

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 10, 2012

12-2510

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

PRESENT: [15] Rawlings, Medrano (*9:08 a.m.), Atkins, Jasso, Griggs, Caraway, Hill (*9:22 a.m.), Alonzo, Davis (*9:04 a.m.), Kadane, Allen, Koop, Greyson (*9:17 a.m.), Margolin, Hunt (*9:29 a.m.)

ABSENT: [0]

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

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

The invocation was given by Ms. Sheila Pate, Math and Science teacher at St. Philips School.

Second grade students of Ms. Sheila Pate and Ms. Mayah Stanford's class at St. Philips School led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 2:32 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 10, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 10, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2511

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: Cedric Moses, 2611 Ross Ave., (handouts provided)
REPRESENTING: Pooprints
SUBJECT: Pet DNA/Registration Product

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: EPA/KKK/RSR Lead Plant

SPEAKER: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: West Dallas
SUBJECT: Call: R.F.K., Jr./Lead Super Fund

SPEAKER: LaKolya London, 1753 Mockingbird Ln.
REPRESENTING: People of Arlington Park
SUBJECT: A surprise

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Government corruption

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2512

Item 1: Approval of Minutes of the September 26, 2012 City Council Meeting

Councilmember Kadane moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2513

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-25 and addendum addition consent agenda items 1-6, was presented for consideration.

Earlier in the meeting, prior to consideration of the consent agenda, the city secretary requested the following speaker be allowed to speak on consent agenda items 9, 14, 15, 16, 17, 21, 24 and 25. Mayor Rawlings stated the speaker would be allowed to speak on consent agenda items 9, 14, 15, 16, 17, 21, 24 and 25, there being no objection voiced to the city secretary's request. The following individual spoke on the noted agenda items:

Trina Triche, 1818 Corsicana St.

Deputy Mayor Pro Tem Atkins requested that addendum addition consent agenda item 1 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 1 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

Councilmember Greyson requested that consent agenda item 12 be considered as an individual item. Mayor Rawlings stated that consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Margolin requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Caraway moved to adopt all items on the consent agenda with the exception of consent agenda item 12 and addendum addition consent agenda items 1 and 3, which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2514

Item 2: Authorize a three-year service contract for the implementation and operation of a Medicaid supplemental payment program for emergency ambulance service - Public Consulting Group, Inc., only bidder - Estimated Annual Net Revenue: \$2,400,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2515

Item 3: Authorize a three-year service contract for the maintenance and repair of fuel pumps, dispensing equipment, lines and tanks - McCon Building and Petroleum Services, Inc., lowest responsible bidder of three - Not to exceed \$1,369,038 - Financing: Current Funds (\$1,163,838), Water Utilities Current Funds (\$115,665), Aviation Current Funds (\$68,285) and Stormwater Drainage Management Current Funds (\$21,250) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2516

Item 4: Authorize a two-year master agreement for building materials and supplies - Craddock Lumber Co. in the amount of \$201,893 and Simba Industries in the amount of \$7,695, lowest responsible bidders of four - Total not to exceed \$209,588 - Financing: Convention and Event Services Current Funds (\$10,000), Current Funds (\$179,588), and Stormwater Drainage Management Current Funds (\$20,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2517

Item 5: Authorize the acceptance, receipt, deposit, transfer and disbursement of donation funds from CIVITAS Capital Management, LLC in an amount estimated at \$70,000 in FY 2012-13 to be used by the Office of Economic Development to further encourage Asian foreign investment interest in the City of Dallas - Not to exceed \$70,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2518

Item 6: Authorize a contract with Metro Dallas Homeless Alliance to provide training, maintenance of the software and computer system and technical support with respect to the Homeless Management and Information System (HMIS) for the period October 1, 2012 through September 30, 2013 - Not to exceed \$50,000 - Financing: 2012-13 Emergency Solutions Grant Funds (\$25,000) and 2011-12 Emergency Solutions Grant Funds (\$25,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2519

Item 7: A resolution declaring 2 properties unwanted and unneeded and authorizing their conveyance to East Dallas Community Organization, a City certified Community Housing Development Organization, for \$10 and a promise to provide 2 townhomes for low to moderate income homebuyers (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2520

Item 8: Authorize a modification to the Business Incentive Program Statement to increase the maximum grant amount from \$25,000 per business to a maximum of \$35,000 per business - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2521

Item 9: Authorize an increase in funding for a contract that commenced October 1, 2009 between the Dallas Housing Acquisition and Development Corporation (the “Land Bank”) and Linebarger Goggan Blair and Sampson, LLP (Linebarger) for legal services for up to 300 lots acquired by the Land Bank in each of the three remaining subsequent renewals - Not to exceed \$300,000 - Financing: 2003 Bond Funds

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2522

Item 10: Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International - North America in the amount of \$55,000, Gartner, Inc. (IT Executives and Leaders) in the amount of \$88,038, North Central Texas Council of Governments in the amount of \$123,210, North Texas Commission in the amount of \$90,557, The Steering Committee of Cities Served by Oncor in the amount of \$119,782, Water Environment Research Foundation in the amount of \$80,159, and Water Research Foundation in the amount of \$260,729 - Total not to exceed \$817,475 - Financing: Current Funds (\$421,587), Aviation Current Funds (\$55,000) and Water Utilities Current Funds (\$340,888)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2523

Item 11: Authorize a public hearing to be held on ~~November 12, 2012~~ November 14, 2012, to receive comments on the proposed use of a portion of Turtle Creek Greenbelt, totaling approximately 1,584 square feet of land, for the installation of a stormwater pipe and outfall to serve adjacent stormwater runoff needs - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2524

Item 12: Authorize **(1)** the acceptance of funds from The Dallas Foundation/Dealey Plaza Restoration Project Fund in the amount of \$672,362; **(2)** the receipt and deposit of funds in the amount of \$672,362 in The Dallas Foundation Fund; **(3)** the establishment of appropriations in The Dallas Foundation Fund in the amount of \$672,362; **(4)** the return of any donor funds remaining at construction close-out to The Dallas Foundation/Dealey Plaza Restoration Project Fund; and **(5)** a contract for Phase II renovations to include architectural surfaces and finish restoration, landscape restoration, sidewalks, curbs and accessibility improvements and other miscellaneous items at Dealey Plaza located at 400 Main Street - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$934,300 - Financing: Preserve America Grant Funds (\$23,224), 2006 Bond Funds (\$23,224), The Dallas Foundation Funds (\$515,794) and 2003 Bond Funds (\$372,058)

Councilmember Greyson requested that consent agenda item 12 be considered as an individual item. Mayor Rawlings stated that consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, consent agenda item 12 was brought up for consideration.

Councilmember Greyson moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2525

Item 13: Authorize **(1)** the rejection of proposals received for improvements to the entrance/exit road to include landscaping and irrigation for the Loop 12 Gateway, Phase I Project at the Trinity River Audubon Center; and **(2)** a contract for improvements to the entrance/exit road to include landscaping and irrigation for the Loop 12 Gateway, Phase I Project at the Trinity River Audubon Center located at 6500 Great Trinity Forest Way, Loop 12 - MACVAL Associates, LLC, lowest responsible bidder of six - Not to exceed \$311,290 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2526

Item 14: Authorize **(1)** acceptance of the Dallas Police Department Victim Services/12 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$48,072 to adequately respond to victims of violent crime with needed aid for the period September 1, 2012 through August 31, 2013; **(2)** a local match in the amount of \$16,024; and **(3)** execution of the grant agreement - Total not to exceed \$64,096 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$48,072) and Current Funds (\$16,024)

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2527

Item 15: Authorize **(1)** an application for and acceptance of the Criminal Justice Projects Grant from the Office of the Governor, Criminal Justice Division to provide aid in finding crime linkages and provide additional resources to the 10-70-20 Crime Reduction Program for the period September 1, 2012 through August 31, 2013; and **(2)** execution of the grant agreement - Not to exceed \$45,153 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2528

Item 16: Authorize **(1)** an application for and acceptance of the Sexual Assault/Stalking Law Enforcement Training grant from the Office of the Governor, Criminal Justice Division to provide specialized training to detectives, patrol officers and advocates who respond to and investigate sexual assault and stalking offenses in the amount of \$26,500 for the period September 1, 2012 through August 31, 2013; **(2)** a local match in the amount of \$14,500; and **(3)** execution of the grant agreement - Total not to exceed \$41,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$26,500) and Current Funds (\$14,500)

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2529

Item 17: Authorize **(1)** an application for and acceptance of the City of Dallas NIBIN Program from the Office of the Governor, Criminal Justice Division to provide aid in finding crime linkages and provide additional resources to the NIBIN Program for the period September 1, 2012 through August 31, 2013; and **(2)** execution of the grant agreement - Not to exceed \$48,000 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2530

Item 18: Authorize a contract with Omega Contracting, Inc., lowest responsible bidder of five, for the construction of street paving, storm drainage, lighting, traffic signal, landscape, water and wastewater main improvements on Spring Avenue from Carter Street to Hatcher Street - Not to exceed \$2,342,541 - Financing: 2010-11 Community Development Block Grant Funds (\$1,500,000), 2011-12 Community Development Block Grant Funds (\$259,991), Water Utilities Capital Construction Funds (\$19,000) and Water Utilities Capital Improvement Funds (\$563,550)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2531

Item 19: An ordinance abandoning a portion of a water and sanitary sewer easement to DMC Property, L.L.C., the abutting owner, containing approximately 1,667 square feet of land located near the intersection of Stemmons Freeway (Interstate Highway 35E) and Market Center Boulevard - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28815

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2532

Item 20: An ordinance abandoning portions of a sanitary sewer easement and four water easements to Global Webb, L.P., the abutting owner, containing a total of approximately 6,237 square feet of land located near the intersection of Webb Chapel Road and Lyndon B. Johnson Freeway - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28816

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2533

Item 21: Authorize an increase in the construction contract with Massana Construction Inc. for the Moore Park Gateway Project to remove an additional retaining wall, relocate and combine electrical services, add additional drainage pipe, revise the concrete mix, and add a vapor barrier behind all of the retaining walls - Not to exceed \$94,957, from \$1,612,360 to \$1,707,317 - Financing: 1998 Bond Funds (\$1,512) and Private Funds (\$93,445)

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2534

Item 22: Authorize a contract for the construction of electrical improvements to the White Rock section of the Central Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of two - Not to exceed \$12,347,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2535

Item 23: Authorize a contract for the installation of water and wastewater mains at 12 locations (list attached) - Ark Contracting Services, LLC, lowest responsible bidder of seven - Not to exceed \$7,069,733 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2536

Item 24: Authorize an increase in the contract with Barson Utilities, Inc. for additional paving work associated with the installation of water and wastewater mains at various locations (list attached) - Not to exceed \$420,825, from \$7,129,087 to \$7,549,912 - Financing: Water Utilities Capital Improvement Funds

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2537

Item 25: Authorize Supplemental Agreement No. 1 to the professional services contract with Mbroh Engineering, Inc. for additional engineering services associated with electrical improvements to the White Rock section of the Central Wastewater Treatment Plant - Not to exceed \$536,920, from \$1,026,745 to \$1,563,665 - Financing: Water Utilities Capital Improvement Funds

The following individual spoke on the item at the beginning of the meeting:

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2538

12-2539

Item 26: 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 board and commission appointments for the 2011-2013 board term updated through OCTOBER 10, 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 Antonia Hubert, Registered Voter of Dallas County, to the Reinvestment Zone Two Board (Cityplace Area); and Eric D. Overton, Registered Voter of Dallas County, to the Reinvestment Zone Eight Board (Design District).

Motion seconded by Councilmember Jasso and unanimously adopted.

Mayor Pro Tem Medrano moved to appoint Raul Magdaleno, Chair, to the Automated Red Light Enforcement Commission, and Omar Narvaez, Vice Chair, to the Community Development Commission.

Motion seconded by Councilmember Jasso and unanimously adopted.

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 by Councilmember Jasso and unanimously adopted.

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

12-5258 PLA PERMIT AND LICENSE APPEAL BOARD
12-5259 RZ02 REINVESTMENT ZONE TWO BOARD (CITYPLACE AREA)
12-5260 RZ08 REINVESTMENT ZONE EIGHT BOARD (DESIGN DISTRICT)
12-5261 BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2540

Item 27: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from William D. Freeman and Mary M. Freeman of approximately 35,343 square feet of land for a wastewater easement and approximately 70,687 square feet of land for a temporary working space easement located near the intersection of Beltline and Kleberg Roads for the Hickory Creek Wastewater Main Replacement Project - Not to exceed \$9,947 (\$8,147 plus closing costs and title expenses not to exceed \$1,800) - Financing: Water Utilities Capital Construction 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 *William D. Freeman and Mary M. Freeman*, a tract of land containing approximately 106,030 square feet (35,343 square feet for Wastewater Easement and 70,687 square feet for Temporary Construction Working Space Easement) of land located at 13700 Kleberg Road near the intersection of Beltline Road and Kleberg Road in City of Dallas Block 8806, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the installation, use and maintenance of a wastewater main together with such appurtenant facilities as may be necessary.

Deputy Mayor Pro Tem Atkins moved to adopt item.

Motion seconded by Councilmember Caraway.

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

Voting Yes:	[15]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2541

Item 28: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ike Stearn and Sarah Stearn of an unimproved tract of land containing approximately 6,145 square feet located near the intersection of Stokes Street and Hull Avenue for the South Central/Joppa Gateway Project - Not to exceed \$4,150 (\$2,150 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 *Ike Stearn and Sarah Stearn*, a tract of land containing approximately 6,145 square feet located near the intersection of Stokes Street and Hull Avenue in City of Dallas Block 4/7641, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a parking lot, a pavilion and athletic fields for the South Central Park, together with such appurtenant facilities as may be necessary.

Mayor Rawlings announced the city secretary would read items 28-33 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the inquiry, no councilmember indicated any item(s) to be pulled for individual vote.

Councilmember Caraway moved to adopt agenda items 28-33.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt agenda items 28-33:

Voting Yes:	[15]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2542

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dallas Demolition Excavating Company, Inc. of an unimproved tract of land containing approximately 67,795 square feet located near the intersection of Stokes Street and Hull Avenue for the South Central/Joppa Gateway Project - Not to exceed \$8,400 (\$6,400 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 *Dallas Demolition Excavating Company, Inc.*, a tract of land containing approximately 67,795 square feet located near the intersection of Stokes Street and Hull Avenue in City of Dallas Block 4/7641, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a parking lot, a pavilion and athletic fields for the South Central Park, together with such appurtenant facilities as may be necessary.

Mayor Rawlings announced the city secretary would read items 28-33 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the inquiry, no councilmember indicated any item(s) to be pulled for individual vote.

Councilmember Caraway moved to adopt agenda items 28-33.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt agenda items 28-33:

Voting Yes:	[15]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2543

Item 30: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Harold Topletz and Jack Topletz of an unimproved tract of land containing approximately 26,639 square feet located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$9,200 (\$7,200 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 *Harold Topletz and Jack Topletz*, a tract of land containing approximately 26,639 square feet located near the intersection of Fellows Lane and Saipan Street in City of Dallas Block 5/7642, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a parking lot, a pavilion and athletic fields for the South Central Park, together with such appurtenant facilities as may be necessary.

Mayor Rawlings announced the city secretary would read items 28-33 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the inquiry, no councilmember indicated any item(s) to be pulled for individual vote.

Councilmember Caraway moved to adopt agenda items 28-33.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt agenda items 28-33:

Voting Yes:	[15]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2544

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tanner Montgomery of two unimproved tracts of land containing a total of approximately 35,978 square feet located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$11,800 (\$9,800 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 *Tanner Montgomery*, two tracts of land containing approximately 35,978 square feet located near the intersection of Fellows Lane and Saipan Street in City of Dallas Block 5/7642, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a parking lot, a pavilion and athletic fields for the South Central Park, together with such appurtenant facilities as may be necessary.

Mayor Rawlings announced the city secretary would read items 28-33 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the inquiry, no councilmember indicated any item(s) to be pulled for individual vote.

Councilmember Caraway moved to adopt agenda items 28-33.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt agenda items 28-33:

Voting Yes:	[15]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2545

Item 32: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Sedalia Harris of an improved tract of land containing approximately 12,066 square feet located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$19,200 (\$17,000 plus closing costs and title expenses not to exceed \$2,200) - 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 *Sedalia Harris*, an improved tract of land containing approximately 12,066 square feet located near the intersection of Fellows Lane and Saipan Street in City of Dallas Block 5/7642, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a parking lot, a pavilion and athletic fields for the South Central Park, together with such appurtenant facilities as may be necessary.

Mayor Rawlings announced the city secretary would read items 28-33 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the inquiry, no councilmember indicated any item(s) to be pulled for individual vote.

Councilmember Caraway moved to adopt agenda items 28-33.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt agenda items 28-33:

Voting Yes:	[15]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2546

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dennis Topletz of an improved tract of land containing approximately 12,198 square feet located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$22,000 (\$19,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Dennis Topletz*, an improved tract of land containing approximately 12,198 square feet located near the intersection of Fellows Lane and Saipan Street in City of Dallas Block 5/7642, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, installation, use and maintenance of a parking lot, a pavilion and athletic fields for the South Central Park, together with such appurtenant facilities as may be necessary.

Mayor Rawlings announced the city secretary would read items 28-33 into the record; and if any councilmember wanted to consider any of these items separately, that item would be pulled and voted on separately. Following the inquiry, no councilmember indicated any item(s) to be pulled for individual vote.

Councilmember Caraway moved to adopt agenda items 28-33.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt agenda items 28-33:

Voting Yes:	[15]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2547

Item 34: Authorize a contract with Mario Sinacola and Sons Excavating, Inc., lowest responsible bidder of ten, for the construction of street paving, storm drainage and water and wastewater main improvements for the Merrifield Road Extension - Not to exceed \$1,519,173 - Financing: 1998 Bond Funds (\$338,840) and 2006 Bond Funds (\$1,180,333)

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2548

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 35: Authorize a Chapter 380 economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program with Encore International Investment Funds, LLC, related to the creation of a call center operation at 2608 Inwood Road, Dallas, Texas 75235 - Not to exceed \$440,000 - 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."

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2549

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 36-39, was presented for consideration.

~~Agenda item 36: Zoning Case Z112-227(WE)~~ **[considered individually]**

~~Agenda item 37: Zoning Case Z112-260(MW)~~ **[considered individually]**

Agenda item 38: Zoning Case Z112-273(WE)

Agenda item 39: Zoning Case Z112-283(JH)

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

The following individual addressed the city council:

Elizabeth Walton, 7104 Rothland St., representing the applicant, spoke in opposition to agenda item 38

Councilmember Griggs 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 Margolin and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2550

Item 36: Zoning Case Z112-227(WE)

The consent zoning docket, consisting of agenda items 36-39, was presented for consideration.

Councilmember Davis requested that zoning consent item 36 be considered as an individual item. Mayor Rawlings stated that zoning consent item 36 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

A public hearing was called on zoning case Z112-227(WE), regarding an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center on property zoned an IM Industrial Manufacturing District on the south side of South Lamar Street, between Lenway Street and Martin Luther King Jr. Boulevard

(The staff and city plan commission recommended Approval for a two-year period, subject to a site 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 Miklos, 1909 Woodall Rodgers Frwy., representing Recycling Property L.P.

Councilmember Davis moved to close the public hearing and approve the CPC recommendation for an SUP for a recycling buy-back center with a parking required according to the Dallas Development Code.

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

Assigned ORDINANCE NO. 28817

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2551

Item 37: Zoning Case Z112-260(MW)

The consent zoning docket, consisting of agenda items 36-39, was presented for consideration.

Councilmember Griggs requested that zoning consent item 37 be considered as an individual item. Mayor Rawlings stated that zoning consent item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' request.

A public hearing was called on zoning case Z112-260(MW), regarding an application for and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a concrete batch plant on property zoned an IR Industrial Research District on the south side of Crystal Lake Boulevard, west of Dan Morton Drive

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

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

Crystal Diaz, 654 Johnson Ave., Duncanville, TX, representing Cowboy Trucking

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

Audra Buckley, 416 S. Ervay St., representing Ashley Concrete

Councilmember Griggs moved to continue the public hearing and hold under advisement until the October 24, 2012 voting agenda meeting of the city council.

Motion seconded by Councilmember Alonzo and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2552

Item 38: Zoning Case Z112-273(WE)

The consent zoning docket, consisting of agenda items 36-39, was presented for consideration.

A public hearing was called on zoning case Z112-273(WE), regarding an application for and an ordinance granting the creation of a new tract within Planned Development District No. 730 for mixed uses on the southwest corner of Bexar Street and Hooper Street

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

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

Elizabeth Walton, 7104 Rothland St., representing the applicant

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28818

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2553

Item 39: Zoning Case Z112-283(JH)

The consent zoning docket, consisting of agenda items 36-39, was presented for consideration.

A public hearing was called on zoning case Z112-283(JH), regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 621 on property zoned a Subdistrict 1A within Planned Development District No. 621 on the northwest corner of North Riverfront Boulevard and Payne Street

(The staff and city plan commission recommended Approval)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28819

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2554

Item 40: Zoning Case Z112-280(WE) - INDIVIDUAL

A public hearing was called on zoning case Z112-280(WE), regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) for a dance hall within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District, on the north side of Royal Lane, between Reeder Road and Harry Hines Boulevard

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

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

Brandon Cho, 2529 Royal Ln., representing Sign Mall

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

Brian P. Min, 2727 LBJ Frwy., representing International Event Center, LLC
Yon H. Si, 730 Camino Lago, Irving, TX, representing International Event Center, LLC

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

Motion seconded by Councilmember Davis and unanimously adopted.

Assigned ORDINANCE NO. 28820

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2555

Item 41: Zoning Case Z112-259(WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z112-259(WE), regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1813 for a recycling collection center on property zoned an IR Industrial Research District on the northeast corner of Sylvan Avenue and Fabrication Street

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

Note: This item was considered by the City Council at a public hearing on September 12, 2012, and was taken under advisement until October 10, 2012, with the public hearing open.

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

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

Peter Kavanagh, 1630 Handley, representing J & R Recycling

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

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

Assigned ORDINANCE NO. 28821

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2556

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 42: Zoning Case Z112-266(WE)

A public hearing was called on zoning case Z112-266(WE), regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 91 for Multiple Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Cedar Springs Road and Herschel Avenue

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

Note: This item was considered by the City Council at a public hearing on September 26, 2012, and was taken under advisement until October 10, 2012, with the public hearing open.

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

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

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

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

Jim Bruner, 100 Fabra St., Boerne, TX, representing NRP Group (property owner)

Karl Krawley, 900 Jackson St., representing the applicant

Mayor Pro Tem Medrano moved to approve the item with the caveat to have 10 apartments as the 80% median income for 5 years.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2556

Page 2

After discussion and inquiries, the City Attorney's Office recommended holding this item for two weeks to allow further research as to whether the requested amendment could be incorporated into the ordinance.

At Mayor Pro Tem Medrano's request, the item was held until later in the meeting to give the City Attorney's Office time to research.

Later in the meeting, Mayor Pro Tem Medrano withdrew her original motion to approve the item with caveat to have 10 apartments as the 80% median income for 5 years.

Deputy Mayor Pro Tem Atkins and Councilmember Hill, who seconded the original motion, also withdrew their second to that motion.

Mayor Pro Tem Medrano moved to hold the item under advisement until the October 24, 2012 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2557

SPECIAL PROVISION SIGN DISTRICT - DESIGNATED ZONING CASES

Item 43: A public hearing to receive comments regarding an application for an amendment to the Downtown Special Purpose Sign District, Section 51A-900 of the Dallas City Code, to amend the building occupancy requirements for non-premise district activity videoboard signs on buildings with retail and personal service uses to include commercial parking lot or garage and lodging uses in an area generally bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard and an ordinance granting an amendment

(The staff and city plan commission recommended Approval)

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:

John Crawford, 2200 Ross Ave., representing Downtown Dallas Inc.

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

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

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

Assigned ORDINANCE NO. 28822

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2558

MISCELLANEOUS HEARINGS

Item 44: A public hearing 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, consideration of approval of the City of Dallas FY 2012-13 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Councilmember Hill moved to close the public and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2559

MISCELLANEOUS HEARINGS

Item 45: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Kennemer Middle School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 30,000 square feet (Wal-Mart) on property on the north side of Wheatland Road and the west side of Clark Road - Financing: No cost consideration to the City

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

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

The following individuals addressed the city council regarding the item:

Mike Christzberg, 1345 Green Hills Ct., Duncanville, TX, representing
Duncanville Independent School District
William Hopkins, 2011 Leath St.

Councilmember Griggs moved to hold under advisement until the December 14, 2012 voting agenda meeting of the city council.

Motion seconded by Councilmember Alonzo and unanimously adopted. (Koop absent when vote taken)

Note: Councilmember Caraway stated for the record that the public could expect many similar cases allowing for the sale of beer/wine as the citizens of Dallas had voted in favor of these sales city wide at the recent special election; and that while he and CM Davis had clearly voiced their opposition to this during that time, the people had spoken and the City Council is required to follow the letters of the law.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2560

Closed Session

6ES

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

- De Los Santos et al v. City of Dallas, Civil Action No. 3:12-cv-2596

At 10:00 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.)

- De Los Santos et al v. City of Dallas, Civil Action No. 3:12-cv-2596

Mayor Rawlings reconvened the city council meeting after the closed session at 1:06 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2561

Addendum addition 1: Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C - Financing: This action has no cost consideration to the City

Deputy Mayor Pro Tem Atkins requested that addendum addition consent agenda item 1 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 1 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

Later in the meeting, addendum addition consent agenda item 1 was brought up for consideration.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2562

Addendum addition 2: Authorize **(1)** amendments to the 2012 City Calendar; **(2)** an amendment to the City's designated observance day for September 11th Remembrance Day; and **(3)** adoption of the 2013 City Calendar - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2563

Addendum addition 3: An ordinance amending Chapter 28 of the Dallas City Code to provide regulations governing the operation of motor vehicles near vulnerable road users - Financing: No cost consideration to the City

Councilmember Margolin requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Later in the meeting, addendum addition consent agenda item 3 was brought up for consideration.

Councilmember Margolin moved to remand the item to the Public Safety Committee for further review.

Motion seconded by Mayor Rawlings.

Councilmember Alonzo asked Councilmember Margolin if she would accept a friendly amendment to her motion to include the item also be remanded to the Quality of Life Committee.

Councilmember Margolin accepted the friendly amendment as part of her motion.

Mayor Rawlings who seconded the original motion also accepted the friendly amendment.

After discussion, Mayor Rawlings called the vote on Councilmember Margolin's motion as modified by the friendly amendment.

Mayor Rawlings declared the motion, as modified by the friendly amendment, unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2564

Addendum addition 4: Authorize the purchase of furniture for the Dallas Judicial Center located at 2014 Main Street - WRG LLC., through US Communities Government Purchasing Alliance - Not to exceed \$740,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2565

Addendum addition 5: Ratify an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility located at 5000 Dolphin Road - Not to exceed \$192,661 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2566

Addendum addition 6: An ordinance amending Ordinance No. 28037, as amended by Ordinance Nos. 28441 and 28620, which abandoned a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, to extend the final replat and dedication requirement from two years to three years - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28823

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2567

Addendum addition 7: A resolution designating absences by Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen, Councilmember Linda Koop and Councilmember Sandy Greyson as being for "official city business" - Financing: No cost consideration to the City

Mayor Pro Tem Medrano, Deputy Mayor Pro Tem Atkins, Councilmember Caraway, Councilmember Hill, Councilmember Allen, Councilmember Koop and Councilmember Greyson announced they had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Medrano, Deputy Mayor Pro Tem Atkins, Councilmember Caraway, Councilmember Hill, Councilmember Allen, Councilmember Koop and Councilmember Greyson left the city council chamber.

Councilmember Alonzo moved to adopt the item.

Motion seconded by Councilmember Jasso and unanimously adopted. (Mayor Pro Tem Medrano, Deputy Mayor Pro Tem Atkins, Councilmember Caraway, Councilmember Hill, Councilmember Allen, Councilmember Koop, Councilmember Greyson abstain)

Note: Due to existing conflicts by the noted councilmembers, which reduced the number of eligible councilmembers who could vote on this item, only a simple majority of the remaining councilmembers was needed in order to approve the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2012

12-2568

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 8: Authorize a Chapter 380 economic development grant agreement with the North Dallas Chamber of Commerce pursuant to the City of Dallas Public/Private Partnership Program for a Valley View/Galleria Area Planning Study - Not to exceed \$250,000 - 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."

Councilmember Koop moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 10, 2012

EXHIBIT C