

“CORRECTION”

**MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 14, 2012**

12-2720

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

PRESENT: [15] Rawlings, Medrano (*9:06 a.m.), Atkins, Jasso (*9:06 a.m.), Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson (*9:15 a.m.), Margolin, Hunt (*9:21 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 Captain Estes of the United States Army (Retired).

Councilmember Alonzo 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 2:54 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, NOVEMBER 14, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 14, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2721

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: Robert Ceccarelli, 2218 Norwood Dr.
SUBJECT: DISD Superintendent

SPEAKER: Annie Rolfe, 1419 Owega Ave.
REPRESENTING: Set Free Deliverance Church
SUBJECT: Misrepresentation of struck-off sale

SPEAKER: Morris Rolfe, 1419 Owega Ave.
REPRESENTING: Set Free Deliverance Church
SUBJECT: Misrepresentation of struck-off sale

SPEAKER: Michele Delsanter, 12411 Crestline Ave.
REPRESENTING: Individual Pedestrian Voters
SUBJECT: Respect for Civil Rights

SPEAKER: Linda Bates, 4144 Tram Dr.
REPRESENTING: Citizens for Environmental Justice
SUBJECT: Lead contamination in West Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Sandra Crenshaw, 2507 Club Manor Dr.
SUBJECT: Need detective for violent crimes

SPEAKER: Michael Sheilds, 3535 Bernal Dr.
SUBJECT: Cruel & unusual punishment

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
NOVEMBER 14, 2012
12-2721
Page 2

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

SPEAKER: Carol Bell-Walton, 6705 Velasco Ave.
SUBJECT: White Rock Lake Park

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
REPRESENTING: God
SUBJECT: We're living in Revelation, WATCH!

SPEAKER: LaKolya London, 1753 Mockingbird Ln.
REPRESENTING: The Children & The People
SUBJECT: DISD as a whole & transportation

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Mattie Nash Davis Park

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

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Government/Shelters

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: Real American Women
SUBJECT: Unsolved murders in Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2722

Item 1: Approval of Minutes of the October 24, 2012 City Council Meeting

Councilmember Caraway moved to adopt the minutes of the October 24, 2012 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2723

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-51 and addendum addition consent agenda item 1, 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, 16, 21, 22, 23, 24, 25, 26, 27, 33, 37, 49, 50 and 51. Mayor Rawlings stated the speaker would be allowed to speak on consent agenda items 5, 16, 21, 22, 23, 24, 25, 26, 27, 33, 37, 49, 50 and 51, 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.

The city secretary requested that consent agenda items 2 and 29 be considered as individual items to allow citizens to speak. Mayor Rawlings stated that consent agenda items 2 and 29 would be considered as individual items later in the meeting, there being no objection voiced to the city secretary's request.

Mayor Rawlings requested that consent agenda item 4 be considered as an individual item later in the meeting. There was no objection voiced to his request.

Deputy Mayor Pro Atkins requested that consent agenda item 2 be considered as an individual item. Mayor Rawlings stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

Councilmember Kadane requested that consent agenda item 29 be considered as an individual item. Mayor Rawlings stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

Councilmember Hunt requested that consent agenda item 30 be considered as an individual item. Mayor Rawlings stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Hill moved to adopt all items on the consent agenda with the exception of consent agenda items 2, 4, 29 and 30, which would be considered later in the meeting.

Motion seconded by Councilmember Jasso and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2724

Item 2: Authorize **(1)** a forty-year lease agreement of approximately 635,538 square feet of land for aviation use development with a capital commitment of \$9,000,000 to be expended within 24 months from the effective date of the lease with an additional \$4,000,000 to be expended within 10 years; and **(2)** a forty-year lease agreement of approximately 414,600 square feet of land for commercial development with a total capital commitment of \$8,000,000 to be expended within 24 months from the effective date of the lease with Reed Enterprises Investment Holdings, LP at Dallas Love Field - Estimated Annual Revenue: \$926,238

The city secretary requested that consent agenda item 2 be considered as an individual item to allow a citizen to speak. Mayor Rawlings stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to the city secretary's request.

Deputy Mayor Pro Tem Atkins requested that consent agenda item 2 be considered as an individual item. Mayor Rawlings stated that consent agenda item 2 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 2 was brought up for consideration.

The following individual addressed the city council regarding the item:

Steve Birch, 4400 W. University Blvd. (handout provided)

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2725

Item 3: Authorize a three-year service contract for minor plumbing repair and installation of high-efficiency fixtures for low income households as part of the Water Conservation Program - Astar Heat & Air Inc. dba A Star Heat & Air, lowest responsible bidder of three - Not to exceed \$2,018,837 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2726

Item 4: Authorize **(1)** a ten-year concession contract, with one five-year renewal option, with Service America Corporation dba Centerplate, the most advantageous proposer of four, to provide food and beverage services at the Convention Center with the City to receive a 95% concession revenue share of annual gross sales (annual gross revenues are estimated to be \$9,850,000 less allowable expenses and sales tax); and **(2)** the City to pay Service America Corporation dba Centerplate an annual management fee of \$450,000 for years 2012-2017 and \$500,000 for years 2018-2022 - Total management fee not to exceed \$4,750,000 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Mayor Rawlings requested that consent agenda item 4 be considered as an individual item. There being no objection voiced to his request, later in the meeting, consent agenda item 4 was brought up for consideration.

Mayor Rawlings announced he had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Rawlings left the city council chamber.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2727

Item 5: Authorize a one-year master agreement for Cisco communication equipment and SmartNet maintenance services for new projects - AT&T, through the State of Texas Department of Information Resources contract - Not to exceed \$1,684,353 - 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.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2728

Item 6: Authorize a two-year master agreement for the purchase of pesticides and herbicides - BWI Companies, Inc. in the amount of \$321,574, Winfield Solutions, LLC in the amount of ~~\$3,096,866~~ \$309,866 and Red River Specialties, Inc. in the amount of \$9,783, lowest responsible bidders of three - Total not to exceed \$641,223 - Financing: Current Funds (\$631,948) and Water Utilities Current Funds (\$9,275)

Adopted as part of the consent agenda.

*Note: Typographical error corrected.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2729

Item 7: Authorize a two-year master agreement for ferric sulfates to be used in the water purification process - General Chemical Performance Products, LLC, lowest responsible bidder of three - Not to exceed \$13,244,000 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2730

Item 8: Authorize a three-year master agreement for ballistic body armor for Police - Renegade Armor, LLC in the amount of \$677,852 and GT Distributors, Inc. in the amount of \$120,787, most advantageous proposers of seven - Total not to exceed \$798,639 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2731

Item 9: Authorize a three-year master agreement for the purchase of furniture, floor covering and related support services with Haworth, Inc., Herman Miller, Inc., Knoll, Inc., Virco, Inc., National Office Furniture, Peter Pepper Products, Inc., Hon Office Furniture, Mohawk Industries, Milliken & Company, Shaw Industries, Interface, Texas Correctional Industries and their associated distributors through the U.S. Communities Government Purchasing Alliance, Texas Multiple Award Schedules and Texas Department of Criminal Justice, Texas Correctional Industries - Not to exceed \$9,923,000 - Financing: Current Funds (\$1,603,000), Capital Construction Funds (\$2,100,000), Aviation Capital Construction Funds (\$1,000,000), Water Utilities Current Funds (\$2,560,000), 2006 Bond Funds (\$2,140,000), 2009 Convention Center Revenue Bonds (\$485,000) and 2010 Certificates of Obligation (\$35,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2732

Item 10: Authorize settlement of a lawsuit styled City of Dallas v. Carolyn McClain et al., Cause No. cc-11-04102-e, pending in County Court at Law No. 5, to acquire from defendants a tract of land containing approximately 2,500 square feet located near the intersection of Young and Lamar Streets - Not to exceed \$226,000 (\$223,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: General Capital Reserve Funds (\$132,000) and 2008 Certificates of Obligation (\$94,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2733

Item 11: Authorize the annual adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2734

Item 12: Authorize the subordination of a lien on a secured, no interest forgivable loan to Spida, Inc. (dba) Braswell Child Development Center (Spida), for substantial rehabilitation at 2203 South 2nd Avenue that was authorized pursuant to Resolution No. 00-3092, previously approved on October 11, 2000 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2735

Item 13: Authorize the re-designation of eighteen census tracts comprising five Neighborhood Investment Program target areas for a minimum of two years, beginning October 1, 2012 and designate all Neighborhood Investment Program target areas as Low Income Housing Tax Credit Community Revitalization Plan target areas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2736

Item 14: Authorize a twelve-month contract, with one twelve-month renewal option, with Legal Aid of Northwest Texas, Inc. to provide eligible Emergency Solutions Grant (ESG) essential services to the homeless for the period October 1, 2012 through September 30, 2013 - Not to exceed \$68,362 - Financing: 2012-13 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2737

Item 15: Authorize a twelve-month contract, with one twelve-month renewal option, with The Family Place, Inc. to provide eligible Emergency Solutions Grant (ESG) essential services, shelter operations, and homeless prevention services to the homeless for the period October 1, 2012 through September 30, 2013 - Not to exceed \$147,450 - Financing: 2012-13 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2738

Item 16: Authorize **(1)** an Interlocal Agreement with Dallas County to accept monthly payments in the amount of \$83,333 for eleven months and a final payment in the amount of \$83,337 for the period October 1, 2012 through September 30, 2013, total amount not to exceed \$1,000,000, for providing homeless assistance services at the Bridge through the City's contractor, Bridge Steps; **(2)** the acceptance of a grant from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP) in an amount not to exceed \$746,202 for the period October 1, 2012 through September 30, 2013 and execution of the required grant agreements; and **(3)** a fifth amendment to the Management Services Contract, Phase II, with Bridge Steps to: **(a)** allow Bridge Steps to count both the Dallas County and TDHCA funds towards Bridge Steps' required contribution to the Bridge operating budget for the period October 1, 2012 through September 30, 2013, and **(b)** require Bridge Steps to comply with all conditions of the Interlocal Agreement and TDHCA grant agreements - Not to exceed \$1,746,202, from \$3,500,000 to \$5,246,202 - Financing: Current Funds (\$1,000,000) and Texas Department of Housing and Community Affairs Grant Funds (\$746,202)

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

NOVEMBER 14, 2012

12-2739

Item 17: Authorize acquisition of two vacant parcels located at 5414 Bexar Street and 2475 Anderson Street for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - Not to exceed \$55,000 (\$50,000 plus estimated closing costs and title expenses not to exceed \$5,000) - Financing: 2003-04 Community Development Block Grant Reprogramming Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2740

Item 18: Authorize **(1)** the acceptance of a grant from the Texas Commission on the Arts to provide cultural services for the period October 1, 2012 through September 30, 2013; and **(2)** execution of the grant agreement - Not to exceed \$36,150 - Financing: Texas Commission on the Arts Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2741

Item 19: An ordinance amending Chapter 5A of the Dallas City Code to match recent state law changes to provide a defense to motor vehicle idling restrictions if a vehicle has a gross vehicle weight rating over 14,000 pounds and is equipped with a heavy-duty diesel engine or a liquefied or compressed natural gas engine meeting certain qualifications - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28833

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2742

Item 20: Authorize adoption of the City of Dallas' State Legislative Program for the 83rd Session of the Texas State Legislature - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2743

Item 21: Authorize a personal services contract with Jesse Romero for state legislative services for the period October 1, 2012 through September 30, 2013 - Not to exceed \$15,000 - 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

NOVEMBER 14, 2012

12-2744

Item 22: Authorize a personal services contract with Kwame Walker for state legislative services for the period October 1, 2012 through September 30, 2013 - Not to exceed \$45,000 - 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

NOVEMBER 14, 2012

12-2745

Item 23: Authorize a personal services contract with Randy C. Cain for state legislative services for the period October 1, 2012 through September 30, 2013 - Not to exceed \$75,000 - 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

NOVEMBER 14, 2012

12-2746

Item 24: Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2012 through September 30, 2013 - Not to exceed \$86,250 - Financing: Water Utilities 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

NOVEMBER 14, 2012

12-2747

Trinity River Corridor Project
Legislative Services

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

Item 25: Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project for the period October 1, 2012 through September 30, 2013 - Not to exceed \$73,800 - 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

NOVEMBER 14, 2012

12-2748

Trinity River Corridor Project
Legislative Services

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

Item 26: Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project for the period October 1, 2012 through September 30, 2013 - Not to exceed \$43,650 - 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

NOVEMBER 14, 2012

12-2749

Item 27: Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2012 through September 30, 2013 - Not to exceed \$160,000 - 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

NOVEMBER 14, 2012

12-2750

Item 28: Authorize an Interlocal Agreement between the Dallas Independent School District (DISD) and the City of Dallas for the Provision of Enhanced Enrichment Programs at up to twenty-two DISD sites from the date of execution through June 30, 2015 - Estimated Revenue: \$441,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2751

Item 29: Authorize a twenty-year development maintenance agreement, with two, ten-year renewal options, between the City of Dallas and the Dallas United Crew Boathouse, LLC, a wholly owned subsidiary of Dallas United Crew, Inc. for the construction, renovation and operation and maintenance of a boathouse and other structures and improvements at White Rock Lake Park - Estimated Revenue: \$150,000

The city secretary requested that consent agenda item 29 be considered as an individual item to allow citizens to speak. Mayor Rawlings stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to the city secretary's request.

Councilmember Kadane requested that consent agenda item 29 be considered as an individual item. Mayor Rawlings stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

Later in the meeting, consent agenda item 29 was brought up for consideration.

The following individuals addressed the city council on the item:

Joe Gillum, 9230 W. Lake Highlands Dr.
Gary McDonnell, 1015 Erin Dr.
Belinda McDonnell, 1015 Erin Dr.
Jonathan Stevens, 711 S. Willomet Ave.
Julie Long-Sherrod, 540 Edgelake Dr.

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Caraway.

Councilmember Davis requested a record vote on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
NOVEMBER 14, 2012
12-2751
Page 2

Mayor Rawlings called the vote on Councilmember Kadane's 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

NOVEMBER 14, 2012

12-2752

Item 30: Authorize a five-year maintenance agreement between the City of Dallas and Belo Foundation, a Texas nonprofit corporation to provide supplemental maintenance for certain repairs, improvements and enhancements above the normal operating expenses for Belo Garden Park - Financing: No cost consideration to the City

Councilmember Hunt requested that consent agenda item 30 be considered as an individual item. Mayor Rawlings stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, consent agenda item 30 was brought up for consideration.

Councilmember Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2753

Item 31: Authorize a twelve-month funding agreement with **(1)** Dallas Arboretum and Botanical Society, Inc. in the amount of \$269,098; **(2)** Texas Discovery Gardens in the amount of \$95,862; and **(3)** Dallas County Audubon Society, Inc. dba Audubon Dallas for Cedar Ridge Preserve in the amount of \$33,949 to provide services and programs within the City of Dallas for the period October 1, 2012 through September 30, 2013 - Total not to exceed \$398,909 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2754

Item 32: Authorize Supplemental Agreement No. 1 to the professional services contract with Good Fulton & Farrell Architects for services, including specialty consultants for basic and enhanced commissioning of the building and conformity with City of Dallas Green Building Program and City of Dallas Energy Conservation Code for the Livestock Arena at Fair Park located at 1419 South Washington Avenue - Not to exceed \$53,400, from \$869,465 to \$922,865 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2755

Item 33: Authorize payment to the Dallas County Sheriff's Office to reimburse Dallas County for the Dallas County Highway Traffic Program for the period October 1, 2012 through September 30, 2013 - Not to exceed \$800,000 - Financing: Confiscated Monies 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

NOVEMBER 14, 2012

12-2756

Item 34: Authorize **(1)** an application for and acceptance of the 2010 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period April 1, 2010 through June 30, 2013; and **(2)** execution of the grant agreement - Not to exceed \$427,686, from \$824,027 to \$1,251,713 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2757

Item 35: Authorize a continuation of cooperative working agreements with various entities for the period September 28, 2012 through June 30, 2013 through the 2010 Internet Crimes Against Children Continuation Grant (list attached) - Total not to exceed \$126,500, from \$284,780 to \$411,280 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2758

Item 36: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of six, for the construction of street paving, storm drainage, water and wastewater main improvements for Street Group 06-450 (list attached) - Not to exceed \$2,767,919 - Financing: 2006 Bond Funds (\$2,188,307), Water Utilities Capital Construction Funds (\$16,972) and Water Utilities Capital Improvement Funds (\$562,640)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2759

Item 37: Authorize Supplemental Agreement No. 6 to the professional services contract with Hayden Consultants, Inc. for additional design of street paving, drainage, streetscape, and traffic signal upgrade for Continental Avenue from Core Street to IH 35E and Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad Project - Not to exceed \$109,118, from \$2,372,318 to \$2,481,436 - 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

NOVEMBER 14, 2012

12-2760

Item 38: Authorize a twelve-month Interlocal Agreement with Dallas County for participation in the Dallas Area Household Hazardous Waste Network collection program for the period of October 1, 2012 through September 30, 2013 with an option to extend the agreement for four additional twelve-month periods - Not to exceed \$745,824 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2761

Item 39: Authorize acquisition of approximately 206,057 square feet of land from Gloria Bradford Rice located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$33,408 (\$30,908 plus closing costs and title expenses not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2762

Item 40: Authorize an amendment to the contract/application for parking with Central Parking System to extend the contract for an additional four and one-half month period for the continued use of approximately 34 parking spaces within the Elm Street Parking Garage located at 2102 Elm Street near its intersection with Harwood Street by the Public Works Department for the period September 19, 2012 through January 31, 2013 - Total not to exceed \$13,035 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2763

Item 41: A resolution authorizing the conveyance of two easements containing a total of approximately 10,966 square feet of land to Oncor Electric Delivery Company, LLC to provide electric services to the Elm Fork Soccer Complex located near the intersection of Walnut Hill and Goodnight Lanes - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2764

Item 42: Authorize moving expense and rental assistance payments for Walter Waggoner and Connie Poindexter as a result of an official written offer of just compensation to purchase real property at 5811 West Kiest Boulevard for the Future Fire Station Project - Not to exceed \$12,220 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2765

Item 43: Authorize the quitclaim of 109 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$775,645

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2766

Item 44: An ordinance abandoning a portion of a water easement to the Estate of John Allen Curtis, the abutting owner, containing approximately 2,492 square feet of land located near the intersection of Manning Lane and Manchester Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28834

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2767

Item 45: Authorize **(1)** execution of a Cooperating Technical Partners (CTP) Agreement with the Federal Emergency Management Agency (FEMA) for FY 2012-2013 to provide cost share for updating certain flood studies in the City of Dallas; **(2)** the receipt and deposit of funds from FEMA in an amount not to exceed \$300,000; **(3)** an increase in appropriations in the amount of \$300,000 in the FEMA Cooperating Technical Partnership Funds; and **(4)** Supplemental Agreement No. 2 with Halff Associates, Inc. in the amount of \$620,000, from \$1,786,500 to \$2,406,500, for updating certain flood studies in accordance with the Cooperating Technical Partners (CTP) Agreement with the FEMA for Fiscal Year 2012-13 - Total not to exceed \$620,000 - Financing: Storm Drainage Management Funds (\$320,000) and FEMA Cooperating Technical Partnership Funds (\$300,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2768

Item 46: A resolution authorizing the sale of approximately 107 linear feet of City-owned land located near the intersection of IH-30 and Hotel Street to the Texas Department of Transportation - Revenue: \$1,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2769

Item 47: Authorize an increase in the contract with Austin Filter Systems Inc. for erosion control improvements to provide additional gabion retaining wall and blankets, to include a portion of the creek not in the original contract, and additional work necessary due to a water line break (list attached) - Not to exceed \$132,161, from \$965,529 to \$1,097,690 - Financing: 2006 Bond Funds (\$73,720) and Water Utilities Capital Improvement Funds (\$58,441)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2770

Item 48: Authorize a contract for the construction of grit removal and screening improvements at the Central Wastewater Treatment Plant - Cardinal Contractors, Inc., lowest responsible bidder of five - Not to exceed \$20,948,000
- Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2771

Item 49: Authorize an increase in the contract with DCI Contracting, Inc. for additional work associated with the construction of approximately 1,616 linear feet of concrete trail for the completion of the Trinity Trails Phase Two improvements - Not to exceed \$82,499, from \$3,705,675 to \$3,788,174 - Financing: 1998 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

NOVEMBER 14, 2012

12-2772

Lake Fork Pump Station

Note: Item Nos. 50 and 51
must be considered collectively.

Item 50: Authorize an increase in the contract with BAR Constructors, Inc. for additional work associated with the construction of the Lake Fork Pump Station - Not to exceed \$4,112,949, from \$50,052,400 to \$54,165,349 - Financing: Water Utilities Capital Improvement Funds (\$2,102,960 to be reimbursed by Jacobs Engineering Group)

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

NOVEMBER 14, 2012

12-2773

Lake Fork Pump Station

Note: Item Nos. 50 and 51
must be considered collectively.

Item 51: Authorize Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group Inc. to: **(1)** provide construction management and inspection services required for the additional work related to the construction of the Lake Fork Pump Station in the amount of \$799,820; **(2)** fund the maintenance and upkeep services during the re-evaluation and re-design process of the pump station in the amount of \$470,288; and **(3)** accept \$2,102,960 from Jacobs Engineering Group, Inc as compensation for alleged errors and omissions related to the original design of the pump station - Not to exceed \$1,270,108, from \$9,516,275 to \$10,786,383 - Financing: Water Utilities Capital Improvement Funds

Corrected on the addendum.

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

NOVEMBER 14, 2012

12-2774

12-2775

Item ~~53~~ 52: 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)

Corrected on the addendum.

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 NOVEMBER 14, 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 Hasani Burton, Historic Preservation, and Ted Campbell, Historian, to the Landmark Commission; and Heather Douglass, Registered Voter of Dallas County, to the Reinvestment Zone Eight Board (Design District).

Motion seconded by Councilmember Alonzo and unanimously adopted.

Mayor Pro Tem Medrano moved to appoint nominees to "individual appointment" positions 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 Alonzo and unanimously adopted.

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

12-5268 CDC COMMUNITY DEVELOPMENT COMMISSION

12-5269 CSX CIVIL SERVICE BOARD ADJUNCT MEMBERS

12-5270 LMC LANDMARK COMMISSION

12-5271 MLB MUNICIPAL LIBRARY BOARD

12-5272 RZ08 REINVESTMENT ZONE EIGHT BOARD (DESIGN DISTRICT)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2776

Item 53: Receive the report of the Ad Hoc City Council Canvassing Committee and adopt a resolution and order accepting the canvassing committee's report declaring the results of the November 6, 2012 election for the purpose of authorizing general obligation bonds by the qualified voters of the City for funding street improvements, flood protection and storm drainage facilities, and economic development programs - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Atkins moved to defer the item until the Special City Council Meeting to be scheduled by Mayor Rawlings for Monday, November 19, 2012.

Motion seconded by Councilmember Margolin and unanimously adopted.

***Note:** When asked, the city secretary confirmed the election results still had to be received from Dallas and Denton Counties thus the need to reschedule the canvass.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2777

Item 54: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Richard Whitehead of approximately 1,808 square feet of land located near the intersection of Elm and Washington Streets for the CBD Fair Park Link Project - Not to exceed \$51,466 (\$49,466 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2003 Bond Funds

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire, from *Richard Whitehead* a tract of land containing approximately 1,808 square feet of land located at 3707 Elm Street near the intersection of Elm and Washington Streets in City of Dallas Block 835, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to CBD Fair Park Link Project.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway.

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

Voting Yes:	[12]	Medrano, Atkins, Jasso, Griggs, Caraway, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin
Voting No:	[0]	
Absent when vote taken:	[3]	Rawlings, Hill, Hunt
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2778

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 55: Authorize a six-month professional services contract for planning related to water infrastructure analysis in the Lancaster Corridor - Freese and Nichols, Inc., most advantageous proposer of nine - Not to exceed \$136,100 - Financing: U.S. Department of Housing and Urban Development 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 Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2779

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 56: Authorize a public hearing to be held on December 12, 2012 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 79 located at 2154 Royal Lane, Dallas, Texas; and at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 79; **(2)** a 75 percent real property tax abatement for ten years with 321 Commercial Avenue, LLC and 329 Commercial Avenue, LLC; and **(3)** a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with 321 Commercial Avenue, LLC or 329 Commercial Avenue, LLC in an amount up to \$575,000 associated with expanding the company's existing operations and the development of a new mixed-use project located at 2144-2154 Royal Lane in Dallas - 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 Alonzo moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2780

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 57: Authorize a public hearing to be held on December 12, 2012 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: **(1)** create two sub-districts within the City Center TIF District: **(a)** City Center Sub-district (original district boundary) and **(b)** Lamar Corridor/West End Sub-district; **(2)** increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; **(3)** extend the current termination date of the City Center TIF District from December 31, 2012 to December 31, 2022 for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; **(4)** decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; **(5)** increase the City Center TIF District's budget from \$87,567,717 total dollars to \$151,968,546 total dollars, an increase of \$75,599,171; and **(6)** make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and at the close of the hearing consideration of an ordinance amending Ordinance No. 22802, previously approved on June 26, 1996, and Ordinance No. 23034, previously approved on February 12, 1997, as amended, to reflect these amendments - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2781

DESIGNATED PUBLIC SUBSIDY MATTERS

Cypress Waters TIF District

Note: Item Nos. 58 and 59
must be considered collectively.

Item 58: Authorize **(1)** a development agreement with Billingsley LD, Ltd., to dedicate future TIF revenues for TIF eligible project costs related to the Cypress Waters Phase 2 development located at the northeast quadrant of South Belt Line Road and Hackberry Road in Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District); and **(2)** the Cypress Waters TIF District Board of Directors to dedicate an amount not to exceed \$6,522,398 plus an additional grant in an amount not to exceed five percent per year of such dedication as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan - Not to exceed \$6,522,398 - Financing: Cypress Waters TIF District Funds

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

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

Councilmember Alonzo moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2782

DESIGNATED PUBLIC SUBSIDY MATTERS

Cypress Waters TIF District

Note: Item Nos. 58 and 59
must be considered collectively.

Item 59: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District) to reimburse Billingsley LD, Ltd., a principal amount not to exceed \$6,522,398 plus an additional grant in an amount not to exceed five percent per year of such dedication, as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan and related to the Cypress Waters Phase 2 development located at the northeast quadrant of South Belt Line Road and Hackberry Road in the Cypress Waters TIF District - Financing: No cost consideration to the City

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

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

Councilmember Alonzo moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2783

DESIGNATED PUBLIC SUBSIDY MATTERS

Oak Cliff Gateway TIF District

Note: Item Nos. 60 and 61
must be considered collectively.

Item 60: Authorize (1) a development agreement with ATA Apartments Limited Partnership and/or its affiliates in an amount not to exceed \$4,000,000, payable from future Oak Cliff Gateway TIF District funds in consideration of the development of Alexan Trinity in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and (2) the Oak Cliff Gateway TIF District Board of Directors to dedicate up to \$4,000,000 from future Oak Cliff Gateway TIF District revenues in accordance with the development agreement - Not to exceed \$4,000,000 - Financing: Oak Cliff Gateway TIF District Funds

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

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

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Jasso and Councilmember Alonzo and unanimously adopted. (Caraway, Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2784

DESIGNATED PUBLIC SUBSIDY MATTERS

Oak Cliff Gateway TIF District

Note: Item Nos. 60 and 61
must be considered collectively.

Item 61: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to reimburse ATA Apartments Limited Partnership up to \$4,000,000 for TIF eligible expenditures related to the development of Alexan Trinity in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

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

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

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Jasso and Councilmember Alonzo and unanimously adopted. (Caraway, Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2785

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 62: Authorize the City's participation by providing to The HOFD, Incorporated an economic development grant pursuant to our Public/Private Partnership program for participating universities from the Big Ten, Big 12 or Conference USA subject to the annual New Year's Day Bowl Game being played at the Cotton Bowl, \$400,000 in 2013, 2014, 2015, 2016, 2017, and 2018 - Financing: Current Funds (subject to annual appropriations)

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

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2786

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 63-66, was presented for consideration.

- Agenda item 63: Zoning Case Z112-253(RB)
- Agenda item 64: Zoning Case Z112-277(MW)
- Agenda item 65: Zoning Case Z112-302(MW)
- Agenda item 66: Zoning Case Z112-271(RB)

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

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

Motion seconded by Councilmember Margolin and unanimously adopted. (Medrano, Griggs, Hill, Koop, Greyson, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2787

Item 63: Zoning Case Z112-253(RB)

The consent zoning docket, consisting of agenda items 63-66, was presented for consideration.

A public hearing was called on zoning case Z112-253(RB), regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 351 for a Day care center, Nursing home, Residence home for the aging, Child care institution, Health center, and Community Center on property zoned an MF-2(A) Multifamily District and a D(A) Duplex District in an area generally bounded by Fulton Street, Reiger Avenue, Juliette Fowler Street and Santa Fe Avenue

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

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. 28835

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2788

Item 64: Zoning Case Z112-277(MW)

The consent zoning docket, consisting of agenda items 63-66, was presented for consideration.

A public hearing was called on zoning case Z112-277(MW), regarding an application for and a resolution accepting an amendment to deed restrictions volunteered by the applicant on property zoned an MU-1 (SAH) Mixed Use District (Affordable) with Specific Use Permit No. 1454 for a detached non-premise sign on the northeast corner of LBJ Freeway and Meandering Way

(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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2789

Item 65: Zoning Case Z112-302(MW)

The consent zoning docket, consisting of agenda items 63-66, was presented for consideration.

A public hearing was called on zoning case Z112-302(MW), regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property within Planned Development District No. 37 on the west corner of Hargrove Drive and Sheila Lane

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

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. 28836

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2790

Item 66: Zoning Case Z112-271(RB)

The consent zoning docket, consisting of agenda items 63-66, was presented for consideration.

A public hearing was called on zoning case Z112-271(RB), regarding an application for and an ordinance granting an amendment to the development plan, landscape plan and conditions for Planned Development District No. 490 on the southeast corner of Ferguson Road and Peavy Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28837

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2791

Item 67: Zoning Case Z112-292(JH) - INDIVIDUAL

A public hearing was called on zoning case Z112-292(JH), regarding an application for a Planned Development District for CR Community Retail District uses on property zoned a CR Community Retail District on the north side of West Camp Wisdom Road and the west side of Del Rey Drive with consideration given to and an ordinance granting a Specific Use Permit for an open-enrollment charter school

(The staff recommended Approval of a Specific Use Permit for an open-enrollment charter school for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions in lieu of a Planned Development District and cpc recommended Approval of a Specific Use Permit for an open-enrollment charter school for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions in lieu of a Planned Development District)

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

Kirk Williams, 17318 Club Hill Dr., representing the applicant

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

Deputy Mayor Pro Tem Atkins moved to close the public hearing and follow the city plan commission's recommendation for approval of SUP No. 1995 for a 20-year period with eligibility for automatic renewal for additional ten-year periods.

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

Assigned ORDINANCE NO. 28838

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2792

Item 68: Zoning Case Z112-293(MW) - INDIVIDUAL

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

A public hearing was called on zoning case Z112-293(MW), regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store of 3,500 square feet or less on property zoned Subarea 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the southeast corner of South Buckner Boulevard and Jennie Lee Lane

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

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

Robert Lee Nichols Sr., 2423 S. Buckner Blvd., representing Christ Holy Temple Church

Richard Reyes, 2222 N. St. Augustine, representing Christ Holy Temple Church

William Hopkins, 2011 Leath St.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-2792

Page 2

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

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

Assigned ORDINANCE NOS. 28839 AND 28840

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2793

Item 69: Zoning Case Z112-295(MW) - INDIVIDUAL

A public hearing was called on zoning case Z112-295(MW), regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1926 for the sale of alcoholic beverages in conjunction with a general merchandise or food store of 3,500 square feet or less on property zoned Subarea 5 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the southwest corner C.F. Hawn Freeway and Great Trinity Forest Way

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

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

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

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

Assigned ORDINANCE NO. 28841

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2794

Item 70: Zoning Case Z112-289(MW) - UNDER ADVISEMENT - 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 city plan commission Approval, subject to deed restrictions volunteered by the applicant)

Note: This item was considered by the City Council at a public hearing on October 24, 2012, and was taken under advisement until November 14, 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:

Mark Weatherford, 6731 Northport Dr., representing BW Liberty, LLC

Councilmember Hunt moved to close the public hearing, accept the recommendation of the city plan commission with the ordinance and deed restrictions to return on the December 12, 2012 voting agenda of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2795

DESIGNATED ZONING CASES - INDIVIDUAL

Item 71: A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an R-7.5(A) Single Family District and a CR Community Retail District on the northwest corner of Northwest Highway and West Lawther Drive

(The staff and city plan commission recommended Approval, subject to a development 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 or in favor of the city plan commission's recommendation.

Councilmember Kadane 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. (Medrano, Hill, Hunt absent when vote taken)

Assigned ORDINANCE NO. 28842

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2796

DESIGNATED ZONING CASES - INDIVIDUAL

Item 72: 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)

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 in opposition to the item:

Matthew Johnson, 4422 Somerville Ave.
Stephen Yervasi, 6173 Anita St.
Chris Mazzini, 6410 Northhaven Rd., representing Terrace HOA Condominiums
Jason Panko, 4342 Delmar Ave.

The following individuals addressed the city council in favor of the item:

Jonathan Vinson, 6342 Vickery Blvd., representing JLB Partners
Paul Johnston, 909 Lake Carolyn Pkwy., Irving, TX
Larry Good, 3601 Overbrook Dr.
Charles Pappas, 6155 Sudbury Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-2796

Page 2

Deputy Mayor Pro Tem Atkins allowed Christina Yampanis to read the names of individuals in favor of the item for the record:

Sarah Andry	Lisle Vaughn
Judy Baum	Sharon Vaughn
Thaddeus Beckner	Helen Yampanis
Cris Brockles	Tina Yampanis
C.T. Cadenhead	Anne Andrews
Marie Cadenhead	Carlo & Jody Angelo
Carolyn Contreas	Ross Angelo
Yvette Gross	William & Gayle Barker
Scott Harper	Megan Park
Janice Jackson	Kim & Louis Broughton
Will Jackson	Melinda Cain
Jimmy Janavaris	Frank & Carol Campise
Justin Janavaris	Charlie & Susan Cooper
Jane Kemp	Dewey & Jessica Dalton
Darlene Marsh	Alejandro & Susan Delacerda
Angel Pappas	Rod & Ann Gabel
Charles Pappas	Scott & Ann Harper
Christina Pappas	Marilyn Hilbert
Jean Rollow	Judy Lambert
Cecily Saldanan	Tony & Angela Mendoza
Gail Taylor	

Councilmember Hunt moved to close the public hearing and follow the city plan commission's recommendation to approve with the following change:

- The façade of an aboveground parking structure that faces the northern or western property line of Subarea D must be constructed of brick, concrete, or stone with solid screening at least 42 inches in height from each floor level within the parking structure to screen vehicles and vehicle headlights. Openings in the façade above the 42 inch solid screening must be covered with architectural grill work or other visual screening materials that provide ventilation and screening of vehicles, headlights, and lighting interior to the parking structure. Cable guard strands and chain link fencing that are visible from the exterior of the parking structure are prohibited on the northern or western façade in Subarea D.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-2796

Page 3

- In order to visually screen a parking structure from the southern boundary of this district, the parking structure must be interior to and concealed by a structure containing floor area for a multifamily use. The multifamily structure must screen the parking structure from view at the southern boundary at grade.
- Vehicular access to Skillman Street is prohibited.
- Parking garages are exempt from the maximum stories requirement, but must comply with the maximum height requirement.

Motion seconded by Councilmember Jasso and Councilmember Koop.

Councilmember Davis requested the following individual address the city council on the item:

Norma Minnis, 9729 Van Dyke Rd.

After discussion, Deputy Mayor Pro Tem Atkins called the vote on the motion.

Deputy Mayor Pro Tem Atkins declared the motion adopted. (Rawlings, Medrano, Caraway, Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 28843

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2797

Item 73: A public hearing 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 storm sewer pipe and outfall wastewater line to serve adjacent storm water runoff needs; and at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2798

Addendum addition 1: An ordinance abandoning portions of Jack Evans, Federal, Hawkins, Routh, and Leonard Streets to Spire Development Holdings, LLC, the abutting owner, containing a total of approximately 43,748 square feet of land located near the intersection of San Jacinto and Hawkins Streets, authorizing the quitclaim and providing for the dedication of approximately 15,362 square feet of land needed for right-of-way - Revenue: \$1,887,669 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28844

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 14, 2012

12-2799

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 2: Authorize (1) preliminary adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of \$400,000; (2) an increase in appropriations in the amount of \$400,000, from \$3,400,000 to \$3,800,000 to be used for similar eligible activities; and (3) a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1 - 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 Margolin moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 14, 2012

EXHIBIT C