

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 12, 2012

12-2960

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

PRESENT: [15] Rawlings, Medrano, Atkins, Jasso, Griggs (*9:12 a.m.), Caraway (*9:25 a.m.), Hill, Alonzo, Davis (*9:07 a.m.), Kadane (*9:07 a.m.), Allen, Koop, Greyson (*9:15 a.m.), Margolin, Hunt (*9:23 a.m.)

ABSENT: [0]

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

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

The invocation was given by Pastor Robert Williams of Church of Nazarene.

Councilmember Koop led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 4:49 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, DECEMBER 12, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 12, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2961

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: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: Believers
SUBJECT: 12/21/12 No Worlds End. A New Age!

SPEAKER: Tom Gibbons, 5029 Live Oak St.
SUBJECT: Police reports/arrest

SPEAKER: Carlos Marroquin, 2639 Walnut Hill
REPRESENTING: SEIU Local 5
SUBJECT: End of Year Thank You

SPEAKER: Scott Limb, 969 S. Lamar St.
SUBJECT: Scott's Liquor parking problem

SPEAKER: Archie Saul, 496 Justice St., Cedar Hill, TX
SUBJECT: Scott's Liquor parking problem

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Joyce Cammerino, 10408 Mapleridge Dr. (handouts provided)
SUBJECT: Steam engine car invention

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
12-2961
Page 2

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

SPEAKER: Robert Ceccarelli, 1828 Norwood Dr.
REPRESENTING: Homeless & DISD Teachers
SUBJECT: City Council/The Bridge

SPEAKER: LaKolya London, 1753 Mockingbird Ln.
SUBJECT: Multiple topics

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Season's Greetings

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2962

Item 1: Approval of Minutes of the November 14, 2012 City Council Meeting and the November 19, 2012 Special Called City Council Meeting

Councilmember Kadane moved to adopt the minutes of the November 14, 2012 City Council Meeting with the correction to agenda item 6 to correct the typographical error on the award amount to Winfield Solutions, LLC being \$309,866 not \$3,096,866.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2963

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-44 and addendum addition consent agenda items 1-26, 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 6, 15, 16, 17, 18 and addendum addition consent agenda items 13, 14 and 15. Mayor Rawlings stated the speaker would be allowed to speak on consent agenda items 6, 15, 16, 17, 18, and addendum addition consent agenda items 13, 14 and 15, 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 20 be considered as an individual item. Mayor Rawlings stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' request.

Councilmember Jasso requested that addendum addition consent agenda item 7 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Jasso's request.

Councilmember Griggs requested that addendum addition consent agenda items 7 and 25 be considered as individual items. Mayor Rawlings stated that addendum addition consent agenda items 7 and 25 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Griggs' request.

Councilmember Greyson requested that addendum addition consent agenda items 21, 22, 23, 24 and 25 be considered as individual items. Mayor Rawlings stated that addendum addition consent agenda items 21, 22, 23, 24 and 25 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Caraway moved to adopt all items on the consent agenda with the exception of consent agenda item 20 and addendum addition consent agenda items 7, 21, 22, 23, 24 and 25, which would be considered later in the meeting.

Motion seconded by Councilmember Jasso and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2964

Item 2: Authorize a consultant contract for the development of a business technology master plan for Water Utilities - EMA, Inc., most advantageous proposer of eight - Not to exceed \$499,755 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2965

Item 3: Authorize a service contract for the overhaul and repair of two chainbelt traveling filter screens for the pump station located at Lake Ray Hubbard - Screening Systems International, Inc., lowest responsible bidder of three - Not to exceed \$261,636 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2966

Item 4: Authorize a three-year service contract for maintenance and support of help desk management software - Verdtek, Inc., lowest responsible bidder of two - Not to exceed \$177,663 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2967

Item 5: Authorize a three-year service contract for the removal and disposal of waste collected in sand traps, grease traps, interceptors and septic tanks - PSC Recovery Systems, LLC in the amount of \$325,607 and Liquid Environmental Solutions of Texas, LLC in the amount of \$289,350, lowest responsible bidders of two - Total not to exceed \$614,957 - Financing: Current Funds (\$409,606) and Aviation Current Funds (\$205,351) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2968

Item 6: Authorize a five-year service contract for online language learning at the libraries - Creative Empire, LLC dba Mango Languages, most advantageous proposer of two - Not to exceed \$143,000 - Financing: Current Funds (subject to annual appropriations)

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

DECEMBER 12, 2012

12-2969

Item 7: Authorize **(1)** a service contract for software upgrade of the food establishment permitting system for Code Compliance Services Department in the amount of \$15,790; and **(2)** a five-year service and maintenance agreement in the amount of \$92,682 - Decade Software Company, LLC, Sole Source - Total not to exceed \$108,472 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2970

Item 8: Authorize a three-year master agreement for airfield lighting, parts and accessories - ADB Airfield Solutions, LLC in the amount of \$656,883, Genesis Lamp Corp. in the amount of \$16,576 and Globe Electric Supply Co., Inc. in the amount of \$1,365, lowest responsible bidders of three - Total not to exceed \$674,824 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2971

Item 9: Authorize a five-year master agreement for the purchase of Jet "A" fuel for the Police helicopter division - Eastern Aviation Fuels, Inc., lowest responsible bidder of three - Not to exceed \$1,366,689 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2972

Item 10: Authorize the purchase and installation of an industrial rated modular office building - Palomar Modular Buildings, LLC, lowest responsible bidder of six - Not to exceed \$162,389 - Financing: Stormwater Drainage Management Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2973

Item 11: Authorize the purchase, installation and warranty of three x-ray inspection systems for the municipal court facility located at 2014 Main Street - Smiths Detection, Inc., through the Texas Multiple Award Schedule - Not to exceed \$120,879 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2974

Item 12: Authorize settlement of a lawsuit styled City of Dallas v. Michael W. Brandt and M.W.B Enterprises, Inc., Cause No. cc-09-03725-c, pending in County Court at Law No. 3, to acquire from defendants a tract of land containing approximately 1,460 square feet located near the intersection of Brockbank and Wheelock Streets - Not to exceed \$67,605 (\$66,500 plus closing costs and title expenses not to exceed \$1,105) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2975

Item 13: Authorize acceptance of the Alternative Fuel Vehicle Grant through the office of the State Comptroller of Public Accounts, State Energy Conservation Office to reimburse incremental costs associated with the purchase of ten alternative fuel vehicles - Not to exceed \$50,000 - Financing: Alternative Fuel Vehicle Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2976

- Item 14: Ratify the rental of two street sweepers used to sweep dust and debris from City streets in the Central Business District (CBD) from April 2012 through September 2012 - Kinloch Equipment and Supply, Inc. - Not to exceed \$90,697
- Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2977

Item 15: Authorize a twelve-month contract with Senior Citizens of Greater Dallas, Inc. to provide Senior Service programs for seniors aged 60 and above in the following three categories: **(1)** Senior Outreach Program in West Oak Cliff Area; **(2)** Nursing Home Ombudsman Program; and **(3)** Outreach and Case Management Program with special emphasis on Spanish-speaking seniors for the period October 1, 2012 through September 30, 2013 - Not to exceed \$88,000 - 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

DECEMBER 12, 2012

12-2978

Item 16: Authorize a contract with Community Dental Care, Inc. for the continuation of dental health services to low/moderate income seniors aged 60 and above and children through age 19 residing in Dallas for the period October 1, 2012 through September 30, 2013 - Not to exceed \$200,000 - Financing: 2012-13 Community Development Block Grant Funds (\$100,000) and Current Funds (\$100,000)

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

DECEMBER 12, 2012

12-2979

Item 17: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City
- Financing: No cost consideration to the City

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

DECEMBER 12, 2012

12-2980

Item 18: Authorize acquisition of two parcels located at 6309 Municipal Street and 6310 Canaan Street for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - Not to exceed \$29,000 (\$24,000 plus estimated closing costs and title expenses not to exceed \$5,000) - Financing: 2003-04 Community Development Block Grant Reprogramming 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

DECEMBER 12, 2012

12-2981

- Item 19: Authorize **(1)** an increase in benefits under the health benefits plan to provide first dollar coverage for specified Current Procedural Terminology codes for urgent care at Concentra clinics within the Dallas Metroplex effective January 1, 2013 and adjust the benefits plan to ensure consistency in benefits amongst all plans as previously approved by Council; **(2)** a Master Plan Document that includes all of the separate health benefit plans for the City employees and their families including the cafeteria plan, health plans, dental and vision plans; and **(3)** a Master Plan Document that includes all of the separate health benefit plans for retirees and their families including the self-insured health plans, insured Medicare Supplement Plans, Medicare Advantage Plans, Prescription Drug Plans, dental and vision - Total cost is based on the number of employees/retiree participants in the plan - Financing: Employee Benefits Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2982

Item 20: Authorize **(1)** an agreement and other related documents with Concentra Health Services, Inc., and UnitedHealthcare for urgent care at Concentra clinics within the Dallas Metroplex; **(2)** an increase in benefits under the health benefits plan to provide first dollar coverage for specified Current Procedural Terminology codes for urgent care at Concentra clinics within the Dallas Metroplex effective January 1, 2013; and **(3)** a four-year service contract, with two one-year renewal options, to operate and manage an on-site medical clinic at City Hall - Concentra Health Services, Inc., most advantageous proposer of five - Not to exceed \$2,388,052 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

Deputy Mayor Pro Tem Atkins requested that consent agenda item 20 be considered as an individual item. Mayor Rawlings stated that consent agenda item 20 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 20 was brought up for consideration.

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

DECEMBER 12, 2012

12-2983

Item 21: Authorize a contract with Dallas Area Rapid Transit for the purchase of 343 annual passes in support of the City's clean air initiative - Not to exceed \$223,200 - Financing: Current Funds (to be reimbursed by participating employees)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2984

Item 22: Authorize a public hearing to be held on January 9, 2013 to receive comments on declaring Maryland Park unneeded and unwanted as a municipal park and the proposed sale of the park as surplus property located at 3925 Maryland Avenue and containing approximately 12,000 square feet - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2985

Item 23: Authorize an application for and acceptance of the 2012-14 Bulletproof Vest Partnership Grant from the U.S. Department of Justice, Office of Justice Programs for partial reimbursement of approved bulletproof vest purchases for the period April 1, 2012 through August 31, 2014 - Not to exceed \$80,572 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2986

Item 24: Authorize **(1)** a contract with Munilla Construction Management, LLC d/b/a MCM, lowest responsible bidder of two, for the construction of Runway Safety Area Enhancement, Phase 2; Joint Reseal and Pavement Rehabilitation of Runway 13L/31R; reconstruction of Taxiway "A", "B" and "D"; and shoulder reconstruction of Taxiway "A", "B" and "M" Projects at Dallas Love Field in an amount not to exceed \$16,501,986; and **(2)** an increase in appropriations in the amounts of \$12,813,584 in the Aviation Administration Airport Improvement Program Grant Fund and \$5,638,402 in the Aviation Capital Construction Fund for construction, testing, and other contract administration costs - Not to exceed \$16,501,986 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$11,838,584) and Aviation Capital Construction Funds (\$4,663,402)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2987

Item 25: Authorize an increase in the contract with SYB Construction Company, Inc. to extend the original street paving and water and wastewater main replacement limits for Street Reconstruction Group 06-612 on Bexar Street from Brigham Lane to Myrtle Street and Myrtle Street from Lawrence Street to Marder Street - Not to exceed \$122,564, from \$1,451,839 to \$1,574,403 - Financing: 2006 Bond Funds (\$39,659), Water Utilities Capital Construction Funds (\$2,148) and Water Utilities Capital Improvement Funds (\$80,757)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2988

Item 26: Authorize **(1)** the receipt and deposit of funds in the amount of \$52,114 from Southern Methodist University for the relocation of a traffic signal cabinet and cabling for the traffic signal located on North Central Expressway at SMU Boulevard; and **(2)** an increase in appropriations in the amount of \$52,114 in the Capital Projects Reimbursement Fund - Not to exceed \$52,114 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2989

Item 27: Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersection of Preston Road and Royal Lane; and **(2)** the establishment of appropriations in the amount of \$19,306 in the Texas Department of Transportation Grant Fund - Not to exceed \$19,306 - Financing: Texas Department of Transportation Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2990

Item 28: Authorize the acquisition of approximately 37,717 square feet of land from Dallas/Fort Worth International Airport located near the intersection of Freeport Parkway and Airfield Drive for relocation of a 30" water main - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2991

Item 29: Authorize acquisition from Joseph Pflanzler, individually and as Trustee of the Evelyn Pflanzler Testamentary Trust, of approximately 20,474 square feet of land located near the intersection of Cedar Hill and Joe Wilson Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$25,000 (\$20,474 plus closing costs and title expenses not to exceed \$4,526) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2992

Item 30: Authorize acquisition from 7586 Mountain Creek Parkway, LLC of approximately 32,576 square feet of land near the intersection of Mountain Creek Parkway and Clark Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$133,116 (\$130,304 plus closing costs and title expenses not to exceed \$2,812) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2993

Item 31: Authorize acquisition from W. A. Ridge Ranch, LLC of approximately 51,931 square feet of land near the intersection of Lawson and Cartwright Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$161,763 (\$159,062 plus closing costs and title expenses not to exceed \$2,701) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2994

Item 32: Authorize acquisition from Dallas Arboretum & Botanical Society, Inc. of approximately 8,877 square feet of land located near the intersection of Garland Road and Gaston Parkway for the Dallas Arboretum - Not to exceed \$227,360 (\$225,000 plus closing costs and title expenses not to exceed \$2,360) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2995

Item 33: Authorize **(1)** the quitclaim of 1502 Pennsylvania Avenue acquired by the taxing authorities from the Sheriff's Sale to In the City for Good, Inc.; and **(2)** an agreement with In the City for Good, Inc. for the remediation and renovation of the property for the expansion and operation of a community food pantry and related facilities, programs and services - Revenue: \$1,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2996

Item 34: A resolution authorizing the conveyance of an access easement containing approximately 7,188 square feet of land to First State Bank for the use of a paved driveway across City-owned land located in Kaufman County - Revenue: \$7,188

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2997

Item 35: Authorize a five-year extension of the lease agreement with Miller and Brewer Properties, Inc. for approximately 73,900 square feet of office and warehouse space located at 4120, 4201 and 4236 Scottsdale Drive for the Water Utilities Distribution Division for the period January 1, 2013 through December 31, 2017 - Total not to exceed \$2,316,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2998

Item 36: An ordinance granting a private license to Southern Methodist University for approximately 1,054 square feet of land to install, maintain and use a subsurface duct bank for power and data lines under a portion of Mockingbird Lane located near its intersection with Airline Road - Revenue: \$2,656 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28845

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-2999

Item 37: An ordinance abandoning a retaining wall easement to Alamo-VP Apartments, LLC, the abutting owner, containing approximately 101 square feet of land located near the intersection of Harry Hines Boulevard and Hunt Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28846

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3000

Item 38: An ordinance abandoning a portion of an alley to 1510 Stevens Inc., f/k/a Dallas Unique Indoor Comfort, Inc., the abutting owner, containing approximately 52 square feet of land located near the intersection of Stevens Street and Hermosa Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28847

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3001

Item 39: An ordinance abandoning a portion of Hardy Road to American Brownfield MCIC, LLC, the abutting owner, containing approximately one acre of land located near the intersection of Hardy Road and Lake Crest Drive - Revenue: \$18,374 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28848

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3002

Item 40: An ordinance abandoning a portion of Race Street to Westdale Properties America I, Ltd., the abutting owner, containing approximately 3,871 square feet of land located near the intersection of Elm and Race Streets and authorizing the quitclaim - Revenue: \$32,904 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28849

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3003

Item 41: Authorize moving expense and replacement housing payment for Mr. Detroit Michigan Packer as a result of an official written offer of just compensation to purchase real property at 5122 Colonial Avenue for the Trinity Parkway Project to be used in conjunction with the Trinity Corridor Project - Not to exceed \$43,600 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3004

Item 42: Authorize an increase in the construction contract with MACVAL Associates, LLC for the repair of storm sewer pipe, mill and overlay of the roadway of Kiest Meadow Drive, add flex base to the Indian Ridge alley on top of the compacted soil, add reinforced concrete channel lining and other miscellaneous items needed to complete the project - Not to exceed \$242,160, from \$950,380 to \$1,192,540 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3005

Item 43: Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for relocation of two fire hydrants and routine water and wastewater main appurtenance adjustments in SH 289 (Preston Road) at Royal Lane - Not to exceed \$27,143 - Financing: Water Utilities Capital Construction Funds (\$4,685) and Water Utilities Capital Improvement Funds (\$22,458)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3006

Item 44: Authorize Supplemental Agreement No. 1 to the Concession Agreement between the City of Dallas and Suntex RHCC Marina LLC for a period of ten years - Estimated Annual Revenue: \$30,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3007

Item 45: 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)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3008

Item 46: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jamie Apolinar of approximately 57,551 square feet of land for a wastewater easement and approximately 52,159 square feet of land for a temporary working space easement located near the intersection of Ravenview Road and Smoke Tree Lane for the Hickory Creek Wastewater Main Replacement Project - Not to exceed \$10,000 (\$8,468 plus closing costs and title expenses not to exceed \$1,532) - Financing: Water Utilities Capital Construction Funds

Mayor Rawlings announced the city secretary would read items 46-50 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

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 *Jamie Apolinar* approximately 57,551 square feet of land for a wastewater easement and 52,159 square feet of land for a temporary working space easement, located near the intersection of Ravenview Road and Smoke Tree Lane in City of Dallas Blocks 8796 and 8798, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the Hickory Creek Wastewater Main Replacement Project.

Councilmember Alonzo moved to adopt agenda items 46-50.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the vote on Councilmember Alonzo's motion to adopt agenda items 46-50:

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

DECEMBER 12, 2012

12-3009

Item 47: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Shero Industrial Properties, LP of approximately 2,157 square feet of land located near the intersection of Cadiz Street and Riverfront Boulevard for the Cadiz Street Improvement Project - Not to exceed \$30,259 (\$27,759 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read items 46-50 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

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 *Shero Industrial Properties, LP*, a tract of land containing approximately 2,157 square feet of land located near the intersection of Cadiz Street and Riverfront Boulevard in City of Dallas Block 418, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the street improvements to Cadiz Street.

Councilmember Alonzo moved to adopt agenda items 46-50.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the vote on Councilmember Alonzo's motion to adopt agenda items 46-50:

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

DECEMBER 12, 2012

12-3010

Item 48: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from David W. Anderson and Jacquelyn H. Anderson of approximately 246 square feet of land located near the intersection of Joe Field Road and Emerald Street for the Goodnight Lane Road Improvement Project - Not to exceed \$4,730 (\$2,730 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read items 46-50 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

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 *David W. and Jacquelyn H. Anderson* a tract of land containing approximately 246 square feet of land located near the intersection of Joe Field Road and Emerald Street in City of Dallas Block 6545, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Goodnight Lane.

Councilmember Alonzo moved to adopt agenda items 46-50.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the vote on Councilmember Alonzo's motion to adopt agenda items 46-50:

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

DECEMBER 12, 2012

12-3011

Item 49: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Curl Floor Equipment and Supply, Inc. of approximately 9,120 square feet of land located near the intersection of Royal and Goodnight Lanes for the Goodnight Lane Road Improvement Project - Not to exceed \$285,000 (\$280,000 plus closing costs and title expenses not to exceed \$5,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read items 46-50 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

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 *Curl Floor Equipment and Supply, Inc.*, a tract of land containing approximately 9,120 square feet of land located near the intersection of Royal Lane and Goodnight Lane in City of Dallas Block A/6546, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Goodnight Lane.

Councilmember Alonzo moved to adopt agenda items 46-50.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the vote on Councilmember Alonzo's motion to adopt agenda items 46-50:

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

DECEMBER 12, 2012

12-3012

Item 50: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Master Cleaning Supply, Inc. of approximately 4,871 square feet of land located near the intersection of Royal and Goodnight Lanes for the Goodnight Lane Road Improvement Project - Not to exceed \$325,300 (\$320,300 plus closing costs and title expenses not to exceed \$5,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read items 46-50 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

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 *Master Cleaning Supply, Inc.*, a tract of land containing approximately 4,871 square feet of land located near the intersection of Royal Lane and Goodnight Lane in City of Dallas Block 6545, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Goodnight Lane.

Councilmember Alonzo moved to adopt agenda items 46-50.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the vote on Councilmember Alonzo's motion to adopt agenda items 46-50:

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

DECEMBER 12, 2012

12-3013

Item 51: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rhadames Solano of an improved tract of land containing approximately 23 acres located on Elam Road near its intersection with Pemberton Hill Road for the Trinity River Corridor Project - Not to exceed \$256,671 (\$252,671 plus closing costs and title expenses not to exceed \$4,000) - Financing: 1998 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 *Rhadames Solano* a tract of land containing approximately 23 acres of land located on Elam Road near its intersection with Pemberton Hill Road in City of Dallas Block 6257, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, as part of the master plan for the Great Trinity Forest Park, together with such appurtenant facilities as may be necessary.

The following individuals addressed the city council regarding the item:

Art Cerda, 5239 Vanderbilt Ave.
Rhadames Solano, 1452 Dent St., Garland, TX
William Parker, 1513 Monterrey Dr., Garland, TX
Tifani Solano, no address provided
Domingo Valdez, 5328 Wild Oak Rd., Balch Springs, TX

Councilmember Hill moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

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

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

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3014

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 52: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Jefferson Monument, LLC associated with the redevelopment of Jefferson Tower, located at 301-375 West Jefferson Boulevard and 304, 314-328 Sunset Avenue in Dallas - Not to exceed \$1,500,000 - Financing: Public/Private Partnership Funds

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

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

Councilmember Jasso moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3015

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 53: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Jacobs Engineering Group Inc associated with retaining and expanding the company's operation in downtown Dallas at 1999 Bryan Street - Not to exceed \$300,000 - Financing: Public/Private Partnership Funds

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

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

Councilmember Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3016

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 54: Authorize an amendment to the terms of a housing redevelopment loan provided for the Parks at Wynnewood located at 1910 Argentia Drive to: **(1)** remove the requirement for the current owners/developers to submit a Low Income Housing Tax Credit Program application for 2013; and **(2)** authorize the City Manager or a designee to waive this requirement in the future - 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 Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3017

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 55: Authorize on-site reconstruction of nine homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 1906 Berwick Avenue in the amount of \$103,000; 910 Bank Street in the amount of \$103,000; 4310 Frank Street in the amount of \$103,000; 3111 Rutz Street in the amount of \$103,000; 2119 Hulse Boulevard in the amount of \$103,000; 1816 Overhill Lane in the amount of \$103,000; 1915 Riverway Drive in the amount of \$103,000; 2911 Harlandale Avenue in the amount of \$103,000; and 2210 Fordham Road in the amount of \$103,000 - Total not to exceed \$927,000 - Financing: 2012-13 HOME Investment Partnership Program Grant Funds (\$723,778); 2011-12 HOME Investment Partnership Program Grant Funds (\$75,581); 2010-11 HOME Investment Partnership Program Grant Funds (\$94,749); 2009-10 Community Development Block Grant Reprogramming Funds (\$1,691); 2008-09 HOME Investment Partnership Program Grant Funds (\$23,491) and 2008-09 Community Development Block Grant Reprogramming Funds (\$7,710)

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 Kadane and Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3018

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 56: Authorize **(1)** preliminary adoption of Substantial Amendment No. 17 to amend the 2008-09 through 2012-13 Consolidated Plan and the FY 2012-13 Action Plan for U.S. Department of Housing and Urban Development Funds to incorporate additional City priority needs and resources including **(a)** elimination of blight on a spot basis as an enumerated Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program activity to deal with specific conditions of blight, physical decay, or environmental contamination not located in a slum or blighted area and **(b)** identification of the Holiday Inn & Suites project as an eligible CDBG economic development activity providing an estimated 90 permanent full-time jobs to be held by low-and moderate-income persons and providing elimination of specific conditions of blight, physical decay, or environmental contamination not located in a slum or blighted area; **(2)** modification of the CDBG Section 108 Guarantee Loan Program Statement to expand Project Criteria to include elimination of specific conditions of blight, physical decay, or environmental contamination not located in a slum or blighted area in conjunction with other eligible special economic development activity; **(3)** a public hearing to be held on January 23, 2013 to receive comments on Substantial Amendment No. 17 and on a proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a CDBG Section 108 Guarantee Loan Program loan of \$11,000,000 to fund a loan for Texas Educational Opportunity Fund, a Texas non-profit, to assist with rehabilitation of a vacant commercial building including property acquisition, environmental remediation, elimination of adverse health and safety hazards, loan interest reserve, and financial costs for public offering for the Holiday Inn & Suites project located at 1011 South Akard Street that will create an estimated 90 permanent full-time jobs to be held by individuals with incomes at 80% or less of Area Median Family Income as established by HUD; and at the close of the public hearing, **(4)** consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Texas Educational Opportunity Fund in an amount not to exceed \$11,000,000 - 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:

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-3018

Page 2

"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 Margolin and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3019

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 57: Authorize an amendment to Resolution No. 10-2419, previously approved on September 22, 2010, to increase an existing economic development loan with South Dallas/Fair Park Innercity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, demolition costs, predevelopment costs and development costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area - Not to exceed \$600,000, from \$2,500,000 to \$3,100,000 - Financing: 2006 Bond 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 Councilmember Hill and Councilmember Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3020

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 58-64, was presented for consideration.

Agenda item 58: Zoning Case Z112-238(OTH)

~~Agenda item 59: Zoning Case Z112-270(WE)~~ **[considered individually]**

Agenda item 60: Zoning Case Z112-308(RB)

Agenda item 61: Zoning Case Z112-310(JH)

Agenda item 62: Zoning Case Z112-311(WE)

Agenda item 63: Zoning Case Z112-313(MW)

Agenda item 64: Zoning Case Z112-320(MW)

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3021

Item 58: Zoning Case Z112-238(OTH)

The consent zoning docket, consisting of agenda items 58-64, was presented for consideration.

A public hearing was called on zoning case Z112-238(OTH), regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1486 for a mini-warehouse use on property zoned an MU-1 Mixed Use District on the north side of Wheatland Road and the east side of Cockrell Hill Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28850

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3022

Item 59: Zoning Case Z112-270(WE)

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 Z112-270(WE), regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned Subarea A of Planned Development District No. 134 on the northwest line of Birch Street, northeast of Carroll Avenue

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

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

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 Councilmember Kadane and unanimously adopted. (Hill, Davis, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 28851

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3023

Item 60: Zoning Case Z112-308(RB)

The consent zoning docket, consisting of agenda items 58-64, was presented for consideration.

A public hearing was called on zoning case Z112-308(RB), regarding an application for and an ordinance granting a CS Commercial Service District and an ordinance granting a Specific Use Permit for a Petroleum product storage and wholesale use on property zoned an IR Industrial Research District on the northwest corner of International Parkway and Corporate Drive

(The staff and city plan commission recommended Approval of a CS Commercial Service District, and approval of a Specific Use Permit for a Petroleum product storage and warehouse use for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28852 AND 28853

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3024

Item 61: Zoning Case Z112-310(JH)

The consent zoning docket, consisting of agenda items 58-64, was presented for consideration.

A public hearing was called on zoning case Z112-310(JH), regarding an application for and an ordinance granting an IR Industrial Research District on property zoned an MU-3 Mixed Use District on the west side of Harry Hines Boulevard, north of Willowbrook Drive

(The staff and city plan commission recommended Approval)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28854

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3025

Item 62: Zoning Case Z112-311(WE)

The consent zoning docket, consisting of agenda items 58-64, was presented for consideration.

A public hearing was called on zoning case Z112-311(WE), regarding an application for and an ordinance granting an amendment to Planned Development District No. 773 for multifamily uses on the northwest corner Montfort Drive and Verde Valley Lane

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

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. 28855

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3026

Item 63: Zoning Case Z112-313(MW)

The consent zoning docket, consisting of agenda items 58-64, was presented for consideration.

A public hearing was called on zoning case Z112-313(MW), regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery, or winery on property zoned a CR Community Retail District on the west side of Preston Road, north of Forest Lane

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28856

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3027

Item 64: Zoning Case Z112-320(MW)

The consent zoning docket, consisting of agenda items 58-64, was presented for consideration.

A public hearing was called on zoning case Z112-320(MW), regarding an application for and an ordinance granting a Specific Use Permit for a fire station on property zoned an R-7.5(A) Single Family District on the northeast corner of North Jim Miller Road and Benning 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. 28857

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3028

Item 65: Zoning Case Z112-315(WE) - INDIVIDUAL

A public hearing was called on zoning case Z112-315(WE), regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) for a dance hall on property zoned a CR Community Retail District on the north side of Camp Wisdom Road, east of Cockrell Hill Road

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

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

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

Audra Buckley, 416 S. Ervay, representing the applicant

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

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

Assigned ORDINANCE NO. 28858

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3029

Item 66: Zoning Case Z112-305(MW) - INDIVIDUAL

A public hearing was called on zoning case Z112-305(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 greater than 3,500 square feet on property zoned Planned Development District No. 7 with a D Liquor Control Overlay on the north side of Centerville Road, southeast of Garland Road

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

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

Councilmember Kadane moved to hold the item under advisement until the January 9, 2013 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3030

DESIGNATED ZONING CASES - INDIVIDUAL

Item 67: 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)

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."

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

Cricket Griffin, 1999 McKinney Ave., representing 1999 McKinney HOA

Frank Schubert, 1999 McKinney Ave.

William Hutchinson, 1999 McKinney Ave.

James B. Harris, 6930 Midbury Dr., representing ECOM Real Estate & HKS Building, L.P.

Nicole Ashmore, 1999 McKinney Ave., representing 2011 Cedar Springs HOA

James Reeder, 1925 Cedar Springs, representing 1925 Cedar Springs Condo Assoc. (HOA)

Kevin Campbell, 1999 McKinney Ave.

Belinda Deane, 1999 McKinney Ave.

Melissa Dorney, 1999 McKinney Ave.

Rebecca Moore, 1999 McKinney Ave. (handouts)

Susan Sales, 1999 McKinney Ave.

Appearing in favor of city plan commission's recommendation:

Tommy Mann, 2728 N. Harwood St.
David Farrell, 2808 Fairmount St.
Mark Goode, 12750 Merit Dr.
Frank Stich, 4224 N. Hall St., representing Oak Lawn Committee

Councilmember Hunt moved to close the public hearing and follow the City Plan Commission recommendation for approval subject to the following changes:

1. All sidewalk crossings across drive entrances on Harwood Street on Tract I must be designated by markings or enhanced paving materials. Markings and enhanced paving materials may be located within the parkway.
2. A development in Tract I that exceeds 106,000 square feet is subject to the following additional requirements:
 - a. Maximum height of any parking structure or portion of a building containing parking is 66 feet measured from existing ground surface elevation at the northeastern corner of the property. Required safety rails and related structures may be located above 66 feet in height.
 - b. Maximum height for all structures is 200 feet measured from ground surface elevation at the northeastern corner of the property. Mechanical equipment, elevator overrides, parapet walls and related equipment and structures may extend an additional 15 feet in height above 200 feet.
 - c. Maximum number of parking spaces in a parking structure is 540 spaces.
 - d. Any portion of the eastern façade of a structure containing parking on Tract I that is above the portion of a building containing parking and the pool deck on Tract II must be fully enclosed with no openings.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-3030

Page 3

- e. Open space on Tract I that is above the parking structure, must be screened from Tract II with evergreen plant materials that are a minimum of 6 feet in height upon maturity.
- f. Maximum number of dwelling units is 180 units.

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

Assigned ORDINANCE NO. 28859

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3031

DESIGNATED ZONING CASES - INDIVIDUAL

Item 68: A public hearing to receive comments regarding a City Plan Commission authorized hearing to consider amendments to Planned Development District 595, the South Dallas/Fair Park Special Purpose District, amending the standards for certain uses, considering appropriate zoning on certain parcels currently zoned for multifamily and non-residential uses, adding a new single family district classification and new mixed use form district classifications on property zoned Planned Development District No. 595 and an NS(A) Neighborhood Service District generally bound by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Company easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad, R.L. Thornton Freeway, 2nd Avenue, Parry Avenue, Robert B. Cullum Boulevard, Fitzhugh Avenue, Gaisford Street, and the common line between City Blocks 1820 and D/1821; an ordinance granting amendments to Planned Development District No. 595; an ordinance granting a change of zoning from an MF-2(A) Multifamily subdistrict, an NC Neighborhood Commercial subdistrict and a CC Community Commercial subdistrict to an FWMU-3 Form Walkable Mixed Use subdistrict on property generally bounded by Good Latimer Expressway, Julius Schepps Freeway (I-45), Pennsylvania Avenue, Lamar Boulevard and Grand Avenue with a SF Shop Front overlay on properties fronting Martin Luther King Boulevard and Lamar Street and certain properties fronting Ervay Street and Colonial Avenue, granting a change of zoning from an RS-I Regional Service Industrial subdistrict to an FWMU-3 Form Walkable Mixed Use subdistrict on property on the south corner of Coombs Street and Harwood Street, and granting a change of zoning from an MF-2(A) Multifamily subdistrict to an FWMU-3 Walkable Mixed Use subdistrict on property located on the northeast corner of the S.M. Wright Freeway (US-175) and Hatcher Street; and an ordinance granting a change in zoning from an NS(A) Neighborhood Service District to an NC Neighborhood Commercial subdistrict within Planned Development No. 595 on properties located on the west and south corners of Spring Avenue and Foreman Street

(The staff and city plan commission recommended Approval)

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-3031

Page 2

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 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 Councilmember Kadane and unanimously adopted. (Davis abstain; Hunt absent when vote taken)

Assigned ORDINANCE NOS. 28860, 28861 AND 28862

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3032

DESIGNATED ZONING CASES - INDIVIDUAL

Item 69: A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 578 on the south line of Forest Lane, between Welch Road and Inwood Road

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

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

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

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

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

Kim Wargo, 11600 Welch Rd.

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

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

Assigned ORDINANCE NO. 28863

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3033

DESIGNATED ZONING CASES - INDIVIDUAL

Item 70: A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CR Community Retail District on property zoned a CR Community Retail District on the north side of West Wheatland Road and west side of Clark Road

(The staff and city plan commission recommended Approval, subject to a development plan, elevations 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 appeared in opposition to the city plan commission's recommendation.

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

Imani Fowler, 8409 Miramax Trl.
Edna Pemberton, 7101 Flame Leaf Pl.
Harold Russell, 1338 Meadow Green, Duncanville, TX
Ronald Stinson, no address provided

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

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

Assigned ORDINANCE NO. 28864

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3034

Item 71: A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.34 acres of the current 1.80 acres of land in the floodplain, located at 9200 Guernsey Lane, within the floodplain of Bachman Branch, Fill Permit 12-05 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Mike Boyd, 601 Oak Street, Palo Pinto, TX, representing the owner

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3035

Item 72: A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 444 acres of the current 775 acres in the floodplain, out of a total tract of 1,021 acres in the North Lake Cypress Waters development, within the floodplain of North Lake, Fill Permit 12-04 - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3036

Item 73: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the St. Elizabeth's Catholic School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Fiesta Mart, Inc.] on property on the northeast corner of Ledbetter Drive and Hampton Road - Financing: No cost consideration to the City

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

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

The following individuals addressed the city council regarding the item:

Christina Clem, 4019 S. Hampton Rd., representing St. Elizabeth Hungary Catholic School

Lydia Torrez, 901 Cliffdale, representing Bishop Dunne H.S.

Jeremy Ratliff, 528 Hoel Dr., representing Bishop Dunne H.S.

Richard Sheridan, 3022 Forest Ln., representing Responsible Drinkers/Schools/Church

Santos Martinez, 900 Jackson St., representing Fiesta Mart

Trina Triche, 1818 Corsicana St.

Councilmember Griggs moved to hold the item under advisement until the February 13, 2013 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3037

Item 74: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Knowledge is Power Charter School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Fiesta Mart, Inc.] on property on the east side of Lancaster Road, northwest of Kiest Boulevard - Financing: No cost consideration to the City

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

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

No one addressed the city council regarding the item.

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3038

Item 75: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the St. Mary of Carmel Catholic School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Jerry's Supermarket] on property on the north side of Singleton Boulevard, west of Navaro Street - Financing: No cost consideration to the City

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

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

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Caraway and Councilmember Hill.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3039

Item 76: A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Kennemer Middle School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Wal-Mart] on property on the north side of Wheatland Road and the west side of Clark Road - Financing: No cost consideration to the City

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

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

The following individuals addressed the city council regarding the item:

Myron Dornic, 5026 Maple Springs Blvd., representing Wal-Mart
Harold Russell, 1338 Meadow Green, Duncanville, TX
Imani Fowler, 8409 Miramax Trl.

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3040

Note: Item Nos. 77 and 78
must be considered collectively.

City Center TIF District

- Item 77: A public hearing 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 \$64,400,829; and **(6)** make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans – Financing: No cost consideration to the City
- Item 78: An ordinance amending Ordinance No. 22802, previously approved on June 26, 1996, and Ordinance No. 23034, previously approved on February 12, 1997, 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."

No one addressed the city council regarding the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

12-3040

Page 2

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

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

Assigned ORDINANCE NO. 28865

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3041

**Reinvestment Zone and Business Personal
Property Tax Abatement Authorization**

Note: Item Nos. 79, 80, 81 & 82
must be considered collectively.

- Item 79: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 79, incorporating approximately 12 acres of property located at 2144-2154 Royal Lane in Dallas, for the purpose of granting economic development incentives to 321 Commercial Avenue, LLC and 329 Commercial Avenue, LLC - Financing: No cost consideration to the City
- Item 80: An ordinance designating the 12 acres of property located at 2144-2154 Royal Lane in Dallas as City of Dallas Reinvestment Zone No. 79, for the purpose of granting economic development incentives to 321 Commercial Avenue, LLC and 329 Commercial Avenue, LLC, establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

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

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

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28866

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3042

**Reinvestment Zone and Business Personal
Property Tax Abatement Authorization**

Note: Item Nos. 79, 80, 81 & 82
must be considered collectively.

Item 81: Authorize a 75 percent real property tax abatement agreement for 10 years with 321 Commercial Avenue, LLC and 329 Commercial Avenue, LLC located on 12 acres of property located at 2144-2154 Royal Lane in Dallas - Revenue: First year revenue estimated at \$71,730; ten-year revenue estimated at \$717,300 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$2,154,330)

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3043

**Reinvestment Zone and Business Personal
Property Tax Abatement Authorization**

Note: Item Nos. 79, 80, 81 & 82
must be considered collectively.

Item 82: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with 321 Commercial Avenue, LLC and/or 329 Commercial Avenue, LLC associated with the construction of a new mixed use/residential development located at 2144-2154 Royal Lane in Dallas - Not to exceed \$575,000 - Financing: Public/Private Partnership Funds

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

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

Councilmember Alonzo moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3044

Item 83: A public hearing to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program 1 (NSP1) to: (1) receive and deposit program income in the amount of \$400,000; and (2) increase appropriations in the amount of \$400,000, from \$3,400,000 to \$3,800,000 to be used for similar eligible activities; and at the close of the public hearing, authorize Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1 - Total not to exceed \$400,000 - Financing: 2008-09 Neighborhood Stabilization 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 Jasso moved to close the public hearing and adopt the item.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Margolin and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3045

Closed Session

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

- Legal issues regarding gas drilling and production.
- De Los Santos et al. v. City of Dallas, Civil Action No. 3:12-cv-2596

At 12:40 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues regarding gas drilling and production.
- De Los Santos et al. v. City of Dallas, Civil Action No. 3:12-cv-2596

Mayor Rawlings reconvened the city council meeting after the closed session at 2:05 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3046

Professional Radio Engineering Services for Note: Addendum Item Nos. 1 and 2
a New P25 Compliant Trunk Radio System must be considered collectively.

Addendum addition 1: Authorize **(1)** an Interlocal Agreement with Dallas County for participation in the design and implementation of a new P25 compliant trunk radio system; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$205,833; and **(3)** an increase in appropriations in the amount of \$205,833 in the Capital Projects Reimbursement Fund - Not to exceed \$205,833 - Financing: Capital Projects reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3047

Professional Radio Engineering Services for Note: Addendum Item Nos. 1 and 2
a New P25 Compliant Trunk Radio System must be considered collectively.

Addendum addition 2: Authorize a service contract for professional radio engineering services to assist the City in the assessment of the City's operational needs, develop specifications and requirements for a new P25 compliant trunk radio system and respond to RFCSP questions and develop RFCSP amendments during the solicitation process – RCC Consultants, Inc., most qualified proposer of five - Not to exceed \$823,330 - Financing: Urban Area Security Initiative Grant Funds (\$617,497) and Capital Projects Reimbursement Funds (\$205,833)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3048

Addendum addition 3: Authorize (1) participation in a cooperative purchasing agreement with National Intergovernmental Purchasing Alliance Company; and (2) a one-year master agreement for waste collection roll carts - Rehrig Pacific Company through the Houston-Galveston Area Council of Governments in the amount of \$833,680 and Toter, LLC through the National Intergovernmental Purchasing Alliance Company in the amount of \$41,720 - Total not to exceed \$875,400 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3049

Addendum addition 4: Authorize an increase to the master agreement with Douglass Distributing for unleaded and diesel fuels based on Oil Pricing Information Service (previously referred to as Oil Pricing Index Service) rates - Not to exceed \$9,000,000, from \$62,653,385 to \$71,653,385 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3050

Addendum addition 5: Authorize **(1)** an acquisition contract for the purchase and installation of hardware and software for video surveillance cameras for Police in the amount of \$967,555; **(2)** a five year service contract for maintenance and support of the video surveillance cameras in the amount of \$275,946; and **(3)** a five-year master agreement for additional hardware and software to add additional cameras in the amount of \$4,848,193 - Avrio Group Surveillance Solutions, LLC aka Avrio RMS Group, most advantageous proposer of seven - Total not to exceed \$6,091,694 - Financing: Confiscated Monies Funds (\$1,243,501) (subject to appropriations) and Current Funds (\$4,848,193) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3051

Addendum addition 6: Authorize the City Manager to amend and extend the current electric services contract for an additional twenty-nine months with TXU Energy Retail Company, LLC, resulting in a new contract term from January 1, 2013 through May 31, 2016 - Total not to exceed \$223,800,000 - Financing: Water Utilities Current Funds (\$94,800,000), Convention and Event Services Current Funds (\$11,000,000), Aviation Current Funds (\$9,400,000), Stormwater Drainage Management Current Funds (\$3,700,000) and Current Funds (\$104,900,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3052

Addendum addition 7: Authorize adoption of the Neighborhood Investment Program target area plans as “Community Revitalization Plans” as required by the 2013 Texas Department of Housing and Community Development Low Income Housing Tax Credit Qualified Allocation Plan - Financing: No cost consideration to the City

Councilmember Jasso and Councilmember Griggs requested that addendum addition consent agenda item 7 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Jasso and Councilmember Griggs’ request.

Later in the meeting, addendum addition consent agenda item 7 was brought up for consideration.

Mayor Rawlings requested the item be held until later in the meeting to allow staff additional time to clarify the supporting documentation.

Later in the meeting, following the needed clarification, Councilmember Jasso moved to adopt the item with the following changes:

- Section 1. That Community Revitalization Plans shown as Exhibit A for all Neighborhood Investment Program target areas except for census tracts, 20.00 (part), 48.00 (part) and ~~101.00~~ 101.01 be adopted as required by the ~~2012~~ 2013 Texas Department of Housing and Community Development Low Income Housing Tax Credit Qualified Allocation Plan.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3053

Addendum addition 8: Authorize a construction contract for two spraygrounds: Beckley Saner Park located at 114 West Hobson Avenue; and Willie Mae Butler Park located at 3700 Dixon Avenue - Phoenix I Restoration and Construction, Ltd., best value proposer of two - Not to exceed \$1,623,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3054

Addendum addition 9: Authorize Supplemental Agreement No. 1 to the design-build contract with Heery International, Inc. for the Guaranteed Maximum Price (GMP) for the construction phase of the Cotton Bowl - 2013 Improvements which includes the addition of club seating and club hospitality areas; addition of an elevator at the press box; renovation of the press box and concourses; addition of a facade at the north and south end zones; public art fees; and other improvements at the Cotton Bowl in Fair Park located at 3750 Midway Plaza - Not to exceed \$22,400,000, from \$2,150,570 to \$24,550,570 - Financing: 2006 Bond Funds (\$147,000) and 2012 Certificates of Obligation (\$22,253,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3055

Addendum addition 10: Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant in the amount of \$99,984 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 21, 2012 through September 2, 2013; **(2)** a City contribution of pension costs in the amount of \$27,496, and indirect costs in the amount of \$7,011; and **(3)** execution of the grant agreement - Total not to exceed \$134,491 - Financing: Current Funds (\$34,507) and Texas Department of Transportation Grant Funds (\$99,984)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3056

Addendum addition 11: Authorize **(1)** a contract with Tiseo Paving Company, lowest responsible bidder of five, for the construction of thoroughfare and water main improvements for Telephone Road from Bonnie View Road to Dallas Avenue (north lanes), Phase I in an amount not to exceed \$2,833,174; **(2)** assignment of the contract to Ridge South Dallas I, LLC for construction administration; **(3)** the receipt and deposit of funds from Ridge South Dallas I, LLC in the amount of \$74,607; and **(4)** an increase in appropriations in the amount of \$74,607 in the Capital Projects Reimbursement Fund - Total not to exceed \$2,833,174 - Financing: 2006 Bond Funds (\$2,188,614), Capital Projects Reimbursement Funds (\$74,607), Water Utilities Capital Improvement Funds (\$518,888) and Water Utilities Capital Construction Funds (\$51,065)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3057

Addendum addition 12: Authorize Amendment No. 1 to the Program Funding Agreement with Dallas County for the development of a master plan for the Northaven Trail between the Walnut Hill/Denton Station and Preston Road to expand the project limits, scope and funding to include design and construction of the Northaven Trail's additional phases between the Walnut Hill/Denton Station and the White Rock Creek Trail - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3058

Addendum addition 13: Authorize an increase in the construction contract with The Fain Group, Inc. for the construction of a modified retaining wall due to unforeseen water main conflict, escalation costs of three prefabricated steel pedestrian bridges and relocation of earthwork for Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station - Not to exceed \$525,602, from \$3,945,824 to \$4,471,426 - Financing: 2006 Bond Funds

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

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3059

**Phase VI of the Katy Trail from
Ellsworth Street to Worcola Street**

Note: Addendum Item Nos. 14 and 15
must be considered collectively.

Addendum addition 14: Authorize Supplemental Agreement No. 4 to the professional services contract with HNTB Corporation to provide additional engineering services related to partial realignment of Phase VI of the Katy Trail from Ellsworth Street to Worcola Street - Not to exceed \$138,842, from \$2,343,984 to \$2,482,826 - Financing: 2006 Bond Funds (\$17,731), Capital Projects Reimbursement Funds (\$17,731) and Regional Toll Revenue II Funds (\$103,380)

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

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3060

**Phase VI of the Katy Trail from
Ellsworth Street to Worcola Street**

Note: Addendum Item Nos. 14 and 15
must be considered collectively.

Addendum addition 15: Authorize an increase in the contract with AUI Contractors, LLC to provide for material and labor cost escalation associated with the construction of Phase VI of the Katy Trail from Ellsworth Street to Worcola Street - Not to exceed \$534,258, from \$6,974,628 to \$7,508,886 - Financing: 2006 Bond Funds (\$53,426), Capital Projects Reimbursement Funds (\$53,426) and Regional Toll Revenue II Funds (\$427,406)

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

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3061

Addendum addition 16: An ordinance amending Ordinance No. 28685, which abandoned portions of Avenues A, B, D, E, Fiji and Danel Streets and two easements to Sphinx Development Corporation and SDC Sachse Senior Villas, L.L.C., the abutting owners, to amend the required dedication of needed right-of-way from 108,101 square feet to 100,636 square feet of land - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28867

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3062

Addendum addition 17: An ordinance abandoning a water main easement to Northwest Overlake, LLC, the abutting owner, containing approximately 179 square feet of land located near the intersection of Community and Overlake Drives and providing for the dedication of approximately 1,674 square feet of land needed for a water easement - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28868

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3063

Addendum addition 18: An ordinance abandoning a portion of an alley to PCB Properties, LLC, the abutting owner, containing approximately 445 square feet of land located near the intersection of Oram and Matilda Streets - Revenue: \$7,120 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28869

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3064

Addendum addition 19: Authorize a second amendment to the 1974 Master Agreement between the City of Dallas and Hunt-Woodbine Realty Corporation, successor in right, title, and interest to Hunt Investment Corporation, Woodbine Development Corporation and Ray L. Hunt, Individually, clarifying the purchase option price provided in the Master Agreement to be at fair market value based upon appraisals in accordance with the City's appraisal procedures - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3065

Addendum addition 20: A resolution **(1)** declaring two tracts of City-owned land containing a total of approximately eight acres of land located near the intersections of South Sports Street and Houston Street Viaduct and South Stemmons Freeway and Reunion Boulevard as surplus property; and **(2)** authorizing the execution of an exchange agreement providing for the conveyance of said surplus property to Hunt-Woodbine Realty Corporation in exchange for needed land plus cash for a comparable total value - Revenue: \$3,547,000 (cash portion of exchange consideration)

Prior to the meeting, the city council was provided a corrected resolution by the city manager's office.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3066

Addendum addition 21: Authorize approval of a Letter of Intent and finalize negotiations for the Trinity Forest Golf Course with Trinity Forest Golf Course Partners, LLC - Financing: This action has no cost consideration to the City

Councilmember Greyson requested that addendum addition consent agenda item 21 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 21 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition consent agenda item 21 was brought up for consideration.

Councilmember Hill moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Councilmember Caraway requested a roll call vote on the item.

Mayor Rawlings called the vote on Councilmember Hill'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

DECEMBER 12, 2012

12-3067

Addendum addition 22: Authorize **(1)** termination of the Development and Operating Agreement with Texas Horse Park, Inc., previously approved on September 13, 2006, by Resolution No. 06-2448; and **(2)** a twenty-year Development and Operating Agreement, with two five-year renewal options, with Texas Horse Park Foundation - Financing: No cost consideration to the City

Councilmember Greyson requested that addendum addition consent agenda item 22 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition consent agenda item 22 was brought up for consideration.

Mayor Rawlings announced the city secretary would read addendum addition consent agenda items 22-25 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

By general consensus of the city council, the following individual was allowed to speak on agenda items 22-25:

Mary McDermott Cook, no address provided

Councilmember Hill moved to adopt addendum addition consent agenda items 22-25.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Councilmember Caraway requested a roll call vote on the item.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 22-25:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Margolin
Voting No:	[2]	Greyson, Hunt
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3068

Addendum addition 23: Authorize a six-year Development and Operations Agreement, with five five-year renewal options, with Equest for the Texas Horse Park - Financing: No cost consideration to the City

Councilmember Greyson requested that addendum addition consent agenda item 23 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 23 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition consent agenda item 23 was brought up for consideration.

Mayor Rawlings announced the city secretary would read addendum addition consent agenda items 22-25 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

By general consensus of the city council the following individual addressed the city council regarding the item:

Mary McDermott Cook

Councilmember Hill moved to adopt addendum addition consent agenda items 22-25.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Councilmember Caraway requested a roll call vote on the item.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 22-25:

Voting Yes: [13] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Margolin
Voting No: [2] Greyson, Hunt
Absent when vote taken: [0]
Absent: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3069

Addendum addition 24: Authorize a twenty-year Development and Operations Agreement, with two five-year renewal options, with River Ranch Educational Charities for the Texas Horse Park - Financing: No cost consideration to the City

Councilmember Greyson requested that addendum addition consent agenda item 24 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition consent agenda item 24 was brought up for consideration.

Mayor Rawlings announced the city secretary would read addendum addition consent agenda items 22-25 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

By general consensus of the city council the following individual addressed the city council regarding the item:

Mary McDermott Cook

Councilmember Hill moved to adopt addendum addition consent agenda items 22-25.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Councilmember Caraway requested a roll call vote on the item.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 22-25:

Voting Yes: [13] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Margolin
Voting No: [2] Greyson, Hunt
Absent when vote taken: [0]
Absent: [0]

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3070

Addendum addition 25: Authorize Supplemental Agreement No. 11 to the professional services contract with Brown Reynolds Watford Architects, Inc. for architectural services to include schematic design through construction administration for an equestrian facility at Texas Horse Park located at 811 Pemberton Hill Road - Not to exceed \$747,673, from \$3,655,305 to \$4,402,978 - Financing: 2003 Bond Funds (\$120,175) and 2006 Bond Funds (\$627,498)

Councilmember Greyson requested that addendum addition consent agenda item 25 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 25 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition consent agenda item 25 was brought up for consideration.

Mayor Rawlings announced the city secretary would read addendum addition consent agenda items 22-25 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 reading, no councilmember indicated any item(s) to be pulled for individual vote.

By general consensus of the city council the following individual addressed the city council regarding the item:

Mary McDermott Cook

Councilmember Hill moved to adopt addendum addition consent agenda items 22-25.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Councilmember Caraway requested a roll call vote on items 22-25.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 22-25:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Margolin
Voting No:	[2]	Greyson, Hunt
Absent when vote taken:	[0]	
Absent:	[0]	

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3071

Addendum addition 26: Authorize settlement, in lieu of proceeding with condemnation, for an unimproved tract of land containing approximately 1 acre from AccessBank Texas located at the intersection of Apple Street and San Jacinto Street for the Mill Creek, Peaks Branch and State Thomas Storm Drainage Project - Not to exceed \$850,000 (\$840,500 plus closing costs and title expenses not to exceed \$9,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3072

Addendum addition 27: An ordinance amending Chapter 28 of the Dallas City Code to provide regulations governing the operation of motor vehicles near vulnerable road users - Financing: No cost consideration to the City

Mayor Pro Tem Medrano moved to pass the ordinance with the following changes:

- SEC. 28-58.2 - PROTECTION OF VULNERABLE ROAD USERS
 - a) An operator of a motor vehicle and a vulnerable road user shall comply with all laws governing the operation of their respective vehicles on a street or highway.
 - c) The operator or passenger of a motor vehicle commits an offense if he throws or projects any object or substance at or against a vulnerable road user.
 - g) An offense under this section is punishable by a fine not to exceed \$300, except that, if the vulnerable road user sustained a bodily injury from the commission of the offense, the offense is punishable by a fine not to exceed \$500.

Motion seconded by Councilmember Hunt and unanimously adopted.

Assigned ORDINANCE NO. 28870

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3073

Addendum addition 28: Authorize an amendment to Resolution Nos. 12-2399 and 12-2400, previously approved on September 26, 2012, granting a tax abatement and a Chapter 380 economic development grant to: **(1)** remove Encore Office, LLC as a party to the agreement and replace with St. Paul Holdings, LP as the owner of the property; and **(2)** replace Exhibit A to exclude property subject to a ground lease that is outside the project area - 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 Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3074

Addendum addition 29: Authorize the City Manager to: **(1)** execute an Assignment of Purchase and Sale and Option to Develop Agreement with EVERgreen Residential, Ltd. for the property located at 1701 Canton Street; and **(2)** acquire 1701 Canton Street, improved with a commercial structure for its redevelopment as permanent supportive housing for homeless families with children, including associated closing costs and demolition (list attached) - Not to exceed \$1,642,625 - Financing: 2010-11 Community Development Block Grant Funds (\$478,509), 2006-07 Community Development Block Grant Reprogramming Funds (\$142,625), 2011-12 Community Development Block Grant Reprogramming Funds (\$500,000) and 2011-12 Community Development Block Grant Funds (\$521,491)

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 Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 12, 2012

12-3075

Addendum addition 30: Authorize the City Manager to: **(1)** execute an Assignment of Purchase and Sale and Option to Develop Agreement with City Wide Community Development Corporation for the property associated with the Lancaster/Kiest Project; **(2)** acquire the Lancaster/Kiest improved and unimproved properties for their redevelopment as commercial, retail, and affordable housing, including associated closing costs in an amount not to exceed \$2,950,000; and **(3)** execute an economic development loan in the amount of \$450,000 at 0% interest to City Wide Community Development Corporation for acquisition of improved and unimproved properties, including associated closing costs, relocation, environmental, and predevelopment costs - Total not to exceed \$3,400,000 - Financing: 2006 Bond 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 Davis.

Councilmember Davis requested a roll call vote on the item.

Mayor Rawlings called the vote on Councilmember Caraway's motion to adopt the agenda 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.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 12, 2012

EXHIBIT C