 Haines Ave.

Brooke Batson, 612 Haines Ave.

Brooke Dodson, 702 N. Bishop Ave.

G:\2012MIN\cc080812M.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1955

Page 2

Mayor Pro Tem Medrano allowed additional citizens to state their names and addresses and state their position on the item for the record:

Joe Barentine, 705 Haines Ave.

Nancy Winfrey, 1718 Cedar Hill

Jon Papp, 719 N. Bishop, representing Kidd Springs Neighborhood Association

Jean Marie Keith, 706 Woodlawn

Laura Palmer, 911 N. Madison Ave.

Carolyn Armour, 919 Haines Ave.

Robert Hamilton, 704 Haines Ave.

Mike Bain, 839 N. Madison Ave.

Greg Fieser, 806 Woodlawn

Gina Moore, 827 Woodlawn, representing Kidd Springs Homeowner Association

Bennett Stokes, 915 N. Madison Ave., representing Kidd Springs Homeowner Association

J. T. Ramirez, 740 Kessler Lake, representing Kidd Springs Homeowner Association

Councilmember Jasso moved to close the public hearing, approve the expansion of Conservation District No. 7, subject to deed restrictions volunteered by the applicant, and approve the removal of the D Liquor Control Overlay on the southern portion of the request site with the deed restrictions and the ordinance to return at a later date.

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

The city secretary announced the deed restrictions are required to be read into the record.

The deed restrictions, read into the record by Barry Knight, representing the applicant, were as follows:

- A restaurant use on the property shall not exceed 3,500 square feet.
- The hours of operation for a restaurant use on the property shall be limited to 6:00 a.m. to 10:00 p.m., Sunday through Thursday, and from 6:00 a.m. to 11:00 p.m. on Friday and Saturday.

Councilmember Griggs requested a record vote on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1955

Page 3

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

Voting Yes:	[10]	Medrano, Atkins, Jasso, Caraway, Hill, Alonzo, Kadane, Allen, Koop, Margolin
Voting No:	[4]	Griggs, Davis, Greyson, Hunt
Absent when vote taken:	[0]	
Absent:	[1]	Rawlings

The city secretary declared the motion failed as the item required the favorable vote of three-fourths of all members of the city council.

Councilmember Caraway requested clarification of the vote as the item required a favorable vote of three-fourths of all members of the city council from the city attorney's office. The city attorney stated the floor was open for another motion since a favorable vote of three-fourths of all members of the city council was not given.

Councilmember Jasso moved to continue the public hearing and hold under advisement until the September 12, 2012 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1956

Item 81: 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 city plan commission recommended Approval, subject to a development plan, landscape plan, and conditions, with retention of the D Liquor Control Overlay)

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

Neil Emmons, 2525 Turtle Creek
Nicolas Fetterick, 2525 Turtle Creek
Karin Lucas, 2525 Turtle Creek

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

Alan Vihant, 610 Merton St., Toronto Ontario, Canada, representing Great Gulf Group
Karl Crawley, 900 Jackson St., representing Great Gulf
Frank Stich, 4224 N. Hall St., representing Oak Lawn Committee

Councilmember Hunt moved to close the public hearing, accept the recommendation of city plan commission for approval with the following changes for special residential projects:

- Increase the maximum dwelling unit density from 66 to 85 as shown on the development plan.
- Increase the total maximum floor to 330,000 square feet per the city plan commission's recommendation.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28731

G:\2012MIN\cc080812M.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1957

Item 82: Zoning Case Z112-110(WE) - INDIVIDUAL

A public hearing was called on zoning case Z112-110(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 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the northwest corner of Samuell Boulevard and South Buckner Boulevard

(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 three-year period, subject to a site plan and conditions)

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

Councilmember Davis 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. (Hunt absent when vote taken; Rawlings absent)

Assigned ORDINANCE NO. 28732

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1958

Item 83: Zoning Case Z112-217(MW) - 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 a 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 Z112-217(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 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the northwest corner of Samuell Boulevard and South Buckner Boulevard

(The staff and city plan commission recommended Denial)

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

Councilmember Hunt moved to close the public hearing and accept the recommendation of the city plan commission to deny without prejudice.

Motion seconded by Councilmember Griggs and unanimously adopted. (Hill absent when vote taken; Rawlings absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1959

DESIGNATED ZONING CASES - INDIVIDUAL

Item 84: Zoning Case Z112-191(MW)

A public hearing was called on zoning case Z112-191(MW), regarding an application for and an ordinance granting a Specific Use Permit for a convenience store with drive-through on property zoned a CR Community Retail District on the south side of West Clarendon Drive, west of Hampton Road

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

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

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

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

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

Tailam Song, 13140 Coit Rd., representing the applicant
Arturo Sierra, 2737 Ivandell, (handout provided)

Councilmember Jasso moved to close the public hearing and accept the recommendation of the city plan commission for approval with the ordinance to return on a later date.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1960

DESIGNATED ZONING CASES - INDIVIDUAL

Item 85: Zoning Case Z112-209(MW)

A public hearing was called on zoning case Z112-209(MW), regarding an application for and an ordinance granting (1) the creation of new subdistrict within Planned Development District No. 830, the Davis Street Special Purpose District; (2) the removal of the D Liquor Control Overlay; and (3) a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 6, the Davis Street Corridor, within Planned Development District No. 830 with a D Liquor Control Overlay on the northeast corner of North Hampton Road and West Jefferson Boulevard

(The staff recommended Denial and city plan commission recommended Approval of the creation of a new subdistrict within Planned Development District No. 830, the Davis Street Special Purpose District; approval of the removal of the D Liquor Control Overlay and approval of a Specific Use Permit for a motor vehicle fueling station for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, landscape plan and conditions)

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

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

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

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

Santos T. Martinez, 900 Jackson, representing the applicant

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-1960

Page 2

Councilmember Jasso moved to close the public hearing and accept the recommendation of the city plan commission for approval but change the time limit to 10 years with eligibility for 10-year automatic renewals.

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

Assigned ORDINANCE NOS. 28733, 28734 AND 28735

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1961

DESIGNATED ZONING CASES - INDIVIDUAL

Item 86: Zoning Case Z112-252(WE)

A public hearing was called on zoning case Z112-252(WE), regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1339 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northwest corner of Rylie Road and Tufts Road

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

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

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

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

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

Audra Buckley, 416 S. Ervay, representing the applicant

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 Jasso and Councilmember Koop and unanimously adopted. (Caraway, Hill, Allen, Hunt absent when vote taken; Rawlings absent)

Assigned ORDINANCE NO. 28736

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1962

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 87: Zoning Case Z112-157(OTH)

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 a 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), regarding an 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 continue the public hearing and hold under advisement until the September 12, 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; Rawlings absent)

G:\2012MIN\cc080812M.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1963

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Item 88: A public hearing to receive comments regarding consideration of amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-8.500, Subdivision Layout and Design, providing that lots for certain governmental uses are excluded from the requirement that lots must conform in width, depth, and area to the pattern already established in adjacent areas and an ordinance granting the amendments

(The staff and city plan commission recommended Approval)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1964

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Item 89: A public hearing to receive comments regarding proposed amendments to the Dallas Development Code to provide appropriate standards for alternative fueling stations including electrical charging facilities and compressed natural gas and liquefied natural gas fueling facilities and an ordinance granting the amendments

(The staff and city plan commission recommended Approval)

The following individuals addressed the city council regarding the item:

Pam Conley, 901 N. Madison Ave., (handout provided)
Jonathan Vinson, 901 Main St., representing Clean Energy Fuels Corp.

Councilmember Koop 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. (Caraway, Hill absent when vote taken; Rawlings absent)

Assigned ORDINANCE NO. 28737

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1965

MISCELLANEOUS HEARINGS

Item 90: 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 Park Forest SWC, Ltd. and MDF Investments, LLC located near the intersection of Forest Lane and Marsh Lane and adjacent street rights-of-way, authorize issuance of an MSD ordinance, and support the issuance of an MSD certificate to Park Forest SWC, Ltd. 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 individuals addressed the city council regarding the item:

Greg Rogers, 816 N. Congress, Austin, TX
Kenneth Tram, representing Park Forest Shopping Center, professional geoscientist

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

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

Assigned ORDINANCE NO. 27838

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1966

MISCELLANEOUS HEARINGS

Item 91: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the William B. Travis Academy required by Section 6-4 of the Dallas City Code to allow a restaurant with a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate [RA Sushi McKinney Corp.] on property on the southwest corner of McKinney Avenue and Bowen Street

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1967

Addendum addition 1: Authorize the sale of used medium commercial truck tires through The Cooperative Purchasing Network public auction on July 20, 2012 to Logan and Son Tire in the amount of \$23,150, highest bidder of seven - Revenue: \$23,150

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1968

Addendum addition 2: Authorize payment to the Texas Comptroller of Public Accounts to settle all claims concerning sales taxes on green fees at City's golf courses - Not to exceed \$400,000 - Financing: Current Funds

The city secretary requested that addendum addition consent agenda item 2 be considered as an individual item to allow a citizen to speak. Mayor Pro Tem Medrano 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 the city secretary's request.

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

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1969

Addendum addition 3: An ordinance amending Chapter 40A of the Dallas City Code to revise certain provisions of the City of Dallas employees' retirement fund plan to comply with federal law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28739

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1970

**Citywide Implementation of
Safety Measures at Trail-Road Crossings**

Note: Addendum Item Nos. 4 and 5
must be considered collectively.

Addendum addition 4:

Authorize (1) an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for the Traffic Control and Safety Treatments for Trail-Road Crossings Project of the Statewide Transportation Enhancement Program Project; (2) establishing appropriations in an amount not to exceed \$808,834; and (3) payment to the Texas Department of Transportation in the amount of \$7,705 for the City's share of design review, engineering and contingency costs - Not to exceed \$816,539 - Financing: Texas Department of Transportation Grant Funds (\$709,773), 2006 Bond Funds (\$103,684) and Capital Projects Reimbursement Funds (\$3,082)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 8, 2012

12-1971

**Citywide Implementation of
Safety Measures at Trail-Road Crossings**

Note: Addendum Item Nos. 4 and 5
must be considered collectively.

Addendum addition 5: Authorize (1) a Project Specific Agreement with Dallas County for the Traffic Control and Safety Treatments for Trail-Road Crossings Project of the Statewide Transportation Enhancement Program; (2) the receipt and deposit of funds from Dallas County into the Texas Department of Transportation Grant Fund in an amount not to exceed \$70,677; and (3) increasing appropriations in an amount not to exceed \$70,677 - Not to exceed \$70,677 - Financing: Texas Department of Transportation Grant Funds

Adopted as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 8, 2012

EXHIBIT C