

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2012

12-2650

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

PRESENT: [15] Rawlings, Medrano (\*9:17 a.m.), Atkins, Jasso, Griggs, Caraway (\*9:19 a.m.), Hill (\*9:11 a.m.), Alonzo, Davis, Kadane, Allen, Koop, Greyson (\*9:15 a.m.), Margolin, Hunt (\*9:13 a.m.)

ABSENT: [0]

The meeting was called to order at 9:05 a.m.

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

The invocation was given by Father Richard Hill of Restoration in Christ Church.

Councilmember Kadane 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 1:48 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 24, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2651

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedures, 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:**

There were no speakers under this category.

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

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: The Children  
SUBJECT: What is Fair Housing?

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2652

Item 1: Approval of Minutes of the October 10, 2012 City Council Meeting and the Corrected Minutes of the September 26, 2012 City Council Meeting

Corrected on the addendum to the agenda.

Councilmember Margolin moved to adopt the minutes of the October 10, 2012 City Council Meeting and the Corrected Minutes of the September 26, 2012 City Council Meeting to reflect Mayor Pro Tem Medrano and Councilmember Allen absent on city business per Resolution 12-2567 approved October 10, 2012.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2653

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-21 and addendum addition consent agenda items 1-15, 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 5, 6, 9 and 20. Mayor Rawlings stated the speaker would be allowed to speak on consent agenda items 5, 6, 9 and 20, 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 consent agenda item 21 be considered as an individual item. Mayor Rawlings stated that consent agenda item 21 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

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

Councilmember Kadane moved to adopt all items on the consent agenda with the exception of consent agenda items 9 and 21, which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2654

Item 2: Authorize a two-year master agreement for water service plugs and specialized hand tools - McGard, LLC in the amount of \$96,029 and What if?/ Mach Industries, Inc. in the amount of \$21,119, lowest responsible bidders of two - Total not to exceed \$117,148 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2655

Item 3: Authorize a three-year master agreement for industrial, medical and welding gases - Red Ball Oxygen Company, Inc. in the amount of \$334,138 and Matheson Gas, Inc. in the amount of \$260,624, lowest responsible bidders of three - Total not to exceed \$594,762 - Financing: Current Funds (\$298,968), Water Utilities Current Funds (\$286,859), Aviation Current Funds (\$2,115), Convention and Event Services Current Funds (\$1,905) and Stormwater Drainage Management Current Funds (\$4,915)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2656

Item 4: Authorize a five-year concession contract for the installation, operation and maintenance of automated teller machines at the Police Auto Pound, Farmers Market, Municipal Court and Central Library - Metro Route Services, highest responsible bidders of three - Estimated Annual Revenue: \$25,816 (minimum annual guarantee)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2657

Item 5: Authorize settlement of the lawsuit styled Taneshia Brown v. City of Dallas, Cause No. DC-12-00753-E - Not to exceed \$30,000 - Financing: Current 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 24, 2012

12-2658

Item 6: Authorize settlement of the lawsuit styled Eric Hendry v. City of Dallas, Cause No. DC-10-16684 - Not to exceed \$35,000 - Financing: Current 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 24, 2012

12-2659

Item 7: Authorize a contract with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2012 through September 30, 2013 - Not to exceed \$90,000 - 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

OCTOBER 24, 2012

12-2660

Item 8: Authorize an amendment to an Interlocal Agreement with the University of Texas at Dallas to: **(1)** increase the budget from \$32,500 to \$58,500; and **(2)** extend the contract term to December 31, 2012 to continue work on program evaluation services for the Project Reconnect Health Improvements for Re-entering Ex-offenders (HIRE) Initiative Grant - Not to exceed \$26,000, from \$32,500 to \$58,500 - Financing: U.S. Department of Health and Human Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2661

Item 9: Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Services Contracts Program (list attached) - Not to exceed \$3,264,898 - Financing: Current Funds

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

Trina Triche, 1818 Corsicana St.

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

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

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

- Increase of \$10,000 to Teco Theatrical Productions, Inc.
- Increase of \$10,000 to Teatro Hispano de Dallas
- Increase of \$30,000 to be allocated among the other organizations

Motion seconded by Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2662

- Item 10: Authorize **(1)** the acceptance of the 2012 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, and the State Homeland Security Grant Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2012 through May 31, 2014; and **(2)** execution of the grant agreement - Not to exceed \$5,323,591 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2663

Item 11: Authorize **(1)** the Second Amendment to the thirty-five year Management Agreement for the Dallas Zoo between the City of Dallas and the Dallas Zoological Society and the Dallas Zoo Management, Inc., modifying the FY 2012-13 Management Fee obligation of \$13,800,000 to the Dallas Zoo Management, Inc., from \$13,800,000, all payable from the City's Current Funds, to a payment of \$12,800,000 from the City's Current Funds and \$1,000,000 toward the construction of a new Zoo warehouse facility, funded from the City's Capital Funds; **(2)** the receipt and deposit of funds in the amount of \$93,502 in the Capital Gifts, Donation and Development Fund; **(3)** the establishment of appropriations in the amount of \$93,502 in the Capital Gifts, Donation and Development Fund; and **(4)** Supplemental Agreement No. 5 in the amount of \$1,093,502 to the design-build contract with Sedalco/MetalMan Design/Build Corporation, A Joint Venture, to establish the Guaranteed Maximum Price No. 5 to construct a 21,000 square feet metal warehouse building at 1021 South Ewing Avenue as a replacement facility for the existing warehouse building and provide utility and site work around the warehouse to correct stormwater management for the African Savanna Exhibit at the Dallas Zoo located at 650 South R.L. Thornton Freeway - Not to exceed \$1,093,502, from \$28,166,072 to \$29,259,574 - Financing: 2006 Bond Funds (\$1,000,000) and Capital Gifts, Donation and Development Funds (\$93,502)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2664

Item 12: Authorize **(1)** the Dallas Police Department to expend funds for overtime in the amount of \$600,000 to be reimbursed from various federal and state law enforcement agencies for FY 2012-13 (list attached); **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$173,700; and **(3)** execution of the grant agreements - Total not to exceed \$773,700 - Financing: Current Funds (\$600,000 to be reimbursed by various federal and state law enforcement agencies)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2665

Item 13: Authorize a design/build contract with Texas Roof Management, Inc. for Phase I design services for the repair/replacement of roofing on seventeen City-owned facilities (list attached) - Not to exceed \$387,648 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2666

Item 14: Authorize a contract with Omega Contracting, Inc., lowest responsible bidder of six, for the reconstruction of street paving, storm drainage, water and wastewater mains and streetscape improvements for Elm Street from Good Latimer Expressway to Exposition Avenue - Not to exceed \$5,934,257 - Financing: 2006 Bond Funds (\$4,777,858), Water Utilities Capital Construction Funds (\$52,950) and Water Utilities Capital Improvement Funds (\$1,103,449)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2667

Item 15: A resolution authorizing the sale of approximately 9,576 square feet of City-owned land located near the intersection of Interstate Highway 35 and the Jefferson Viaduct to the Texas Department of Transportation - Revenue: \$803,986

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2668

Item 16: A resolution authorizing the sale of approximately 54,604 square feet of City-owned land located near the intersection of Interstate Highway 35 and the Jefferson Viaduct to the Texas Department of Transportation - Revenue: \$4,447,616

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2669

Item 17: An ordinance abandoning two sanitary sewer easements to Hampton Fort Worth Avenue, Ltd., the abutting owner, containing a total of approximately 1,750 square feet of land located near the intersection of Centerville and Shiloh Roads  
- Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28824

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2670

Item 18: Authorize personal services contracts with: **(1)** Larry Beasley with Beasley and Associates, Planning Inc. to serve as the Urban Design Special Advisor for the Dallas CityDesign Center for the period October 1, 2012 through September 30, 2013 in an amount not to exceed \$45,000; and **(2)** Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas City Design Studio for the period October 1, 2012 through September 30, 2013 in an amount not to exceed \$85,000 - Total not to exceed \$130,000 - Financing: Private Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2671

Item 19: Authorize an Interlocal Agreement with the City of Cockrell Hill for the joint design and construction, and betterment costs of a 16-inch water main in Kernack Street from Phinney Avenue to Burns Avenue in conjunction with the City of Cockrell Hill's proposed additional treated water supply connection to the City of Dallas water distribution system - Not to exceed \$163,760 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2672

Item 20: Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the improvements at Forney Dam (Lake Ray Hubbard) - Not to exceed \$240,390, from \$4,581,532 to \$4,821,922 - 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 24, 2012

12-2673

Item 21: Authorize Supplemental Agreement No. 2 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant - Not to exceed \$4,175,570, from \$6,042,315 to \$10,217,885 - Financing: Water Utilities Capital Improvement Funds

Deputy Mayor Pro Tem Atkins requested that consent agenda item 21 be considered as an individual item. Mayor Rawlings stated that consent agenda item 21 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, consent agenda item 21 was brought up for consideration.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2674

Item 22: 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 24, 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 requested the vote be divided so the vote on the Permit and License Appeal Board.

Mayor Rawlings ordered the vote divided, there being no objection raised to Mayor Pro Tem Medrano's request.

Mayor Pro Tem Medrano announced she had a conflict of interest and would abstain from voting or participating in any discussion relating to the appointment of Ricardo Medrano as a member to the Permit and License Appeal Board. Mayor Pro Tem Medrano left the Council Chambers.

Councilmember Hill moved to appoint Ricardo Medrano, Vice Chair, to the Permit and License Appeal Board.

Motion seconded by Councilmember Jasso and unanimously adopted. (Medrano abstain)

Councilmember Jasso moved to appoint Douglas Edwards, Historic Preservation, to the Landmark Commission.

Motion seconded by Councilmember Greyson and unanimously adopted.

Councilmember Jasso 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 Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-2674

Page 2

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

**12-5262   ARC   AUTOMATED RED LIGHT ENFORCEMENT COMMISSION**

**12-5263   LMC   LANDMARK COMMISSION**

**12-5264            BOARD OFFICERS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2675

Item 23: Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 5, 12, 18, 27, 30, 49 and 54, for bid BL1220, for a two-year master agreement for the purchase of pesticides and herbicides - Winfield Solutions, LLC and BWI Companies, Inc. in the amount of \$118,034 - Financing: This action has no cost consideration to the City

The city secretary was notified by the city manager there were bids that resulted in identical bid amounts. In accordance with Section 271.901 of the Texas Local Government Code, the municipality must select one of those bidders by casting lots. The casting of lots must be in a manner prescribed by the mayor of the municipality and must be conducted in the presence of the governing body of the municipality.

The city secretary announced the names of the two tying bidders for lines 5, 12, 18, 27, 30, 49 and 54 had been placed in separate plain envelopes for Mayor Rawlings to select one sealed envelope for each line. Mayor Rawlings selected one sealed envelope for each line and announced the selection as follows:

- Line 5 – BWI Companies, Inc.
- Line 12 – Winfield Solutions, LLC
- Line 18 – Winfield Solutions, LLC
- Line 27 – Winfield Solutions, LLC
- Line 30 – Winfield Solutions, LLC
- Line 49 – BWI Companies, Inc
- Line 54 – Winfield Solutions, LLC

Deputy Mayor Pro Tem Atkins moved to approve the casting of lots as selected by Mayor Rawlings.

Motion seconded by Councilmember Koop and unanimously adopted.

**Note:** The city secretary opened the remaining, unselected envelopes and verified each envelope for the respective line contained the opposite name of the bidder whose name was selected by Mayor Rawlings.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2676

Item 24: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Douglas M. Lawrence and Morgan L. Lawrence of a total of approximately 5,536 square feet of land for a wastewater easement and a temporary working space easement located near the intersection of C. F. Hawn Freeway and Sunview Road for the Hickory Creek Wastewater Main Replacement Project - Not to exceed \$2,438 (\$1,038 plus closing costs and title expenses not to exceed \$1,400) - 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 *Douglas M. Lawrence and Morgan L. Lawrence*, a tract of land containing approximately 5,536 square feet of land located at 12341 C.F. Hawn Freeway near the intersection of C.F. Hawn Freeway and Sunview Road in City of Dallas Block 8799, 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.

Mayor Rawlings announced the city secretary would read items 24 and 25 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.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 24 and 25.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 24 and 25:

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 24, 2012

12-2677

Item 25: Authorize acquisition of, including the exercise of the right of eminent domain, if such becomes necessary, from Dorothy Jones Blair and Donald L. Blair, Sr. of two tracts of land containing a total of approximately 6,800 square feet located near the intersection of Peabody Avenue and Kimble Street for the replacement of Fire Station No. 6 - Not to exceed \$12,000 (\$10,500 plus closing costs and title expenses not to exceed \$1,500) - Financing: 2006 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Dorothy Jones Blair and Donald L. Blair, Sr.*, two tracts of land containing a total of approximately 6,800 square feet of land located at 2300 Peabody Avenue located near the intersection of Martin Luther King, Jr. Boulevard and South Central Expressway, and being all of lots 1 and 2 in City of Dallas Block 23/1302, South Park Addition, 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 a fire station.

Mayor Rawlings announced the city secretary would read items 24 and 25 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.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 24 and 25.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 24 and 25:

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 24, 2012

12-2678

Item 26: Authorize an amendment to the development agreement with SLF III - The Canyon in Oak Cliff, L.P., previously approved on November 9, 2009, by Resolution No. 09-2763-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadline to June 30, 2013, for the engineering and design for Phase 1 of a new eastbound frontage road for I-30 located between Cockrell Hill Road and Westmoreland 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."

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Jasso and Councilmember Alonzo and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2679

Item 27: Authorize an amendment to Resolution No. 11-1794, previously approved on June 22, 2011, in Tax Increment Financing Reinvestment Zone Four (Cedars TIF District) to extend the 1400 Belleview project's deadlines by 12 months and modify the minimum requirements for the project's use of space - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2680

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 28 and 29, was presented for consideration.

Agenda item 28: Zoning Case Z090-243(DM)

Agenda item 29: Zoning Case Z112-285(JH)

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

The following individuals addressed the city council:

Josh Lecomte, 2006 Matilda St., spoke in favor of agenda item 28

Mike Northrup, 5703 Goliad Ave., representing the Lower Greenville Avenue Neighborhood Association, Lower Greenville West, Vickery Place Neighborhood Association and Belmont Neighborhood Association, spoke in favor of agenda item 28

Philip Kingston, 5901 Palo Pinto Ave., representing Lower Greenville Neighborhood Association, spoke in favor of agenda item 28

Kim Comerford, 5623 Richmond Ave., spoke in favor of agenda item 28

Greg Norton, 5637 Richmond Ave., spoke in favor of agenda item 28

Mayor Pro Tem Medrano 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 Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2681

Item 28: Zoning Case Z090-243(DM)

The consent zoning docket, consisting of agenda items 28 and 29, was presented for consideration.

A public hearing was called on zoning case Z090-243(DM), regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 842 for CR Community Retail District Uses with Modified Delta Overlay District No. 1 with consideration given to zoning to permit Townhouse District uses and standards on the south side of Belmont Avenue, west of Greenville Avenue and an ordinance granting a new tract within Planned Development District No. 725

(The staff and city plan commission recommended Approval of a new tract within Planned Development District No. 725, subject to a conceptual 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:

Josh Lecomte, 2006 Matilda St.

Mike Northrup, 5703 Goliad Ave., representing the Lower Greenville Avenue Neighborhood Association, Lower Greenville West, Vickery Place Neighborhood Association and Belmont Neighborhood Association

Philip Kingston, 5901 Palo Pinto Ave., representing Lower Greenville Neighborhood Association

Kim Comerford, 5623 Richmond Ave.

Greg Norton, 5637 Richmond Ave.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28825

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2682

Item 29: Zoning Case Z112-285(JH)

The consent zoning docket, consisting of agenda items 28 and 29, was presented for consideration.

A public hearing was called on zoning case Z112-285(JH), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1687 for an alcoholic beverage establishment use for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall within Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Commerce Street, west of Henry Street

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

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28826

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2683

Item 30: Zoning Case Z112-289(MW) - INDIVIDUAL

A public hearing was called on zoning case Z112-289(MW), regarding an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a D(A) Duplex District on the south side of Ellsworth Avenue, west of McMillan Avenue

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

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

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

Mark Weatherford, 6731 Northport Dr., applicant

Councilmember Hunt moved to hold the item under advisement until the November 14, 2012 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2684

Item 31: Zoning Case Z112-260(MW) - UNDER ADVISEMENT - INDIVIDUAL

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 conditions)

Note: This item was considered by the City Council at a public hearing on October 10, 2012, and was taken under advisement until October 24, 2012, with the public hearing open.

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

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

Councilmember Griggs moved to close the public hearing, approve SUP No. 1993 with the revised site plan and with the following changes:

1) RETAINING WALLS:

- a) Retaining walls must be provided and maintained as shown on the attached site plan.
- b) The retaining walls must be designed to prevent stockpile materials from encroaching onto adjacent properties.
- c) The retaining walls must be designed so that they do not impact approved drainage systems or drainage on adjacent properties.

2) STORMWATER:

- a) All drainage systems must be kept clear of debris and maintained for designed flow and capacity.
- b) A grading plan and drainage area map that complies with the Drainage Design Manual of the Department of Public Works must be approved by the director of sustainable development and construction and implemented before the issuance of a certificate of occupancy.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-2684

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At the request of staff the following individual addressed the city council regarding the item:

Audra Buckley, 416 S. Ervay St., representing the applicant

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

Assigned ORDINANCE NO. 28827

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2685

Item 32: Zoning Case Z112-266(WE) - UNDER ADVISEMENT – INDIVIDUAL

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 October 10, 2012, and was taken under advisement until October 24, 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:

Karl Krawley, 900 Jackson St., representing the applicant

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

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

Assigned ORDINANCE NO. 28828



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2686

Item 33: Zoning Case Z112-275(MW) - UNDER ADVISEMENT – INDIVIDUAL

A public hearing was called on zoning case Z112-275(MW), regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the north side of C.F. Hawn Freeway, west of Jim Miller Road

(The staff recommended Approval for a three-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)

Note: This item was considered by the City Council at a public hearing on September 26, 2012, and was taken under advisement until October 24, 2012, with the public hearing open.

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

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

Councilmember Hill 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. (Allen absent when vote taken)

Assigned ORDINANCE NO. 28829

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2687

DESIGNATED ZONING CASES - INDIVIDUAL

Item 34: A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multifamily uses on property zoned an MF-1(A) Multifamily District on the southwest corner of Skillman Street and Sandhurst Lane and both sides of Amesbury Drive

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2688

DESIGNATED ZONING CASES - INDIVIDUAL

Item 35: A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 1 of Planned Development Subdistrict No. 50 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast corner of Cedar Springs Road and North Harwood Street

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2689

DESIGNATED ZONING CASES - INDIVIDUAL

Item 36: A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-3(A) Multifamily District uses on property zoned a CR Community Retail District on the south side of Bandera Avenue, between Turtle Creek Boulevard and Hillcrest Road

(The staff and city plan commission recommended Approval, subject to a conceptual 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:

Dallas Cothrum, 900 Jackson St., representing the applicant

Councilmember Margolin 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 Hill and unanimously adopted.

Assigned ORDINANCE NO. 28830

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2690

Addendum addition 1: Authorize **(1)** an acquisition contract for the purchase and implementation of software and hardware for a new court case management system for Court & Detention Services, Police and the City Attorney's Office in the amount of \$2,766,308; **(2)** a five-year service contract for maintenance and support of the court case management system in the amount of \$2,001,225; and **(3)** a five-year master agreement for additional hardware, software and professional services for future expansion of the court case management system in the amount of \$514,862 - Tyler Technologies, Inc., most advantageous proposer of seven - Total not to exceed \$5,282,395 - Financing: Current Funds (\$2,516,087) (subject to annual appropriations) and 2010 Equipment Acquisition Notes (\$2,766,308)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2691

Addendum addition 2: Authorize **(1)** a five-year service contract for citywide non-residential recycling collection services with Progressive Waste Solutions of TX, Inc., formerly IESI Corp, lowest responsible bidder of four in the amount of \$1,362,680; and **(2)** a ratification for three months of citywide non-residential recycling collection services with Progressive Waste Solutions of TX, Inc., formerly IESI Corp, in the amount of \$69,279 - Total not to exceed \$1,431,959 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2692

Addendum addition 3:           An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** establish a metered parking area and an hourly parking rate for Klyde Warren Park; and **(2)** establish an hourly parking rate for certain portions of the Woodall Rodgers Freeway Service Roads - Estimated Annual Revenue: \$150,000

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28831

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2693

Addendum addition 4:           A resolution authorizing the rejection of the bid received from Larry Christian for approximately 73,311 square feet of City-owned land improved with an industrial building located near the intersection of Westmoreland Road and Platinum Way - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2694

Addendum addition 5:           A resolution authorizing the sale and acceptance of the highest bid received on approximately 18,250 square feet of unwanted and unneeded City-owned land located near the intersection of Lancaster Avenue and Fifth Street to Pierrot Associates, Ltd. - Revenue: \$9,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2695

Addendum addition 6:           An ordinance providing for the closure and vacation of a portion of Love Field Drive, containing approximately 35,599 square feet of land, located near the intersection of Denton and Love Field Drives - Not to exceed \$95 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28832

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2696

Addendum addition 7: Authorize an eighth amendment to the headquarters lease with Southwest Airlines Co. to add approximately 35,599 square feet of land at Dallas Love Field - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2697

Addendum addition 8: Authorize **(1)** the rejection of bids for the Bridge Repair of Hampton Road between Commerce Street and Singleton Boulevard; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2698

Addendum addition 9:           A resolution authorizing the sale of approximately 348 square feet of City-owned land located at the intersection of Red Oak Street and IH-35E to the Texas Department of Transportation - Revenue: \$2,088

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2699

Addendum addition 10: A resolution authorizing the sale of approximately 435 square feet of City-owned land located near the intersection of Dodd Street and IH-35E to the Texas Department of Transportation - Revenue: \$3,117

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2700

Addendum addition 11: A resolution authorizing the sale of approximately 522 square feet of City-owned land located near the intersection of Red Oak Street and IH-35E to the Texas Department of Transportation - Revenue: \$3,132

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2701

Addendum addition 12: A resolution authorizing the sale of approximately 915 square feet of City-owned land located at the intersection of Dodd Street and IH-35E to the Texas Department of Transportation - Revenue: \$6,542

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2702

Addendum addition 13: A resolution authorizing the sale of approximately 2,919 square feet of City-owned land located at the intersection of Dodd Street and IH-35E to the Texas Department of Transportation - Revenue: \$20,871

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2703

Addendum addition 14: A resolution authorizing the sale of approximately 8,799 square feet of City-owned land located at the intersection of Comal Street and IH-35E to the Texas Department of Transportation - Revenue: \$72,459

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2704

Addendum addition 15: A resolution authorizing the sale of approximately 40,948 square feet of City-owned land located near the intersection of Riverfront Boulevard and Old Zang Road to the Texas Department of Transportation - Revenue: \$1,682,170

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2705

Addendum addition 16: A resolution designating absences by Councilmember Scott Griggs, Councilmember Dwaine Caraway and Councilmember Angela Hunt as being for "official city business" - Financing: No cost consideration to the City

Councilmember Griggs, Councilmember Caraway and Councilmember Hunt announced they had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Griggs, Councilmember Caraway and Councilmember Hunt left the city council chamber.

Councilmember Greyson moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted. (Griggs, Caraway, Hunt abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2012

12-2706

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 17: Authorize a housing development loan in the amount of \$400,000 to 2122 Highland LLC for the development of 24 affordable housing units for veterans to be located at 2122 Highland Road - Not to exceed \$400,000 - 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."

Councilmember Davis moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2012

EXHIBIT C