

“CORRECTED”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2013

13-0160

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

PRESENT: [14] Rawlings, Medrano, Atkins, Jasso (*9:08 a.m.), Griggs, Caraway, Hill (*9:09 a.m.), Alonzo, Davis, Kadane, Koop (*9:12 a.m.), Greyson (*9:07 a.m.), Margolin, Hunt (*9:28 a.m.)

ABSENT: [1] Allen (**absent on city business)

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 Reverend Joe Hudson of the Cathedral of Hope.

Councilmember Kadane led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 2:14 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**

** **Absent on city business**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2013

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0161

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE – BEGINNING OF MEETING:

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

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: EPA/KKK/Trinity River Plan

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

SPEAKER: Richard Sheridan, 3022 Forest Ln. (handout provided)
REPRESENTING: Awakening Citizens
SUBJECT: Their Ethics Code is Dallas' demise

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: Real American Women
SUBJECT: Frisco, Texas

SPEAKER: Charles Goodrum, 1822 Tompkins Dr., Grand Prairie, TX
SUBJECT: Unpaid public health program

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0162

Item 1: Approval of Minutes of the January 9, 2013 City Council Meeting

Mayor Pro Tem Medrano moved to adopt the minutes of the January 9, 2013 City Council Meeting.

Motion seconded by Councilmember Hill and unanimously adopted. (Atkins, Griggs, Hunt absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0163

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-33 and addendum addition consent agenda items 1-13, was presented for consideration.

Earlier in the meeting, prior to consideration of the consent agenda, the city secretary requested the following speakers be allowed to speak on consent agenda items 3, 4, 6, 7, 8, 9, 11, 15, 16 and addendum addition consent agenda items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13. Mayor Rawlings stated the speakers would be allowed to speak on consent agenda items 3, 4, 6, 7, 8, 9, 11, 15, 16 and addendum addition consent agenda items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, there being no objection voiced to the city secretary's request. The following individuals spoke on the noted agenda items:

Richard Sheridan, 3022 Forest Ln., spoke on agenda items 3, 4, 6, 7, 8, 9 and 11

Trina Triche, 1818 Corsicana St., spoke on agenda items 15 and 16

Williams Hopkins, 2011 Leath St., spoke on addendum addition consent agenda items 1-13

Craig Holcomb, 3601 Turtle Creek Blvd., spoke on addendum addition consent agenda items 11 and 12

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

Councilmember Griggs requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' request.

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

Councilmember Koop requested that addendum addition consent agenda items 11 and 12 be considered as individual items. Mayor Rawlings stated that addendum addition consent agenda items 11 and 12 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Koop's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-0163

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Councilmember Greyson requested that consent agenda items 7 and 28 be considered as individual items. Mayor Rawlings stated that consent agenda items 7 and 28 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Deputy Mayor Pro Tem Atkins moved to adopt all items on the consent agenda with the exception of consent agenda items 2, 7, 22, 28 and addendum addition consent agenda items 11 and 12 which would be considered later in the meeting.

Motion seconded by Councilmember Koop and unanimously adopted. (Allen absent on city business)

Later in the meeting, Councilmember Jasso moved to reconsider the vote on the consent agenda to include consent agenda items 32 and 33.

Motion seconded by Councilmember Hill and unanimously adopted. (Kadane, Koop absent when vote taken; Allen absent on city business)

Councilmember Jasso moved to adopt all items on the consent agenda with the exception of consent agenda items 2, 7, 22, 28 and addendum addition consent agenda items 11 and 12 which would be considered later in the meeting.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Kadane, Koop absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0164

Item 2: Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with Ricondo & Associates, Inc. for on-call airport planning and advisory services for the Dallas Airport Systems in an amount not to exceed \$4,026,791; **(2)** an application for and acceptance of future additional grant reimbursement of \$439,725 from the Federal Aviation Administration; and **(3)** establishment of appropriations in the amount of \$4,026,791 in the Federal Aviation Administration Airport Improvement Grant Fund - Not to exceed \$4,026,791 - Financing: Federal Aviation Administration Grant Funds

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

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

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Caraway and unanimously adopted. (Hill, Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0165

Item 3: Authorize a three-year service contract for pipe rehabilitation using the cured-in-place pipe method - Insituform Technologies LLC, lowest responsible bidder of four - Not to exceed \$5,568,229 - Financing: Water Utilities Capital Construction Funds (subject to annual appropriations)

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

Richard Sheridan, 3022 Forest Ln.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0166

Item 4: Authorize the purchase of a concert grand piano for the Dallas City Performance Hall - Metroplex Piano, Inc., most advantageous proposer of eight
- Not to exceed \$98,520 - Financing: 2006 Bond Funds

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

Richard Sheridan, 3022 Forest Ln.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0167

Item 5: Authorize the purchase of one bucket truck - Sam Pack's Five Star Ford, lowest responsible bidder of two - Not to exceed \$85,659 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0168

Item 6: Authorize the purchase of one television inspection system and one van - Aries Industries, Inc. in the amount of \$144,101 and Houston Freightliner, Inc. in the amount of \$46,389 through the Houston-Galveston Area Council of Governments - Total not to exceed \$190,490 - Financing: Water Utilities Current Funds

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

Richard Sheridan, 3022 Forest Ln.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0169

Item 7: Authorize the purchase, installation and warranty of two x-ray inspection systems for City Hall located at 1500 Marilla Street - Smiths Detection, Inc., through the Texas Multiple Award Schedule - Not to exceed \$80,586 - Financing: Capital Construction Funds

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

Richard Sheridan, 3022 Forest Ln.

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

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

Councilmember Caraway moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0170

Item 8: Authorize a two-year master agreement for liquid cationic polymer - Polydyne, Inc., lowest responsible bidder of two - Not to exceed \$4,630,500 - Financing: Water Utilities Current Funds

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

Richard Sheridan, 3022 Forest Ln.

Adopted as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0171

Item 9: Authorize a three-year master agreement for fasteners - Grayson Industries, Inc. in the amount of \$211,000, Fastenal Company in the amount of \$27,100 and Lawson Products, Inc. in the amount of \$13,200, lowest responsible bidders of three - Total not to exceed \$251,300 - Financing: Current Funds (\$69,100) and Water Utilities Current Funds (\$182,200)

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

Richard Sheridan, 3022 Forest Ln.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0172

Item 10: Authorize a three-year master agreement for water meter castings, risers and cast iron inlet frames and covers - Bass and Hays Foundry, Inc. in the amount of \$2,374,305, Ferguson Waterworks in the amount of \$1,844,407, Morrison Supply in the amount of \$98,402 and Doug Meadows Co. LLC in the amount of \$34,175, lowest responsible bidders of six - Total not to exceed \$4,351,289 - Financing: Current Funds (\$612,015) and Water Utilities Current Funds (\$3,739,274)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0173

Item 11: Authorize a three-year master agreement for industrial equipment, tools and supplies - Simba Industries in the amount of \$1,464,965, SID Tool Co., Inc. dba MSC Industrial Supply Co. in the amount of \$1,425,028, Colonial Hardware Corporation in the amount of \$632,835, Fort Worth Bolt & Tool Company LLP in the amount of \$505,550, Midway Auto Supply Co. in the amount of \$274,053, Big D Tool Center in the amount of \$161,845, McGee Company in the amount of \$85,100, Joe Jeter Sales in the amount of \$76,790, Tom Loftus, Inc. dba Austin Turf & Tractor in the amount of \$64,470, Richardson Saw and Lawnmower in the amount of \$63,500, Fastenal Company in the amount of \$6,300 and Evco LP dba Burgoon Company in the amount of \$5,000, lowest responsible bidders of seventeen - Total not to exceed \$4,765,436 - Financing: Current Funds (\$2,411,335), Aviation Current Funds (\$283,000), Stormwater Drainage Management Current Funds (\$198,501) and Water Utilities Current Funds (\$1,872,600)

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

Richard Sheridan, 3022 Forest Ln.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0174

Item 12: Authorize the deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Viceroy Regal, L.P., et al., Cause No. CC-11-05626-A, pending in County Court at Law No. 1, for acquisition from Viceroy Regal, L.P., of approximately 2,231 square feet of land located near the intersection of Burbank Street and Mohawk Drive for the Burbank Street Improvement Project - Not to exceed \$15,000 (\$13,500 plus closing costs and title expenses not to exceed \$1,500) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0175

Item 13: Authorize the deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Viceroy Regal, L.P., et al., Cause No. CC-11-05620-E, pending in County Court at Law No. 5, for acquisition from Viceroy Regal, L.P., of approximately 1,293 square feet of land located near the intersection of Burbank Street and Mohawk Drive for the Burbank Street Improvement Project - Not to exceed \$285,423 (\$282,423 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0176

Item 14: Authorize approval of the Program Statement for the South Dallas/Fair Park Area Business Façade/Revitalization Program - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0177

Item 15: Authorize a contract with Vogel Alcove, Inc. for the provision of child care services for homeless families for the period October 1, 2012 through September 30, 2013 - Not to exceed \$64,000 - Financing: 2012-13 Community Development Block Grant Funds (\$33,000) and Current Funds (\$31,000)

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

JANUARY 23, 2013

13-0178

Item 16: Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2012 through March 31, 2013 - Not to exceed \$29,774, from \$7,252,189 to \$7,281,963 - Financing: Department of State Health Services Grant Funds

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

Trina Triche, 1818 Corsicana St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0179

Item 17: Authorize the rejection of proposals for interior renovation and expansion at Pleasant Oaks Recreation Center located at 8700 Greenmound Avenue -
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0180

Item 18: Authorize Supplemental Agreement No. 2 to the professional services contract with Campos Engineering, Inc. to provide additional design services to incorporate an in-row cooling design for increased energy efficiency for the Data Center improvements at Dallas City Hall - Not to exceed \$25,000, from \$355,800 to \$380,800 - Financing: 2008A Certificates of Obligation

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0181

Item 19: Authorize Supplemental Agreement No. 7 to the professional services contract with HKS, Inc. for architectural and engineering services for a lightning protection study, roof replacement, Area C furniture and restroom improvements for the Dallas Convention Center Improvement Program - Not to exceed \$488,445, from \$5,760,377 to \$6,248,822 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0182

Item 20: Authorize settlement in lieu of proceeding further with condemnation in City of Dallas v. All-Tex Pipe & Supply II, L.P. et al., Cause No. cc-11-02758-d, pending in the County Court at Law No. 4, for acquisition from All-Tex Pipe & Supply of approximately 1,834 square feet of land located near the intersection of Brockbank Drive and Lombardy Lane for the Brockbank Drive Street Improvements Project - Not to exceed \$210,735 (\$208,735 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Corrected on the addendum.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0183

Item 21: Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Lenardore L. Cox, et al, Cause No. CC-11-05877-B, pending in the County Court at Law No. 2, for acquisition from Lenardore L. Cox of approximately 7,305 square feet of land in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$11,910 (\$10,100 plus closing costs and title expenses not to exceed \$1,810) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0184

Item 22: Authorize the quitclaim of ~~98~~ 99 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$518,586
~~\$525,736~~

Corrected on the addendum.

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

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

Councilmember Caraway moved to adopt the item.

Motion seconded by Councilmember Hill.

After discussion, Councilmember Caraway withdrew his motion to adopt the item.

Councilmember Hill also withdrew her second to the motion to Councilmember Caraway's motion to adopt the item.

Councilmember Caraway moved to remand the item to the Housing Council Committee.

Motion seconded by Councilmember Davis.

Mayor Rawlings called the vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Hill voting "No." (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0185

Item 23: A resolution authorizing the conveyance of 16 easements containing a total of approximately 906,853 square feet of land to Dallas Area Rapid Transit for the purpose of constructing and operating an extension of its light rail transit system on the Dallas/Fort Worth International Airport property - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0186

Item 24: Authorize a second amendment to the lease agreement with Dallas Clean Energy McCommas Bluff, LLC to expand the current leased square footage of approximately 87,025 to include an additional 7,945 square feet of land for a total of approximately 94,970 square feet of land located at the McCommas Bluff Landfill for the continued use of a gas processing site - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0187

Item 25: Authorize the termination of the Programmatic Agreement with the Texas Historical Commission and the Advisory Council on Historic Preservation which stipulates the procedures to be followed for the administration and funding of various programs requiring a Section 106 review for the United States Department of Housing and Urban Development - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0188

Item 26: Authorize acceptance of a zoning application with delinquent taxes on property located at 316 Poe Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0189

Item 27: An ordinance granting an MF-2(A) Multifamily District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a D(A) Duplex District, on the south side of Ellsworth Avenue, west of McMillan Avenue - Z112-289 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28881

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0190

Item 28: An ordinance granting a private license to BG Brookview Partners, LTD., for a total of approximately 3,184 square feet of land to install and maintain landscaping on portions of Beckley Avenue near its intersection with Morgan Street - Revenue: \$1,000 one-time fee, plus the \$20 ordinance publication fee

Councilmember Greyson requested that consent agenda item 28 be considered as an individual item. Mayor Rawlings stated that consent agenda item 28 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, consent agenda item 28 was brought up for consideration.

Councilmember Griggs moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28882

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0191

Item 29: An ordinance abandoning a water line easement and a wastewater easement to JLB 2728 Cedar Springs L.P., the abutting owner, containing a total of approximately 1,710 square feet of land located near the intersection of Cedar Springs Road and Carlisle Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28883

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0192

Item 30: An ordinance granting a private license to Dallas Independent School District for the use of a total of approximately 2,273 square feet of land to install and maintain two geothermal crossings under portions of Crawford and Ninth Streets near the intersections with East Tenth Street and North Patton Avenue - Revenue: \$40,000 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28884

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0193

Item 31: Authorize settlement, in lieu of proceeding with condemnation, for an unimproved tract of land containing approximately 17 acres from Saber Development Corporation located near the intersection of Leath Street and Ingersoll Street for continued operation and maintenance of the West Levee - Not to exceed \$55,000 (\$50,790 plus closing costs and title expenses not to exceed \$4,210) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0194

Item 32: Authorize a thirty-year contract with the City of Seagoville to continue providing treated water services, from February 2, 2013 through February 1, 2043 - Estimated Annual Revenue: \$664,413

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0195

Item 33: Authorize Supplemental Agreement No. 4 to the professional services contract with CP&Y, Inc. for additional engineering services related to the construction of the East Bank-West Bank Wastewater Interceptor Connection - Not to exceed \$1,038,877, from \$2,386,395 to \$3,425,272 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0196

Item 34: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city board and commission appointments for the 2011-2013 board term updated through JANUARY 23, 2013.

The city secretary noted the report indicated a nominee for an individual appointment cleared for city council action met all qualifications for service.

Deputy Mayor Pro Tem Atkins moved to appoint Linda L. Riley, Experience in Performing Arts, to the Cultural Affairs Commission.

Motion seconded by Councilmember Caraway and unanimously adopted. (Kadane, Koop absent when vote taken; Allen absent on city business)

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

Motion seconded by Councilmember Caraway and unanimously adopted. (Kadane, Koop absent when vote taken; Allen absent on city business)

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

13-5151 CAC CULTURAL AFFAIRS COMMISSION

13-5152 CPC CITY PLAN AND ZONING COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0197

Item 35: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from New Micros, Inc. of 3,466 square feet of land located near Chalk Hill Road and Interstate Highway 30 for the Chalk Hill Improvement Project - Not to exceed \$16,730 (\$14,730 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read items 35-41 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 *New Micros, Inc.* a tract of land containing approximately 3,466 square feet of land located at 1601 Chalk Hill Road near the intersection of Chalk Hill Road and Interstate Highway 30 in City of Dallas Block 7192, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Chalk Hill Road.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 35-41.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 35-41:

Voting Yes: [13] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill,
Alonzo, Davis, Koop, Greyson, Margolin, Hunt
Voting No: [0]
Absent when vote taken: [1] Kadane
Absent on city business: [1] Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0198

Item 36: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ruth A. Hudgins Grandchildren's Trust of approximately 12,714 square feet of land located near Chalk Hill Road and Singleton Boulevard for the Chalk Hill Improvements Project - Not to exceed \$57,035 (\$54,035 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read items 35-41 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 *Ruth A. Hudgins Grandchildren's Trust* a tract of land containing approximately 12,714 square feet of land located at 2828 Chalk Hill Road near the intersection of Chalk Hill Road and Singleton Boulevard in City of Dallas Block 7193, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for street improvements to Chalk Hill Road.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 35-41.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 35-41:

Voting Yes: [13] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Koop, Greyson, Margolin, Hunt
Voting No: [0]
Absent when vote taken: [1] Kadane
Absent on city business: [1] Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0199

Item 37: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charlotte Skinner Coffman of a tract of land containing approximately 18,881 square feet located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$11,556 (\$10,385 plus closing costs and title expenses not to exceed \$1,171) - Financing: Water Utilities Capital Improvement Funds

Mayor Rawlings announced the city secretary would read items 35-41 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 *Charlotte Skinner Coffman* a tract of land containing approximately 18,881 square feet of land located at 11906 Rylie Crest Drive, in City of Balch Springs Abstract 1348, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use, and maintenance of one or more pipelines for the transmission of treated water, together with such appurtenant facilities as may be necessary.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 35-41.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 35-41:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[1]	Kadane
Absent on city business:	[1]	Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0200

Item 38: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jessie Foster and Patricia Foster of a tract of land containing approximately 4,002 square feet located near the intersection of C. F. Hawn Freeway and Kleberg Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$35,206 (\$33,091 plus closing costs and title expenses not to exceed \$2,115) - Financing: Water Utilities Capital Improvement Funds

Mayor Rawlings announced the city secretary would read items 35-41 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 *Jessie Foster and Patricia Foster* a tract of land containing approximately 4,002 square feet of land located at 11411 C.F. Hawn Freeway near the intersection of C.F. Hawn and Kleberg Road, in City of Dallas Block 8795, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use, and maintenance of one or more pipelines for the transmission of treated water, together with such appurtenant facilities as may be necessary.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 35-41.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 35-41:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[1]	Kadane
Absent on city business:	[1]	Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0201

Item 39: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Chuck Raleigh of a tract of land containing approximately 36,547 square feet located near the intersection of Interstate Highway 20 and Quietwood Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$103,121 (\$100,504 plus closing costs and title expenses not to exceed \$2,617) - Financing: Water Utilities Capital Improvement Funds

Mayor Rawlings announced the city secretary would read items 35-41 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 *Chuck Raleigh* a tract of land containing approximately 36,547 square feet of land located at 13700 Interstate Highway 20 near the intersection of Interstate Highway 20 and Quietwood Drive, in City of Dallas Block 8833, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use, and maintenance of one or more pipelines for the transmission of treated water, together with such appurtenant facilities as may be necessary.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 35-41.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 35-41:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[1]	Kadane
Absent on city business:	[1]	Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0202

Item 40: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charles L. Raleigh of a tract of land containing approximately 46,302 square feet located near the intersection of Interstate Highway 20 and Kate Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$181,134 (\$178,103 plus closing costs and title expenses not to exceed \$3,031) - Financing: Water Utilities Capital Improvement Funds

Mayor Rawlings announced the city secretary would read items 35-41 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 *Charles L. Raleigh* a tract of land containing approximately 46,302 square feet of land located at 13600 Kingsland Road near the intersection of Interstate Highway 20 and Kate Road, in City of Dallas Block D/8833, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use, and maintenance of one or more pipelines for the transmission of treated water, together with such appurtenant facilities as may be necessary.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 35-41.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 35-41:

Voting Yes:	[13]	Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Koop, Greyson, Margolin, Hunt
Voting No:	[0]	
Absent when vote taken:	[1]	Kadane
Absent on city business:	[1]	Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0203

Item 41: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Joseph F. Edwards, Steven F. Edwards, Susan K. Edwards, Donna J. Harper and Cynthia G. Shotwell of a tract of land containing approximately 296,438 square feet located near the intersection of Interstate Highway 20 and Lasater Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$794,246 (\$788,003 plus closing costs and title expenses not to exceed \$6,243) - Financing: Water Utilities Capital Improvement Funds

Mayor Rawlings announced the city secretary would read items 35-41 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 *Joseph F. Edwards, Steven F. Edwards, Susan K. Edwards, Donna J. Harper and Cynthia G. Shotwell* a tract of land containing approximately 296,438 square feet of land located at 13918 Lasater Road near the intersection of Interstate Highway 20 and Lasater Road, in City of Dallas Block 8837, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, use, and maintenance of one or more pipelines for the transmission of treated water, together with such appurtenant facilities as may be necessary.

Deputy Mayor Pro Tem Atkins moved to adopt agenda items 35-41.

Motion seconded by Mayor Pro Tem Medrano.

Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt agenda items 35-41:

Voting Yes: [13] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Koop, Greyson, Margolin, Hunt
Voting No: [0]
Absent when vote taken: [1] Kadane
Absent on city business: [1] Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0204

City Center TIF District

Note: Item Nos. 42 and 43
must be considered collectively.

Item 42: Authorize **(1)** a development agreement with Fairfield Investment Company, LLC, to dedicate future TIF revenues for reimbursement of eligible project costs related to environmental remediation and demolition, public infrastructure improvements and affordable housing for the Fairfield at Ross development project (302 North Houston Street) located in Tax Increment Financing Reinvestment Zone Five (City Center TIF District), and **(2)** the City Center TIF District Board of Directors to dedicate an amount not to exceed \$5,500,000, of which \$2,452,850 is in the form of an Economic Development TIF Grant to offset costs of structured parking and affordable housing, from future City Center TIF District revenues, in accordance with the development agreement - Not to exceed \$5,500,000 - Financing: City Center TIF District Funds

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

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

Councilmember Davis moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and Deputy Mayor Pro Tem Atkins and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0205

City Center TIF District

Note: Item Nos. 42 and 43
must be considered collectively.

Item 43: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to reimburse Fairfield Investment Company, LLC, up to \$5,500,000 of which \$2,452,850 is in the form of a TIF Grant, for TIF-eligible project costs pursuant to the development agreement with Fairfield Investment Company, LLC - 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 Davis moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and Deputy Mayor Pro Tem Atkins and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0206

Item 44: Authorize an amendment to the development agreement with Victory Park UST Joint Venture I, LP, previously approved on June 27, 2012, by Resolution Nos. 12-1682 and 12-1683, in Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) for reimbursement of costs related to planning efforts related to parking, vehicular and pedestrian circulation, place making and retail design for the Victory Sub-district of Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) to: **(1)** increase TIF Reimbursement from an amount not to exceed \$400,000 to an amount not to exceed \$700,000 (an increase of \$300,000) in the form of a TIF Grant from future Victory Sub-district Sports Arena TIF District revenues; and **(2)** provide reimbursement for Phase 1 of the studies, prior to completion of Phase 2 of the studies if and when TIF increment is available to do so, in accordance with the amended development agreement - Not to exceed \$700,000 - Financing: Sports Arena TIF District Funds

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

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

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0207

Item 45: Authorize a second amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) extend the deadline to obtain Design Review approval for the Hillside West project's final elevations, physical elements and the quality of its building material from April 12, 2012 to October 12, 2012; and (2) specify the project's outstanding TIF obligation is intended to be reimbursed out of the Davis Garden TIF District's Affordable Housing set-aside fund based on a ratio of Cumulative Individual Increment of the project to the sum of all the Cumulative Individual Increment generated by projects eligible for reimbursement from the affordable housing set-aside for a given year - 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 Deputy Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0208

Item 46: Authorize a second amendment to the development agreement with GFD Opportunity I, LLC, previously approved on November 9, 2009, by Resolution No. 09-2764-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** reduce the Taylor Farm project's affordable housing units from 160 affordable housing units (having a maximum rent of 60% of the annual median income) to 144 affordable housing units (measuring a minimum of 700 square feet and having a maximum rent of 60% of the annual median income for 17 years); and **(2)** specify the project's outstanding TIF obligation is intended to be reimbursed out of the Davis Garden TIF District's Affordable Housing set-aside fund based on a ratio of Cumulative Individual Increment of the project to the sum of all the Cumulative Individual Increment generated by projects eligible for reimbursement from the affordable housing set-aside for a given year - 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 Hill and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0209

Item 47: Authorize a second amendment to the development agreement with the Kessler Theater, LLC, previously approved on November 9, 2009, by Resolution No. 09-2762-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** divide the project into two phrases that are eligible for TIF reimbursement upon their completion and verification that the City's conditions for reimbursement have been satisfied (Phase I will consist of the project's environmental remediation and demolition activities and historical façade improvements, Phase II will consist of the project's streetscape improvements); **(2)** extend the completion deadline for all required environmental remediation and demolition activities at the Project site from July 1, 2012 to July 1, 2013; **(3)** extend the completion deadline for all historical façade improvements at the Project site from July 1, 2012 to December 31, 2013; **(4)** extend the deadline to complete all streetscape improvements along West Davis Street and North Clinton Avenue and obtain a certificate of acceptance for these and other infrastructure improvements that are funded by reimbursements from the TIF fund or are located in the public right of way from July 1, 2012 to December 31, 2014; **(5)** extend the deadline to execute and fund an operating and maintenance agreement for non-standard public improvements associated with the Project from July 1, 2012 to December 31, 2014; and **(6)** extend the deadline to lease 50% of the theater's commercial and office space from July 1, 2012 to December 31, 2014 - 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 Deputy Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0210

Item 48: Authorize **(1)** preliminary adoption of Substantial Amendment No. 18 to the FY 2012-13 Action Plan for the Reconstruction/Share Program to establish a Reconstruction/Share activity and reallocate \$400,000 from the Major System Repair Program activity to the Reconstruction/Share Program; and **(2)** a public hearing to be held on February 27, 2013 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Hill and unanimously adopted. (Kadane absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0211

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

- Agenda item 49: Zoning Case Z112-325(RB)
- Agenda item 50: Zoning Case Z123-102(MW)
- ~~Agenda item 51: Zoning Case Z123-103(WE)~~ [considered individually]
- Agenda item 52: Zoning Case Z123-104(RB)
- ~~Agenda item 53: Zoning Case Z123-109(RB)~~ [considered individually]
- ~~Agenda item 54: Zoning Case Z123-110(CG)~~ [considered individually]
- ~~Agenda item 55: Zoning Case Z123-111(CG)~~ [considered individually]
- ~~Agenda item 56: Zoning Case Z123-112(CG)~~ [considered individually]
- Agenda item 57: Zoning Case Z123-115(RB)
- Agenda item 58: Zoning Case Z123-121(WE)
- ~~Agenda item 59: Zoning Case Z123-122(CG)~~ [considered individually]
- ~~Agenda item 60: Zoning Case Z123-123(CG)~~ [considered individually]
- Agenda item 61: Zoning Case Z112-307(JH)
- Agenda item 62: Zoning Case Z123-119(JH)
- Agenda item 63: Zoning Case Z123-120(RB)

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

Councilmember Jasso 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 Deputy Mayor Pro Tem Atkins and unanimously adopted. (Caraway, Hill, Davis absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0212

Item 49: Zoning Case Z112-325(RB)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z112-325(RB), regarding an application for and an ordinance granting a Specific Use Permit for a Vehicle display, sales, and service use on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the east line of Buckner Boulevard, south of Astoria Drive

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28885

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0213

Item 50: Zoning Case Z123-102(MW)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z123-102(MW), regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery or winery on property zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District on the northwest corner of North Bishop Avenue and West 7th Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28886

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0214

Item 51: Zoning Case Z123-103(WE)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

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 Z123-103(WE), regarding an application for and an ordinance granting a Specific Use Permit for recycling buy-back center on property zoned an LI Light Industrial District on the north side of Congressman Lane, east of Denton Drive

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

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28887

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0215

Item 52: Zoning Case Z123-104(RB)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z123-104(RB), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1789 for a Medical clinic on property within the Tract 1A portion of Planned Development District No. 316, the Jefferson Area Special Purpose District on the north line of Jefferson Boulevard, west of Madison Street

(The staff and city plan commission recommended Approval for a five-year period, subject to a revised 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. 28888

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0216

Item 53: Zoning Case Z123-109(RB)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

Mayor Pro Tem Medrano requested that zoning consent item 53 be considered as an individual item. Mayor Rawlings stated that zoning consent item 53 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Medrano's request.

A public hearing was called on zoning case Z123-109(RB), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1694 for a Bar, lounge, or tavern and an Inside commercial amusement limited to a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the southeast line of Elm Street, west of Crowds Street

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

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

Mayor Pro Tem Medrano moved to close the public, accept the zoning change as recommended by the city plan commission with the following change:

- That the maximum area for the uncovered patio is 2,500 square feet.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28889

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0217

Item 54: Zoning Case Z123-110(CG)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

Councilmember Greyson requested that zoning consent item 54 be considered as an individual item. Mayor Rawlings stated that zoning consent item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z123-110(CG), regarding an application for and an ordinance granting a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the southwest corner of Commerce Street and South Ervay Street

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

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

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 Hunt.

Mayor Rawlings called the vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting "No." (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28890

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0218

Item 55: Zoning Case Z123-111(CG)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

Councilmember Greyson requested that zoning consent item 55 be considered as an individual item. Mayor Rawlings stated that zoning consent item 55 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z123-111(CG), regarding an application for and an ordinance granting a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the southwest corner of Commerce Street and South Ervay Street

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

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting "No." (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28891

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0219

Item 56: Zoning Case Z123-112(CG)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

Councilmember Greyson requested that zoning consent item 56 be considered as an individual item. Mayor Rawlings stated that zoning consent item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z123-112(CG), regarding an application for and an ordinance granting a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the northeast corner of North Griffin Street and Elm Street

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

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

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

Motion seconded by Deputy Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting "No." (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28892

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0220

Item 57: Zoning Case Z123-115(RB)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z123-115(CG), regarding an application for and an ordinance granting an amendment to Phase 1a and 1b portion of Planned Development District No. 121 for TH-4 Townhouse District Uses and GR General Retail District Uses on the southwest corner of Walnut Hill Lane and North Central Expressway

(The staff and city plan commission recommended Approval, subject to a revised Phase 1a and 1b development plan and revised conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28893

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0221

Item 58: Zoning Case Z123-121(WE)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z123-121(WE), regarding an application for and an ordinance granting a Specific Use Permit for private streets on property zoned an R-16(A) Single Family District on the north side of Forest Lane, between Hampstead Lane and Creekway Drive

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28894

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0222

Item 59: Zoning Case Z123-122(CG)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

Councilmember Greyson requested that zoning consent item 59 be considered as an individual item. Mayor Rawlings stated that zoning consent item 59 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z123-122(WE), regarding an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity videoboard on property zoned a CA-1(A) Central Area District on the northwest corner of North Griffin Street and Elm Street

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

No one appeared in opposition to or in favor of the city plan commission 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 Deputy Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting "No." (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28895

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0223

Item 60: Zoning Case Z123-123(CG)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

Councilmember Greyson requested that zoning consent item 60 be considered as an individual item. Mayor Rawlings stated that zoning consent item 60 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z123-123(CG), regarding an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity videoboard on property zoned a CA-1(A) Central Area District on the northwest corner of North Griffin Street and Elm Street

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

No one appeared in opposition to or in favor of the city plan commission 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 Deputy Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting "No." (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28896

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0224

Item 61: Zoning Case Z112-307(JH)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z112-307(JH), regarding an application for and an ordinance granting for Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a microbrewery, microdistillery, or winery, on property zoned Subdistrict 6 within Planned Development District No. 830 on the southeast corner of West Davis Street and North Tyler Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28897

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0225

Item 62: Zoning Case Z123-119(JH)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z123-119(JH), regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the northwest side of Ann Arbor Avenue, southwest of Frio Drive

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28898

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0226

Item 63: Zoning Case Z123-120(RB)

The consent zoning docket, consisting of agenda items 49-63, was presented for consideration.

A public hearing was called on zoning case Z123-120(RB), regarding an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned a D(A) Duplex District, and an ordinance terminating Specific Use Permit No. 41 for a Public library on the west corner of Ferguson Road and Joaquin Drive

(The staff and city plan commission recommended Approval of an NO(A) District, and approval of the termination of Specific Use Permit No. 41)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28899 AND 28900

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0227

Item 64: Zoning Case Z112-247(RB) - INDIVIDUAL

A public hearing was called on zoning case Z112-247(RB), regarding an application for and an ordinance granting the creation of a new subdistrict within the Light Commercial/Office Subdistrict portion of Planned Development District No. 631, the West Davis Special Purpose District on the northwest corner of West Davis Street and the unimproved portion of Tatum Avenue

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

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

Councilmember Alonzo moved to continue the public hearing and hold under advisement until the February 13, 2013 voting agenda meeting of the city council.

Motion seconded Deputy Mayor Pro Tem Aktins and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0228

Item 65: Zoning Case Z123-113(JH) - INDIVIDUAL

A public hearing was called on zoning case Z123-113(JH), 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 use of 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the north side of East Ledbetter Drive, southeast of Interstate 35

(The staff recommended Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions and city plan commission recommended Approval of the 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 Caraway moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinances.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NOS. 28901 AND 28902

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0229

Item 66: Zoning Case Z112-268(RB) – UNDER ADVISEMENT -INDIVIDUAL

A public hearing was called on zoning case Z112-268(RB), regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the south line of Ryan Road, east of Luna Road

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

Note: This item was considered by the City Council at a public hearing on January 9, 2013, and was taken under advisement until January 23, 2013, with the public hearing open.

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

Councilmember Alonzo moved to continue the public hearing and hold under advisement until the February 13, 2013 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0230

DESIGNATED ZONING CASES - INDIVIDUAL

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

Item 67: A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned a CH Clustered Housing District on the south side of Ronnie Drive and north side of Newt Drive, east of Dickerson Street

(The staff recommended Denial and city plan commission recommended Approval)

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

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

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

Jim Yang, 17708 Dickerson St.

Appearing in favor of city plan commission's recommendation:

Oscar H. Lindquist, 7759 Ronnie Dr., representing Owner

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

Motion seconded by Councilmember Kadane and Councilmember Hunt and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28903

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0231

DESIGNATED ZONING CASES - INDIVIDUAL

Item 68: A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions and an MU-3 Mixed Use District with deed restrictions, and an ordinance granting an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District in the southwest quadrant of Greenville Avenue and Restland Road

(The staff and city plan commission recommended Approval of an amendment to, and expansion of Specific Use Permit No. 363, subject to a site plan and conditions, and approval of an LO-2 Limited Office District)

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 of the city plan commission's recommendation.

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

Tailim Song, 13140 Coit Rd., representing White Stone Offices

Councilmember Koop moved to continue the public hearing and hold under advisement until the February 13, 2013 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0232

DESIGNATED ZONING CASES - INDIVIDUAL

Item 69: A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, with a D Liquor Control Overlay on the southeast corner of Hood Street and Brown Street

(The staff and the city plan commission recommended Approval, subject to a development plan and conditions with retention of the D Liquor Control Overlay)

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:

Cindy Harris, 2900 McKinnon, representing Associated Estates
Jonathon Vinson, 6342 Vickey Blvd., representing Associated Estates

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

Motion seconded by Mayor Pro Tem Medrano and Councilmember Kadane and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28904

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0233

DESIGNATED ZONING CASES - INDIVIDUAL

Item 70: A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 70; an ordinance granting the removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay; and an ordinance terminating Specific Use Permit No. 1574 for a Restaurant with alcoholic beverage service, on the northeast corner of Northwest Highway and Midway Road

(The staff recommended Approval of an amendment to Planned Development District No. 70, subject to staff's recommended conditions, denial of the removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay, and denial of the termination of Specific Use Permit No. 1574 and the city plan commission recommended Approval of an amendment to Planned Development District No. 70, subject to conditions, approval of the removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay, and approval of the termination of Specific Use Permit No. 1574)

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

Motion seconded by Councilmember Kadane and Councilmember Koop and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NOS. 28905, 28906 AND 28907

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0234

DESIGNATED ZONING CASES - INDIVIDUAL

Item 71: A public hearing to receive comments regarding an application for and an ordinance granting an amendment to, and an expansion of, Planned Development Subdistrict No. 16 for O-2 Office Subdistrict uses on property zoned Planned Development Subdistrict No. 16 and an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of McKinnon Street and Wolf Street

(The staff recommended Approval, subject to revised development plan, revised landscape plan, elevations and staff's recommended conditions and city plan commission recommended Approval, subject to revised development plan, revised landscape plan, elevations and conditions)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0235

DESIGNATED ZONING CASES - INDIVIDUAL

Item 72: A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 344 for commercial amusement (inside and outside) uses on the north line of Park Lane, northwest of Abrams Road

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

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

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

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

Motion seconded by Councilmember Kadane and Councilmember Koop and unanimously adopted. (Hill, Davis absent when vote taken; Allen absent on city business)

Assigned ORDINANCE NO. 28908

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0236

Item 73: A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned an R-5(A) Single Family District, a CS Commercial Service District with Specific Use Permit No. 1701 for commercial motor vehicle parking, and an IR Industrial Research District on approximately 21 acres generally located on the north side of Singleton Boulevard between Bataan Street to the west and Beckley Avenue/Canada Drive to the east and south of Pueblo Street, with consideration given to appropriate zoning for the subject site to allow for mixed uses and consideration of applying Neighborhood Stabilization Overlay No. 13 to property zoned an R-5(A) Single Family District on the east side of Bataan Street and the north side of the unimproved right-of-way for Fairfield Street - Financing: No cost consideration to the City (via Mayor Pro Tem Medrano, Deputy Mayor Pro Tem Atkins, and Councilmembers Jasso, Alonzo, Koop and Greyson)

No one addressed the city council regarding the item.

Councilmember Alonzo moved to continue the public hearing and hold under advisement until the February 13, 2013 voting agenda of the city council.

Motion seconded by Councilmember Greyson and unanimously adopted. (Hill absent when vote taken; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0237

Item 74: A public hearing to receive comments on **(1)** 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 (HUD) 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; and **(2)** a proposed City of Dallas submission of an application to 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, authorize final adoption of Substantial Amendment No. 17, approve modification of the CDBG Section 108 Loan Program Statement, 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, and City Manager to submit the application and take necessary actions in connection with the application submission - 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."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-0237

Page 2

The following individuals addressed the city council on the item:

Richard Sheridan, 3022 Forest Ln.

Larry Hamilton, 1310 Elm St.

Paul D. Cook, 1110 S. Akard St., representing the owner

John P. Greenan, 511 N. Akard St.

Michael Przekwas, 1602 Beaumont St.

Ken Duble, 1111 S. Akard St., representing Cedars Neighborhood Association

Gwain Wooten, 1000 Grigsby Ave., representing Real American Women

Zad Roumaya, 8359 San Fernando Way

Mayor Pro Tem Medrano moved to close the public hearing and adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Kadane and unanimously adopted. (Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0238

Item 75: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Wycliff Avenue from Stemmons Freeway to Market Center Boulevard from a six lane divided (S-6-D) roadway within 107 feet of right-of-way to a four lane undivided (S-4-U) roadway within 60 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Allen absent on city business)

Assigned ORDINANCE NO. 28909

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0239

Item 76: A public hearing to receive comments to amend **(1)** the City of Dallas Thoroughfare Plan to change the dimensional classification of Harwood Street from Cedar Springs Road to Woodall Rodgers Freeway from an existing couplet to a two-way, four lane undivided (S-4-U) roadway within 60 feet of right-of-way; and **(2)** the CBD Streets and Vehicular Circulation Plan to change the operational characteristics of Harwood Street from Woodall Rodgers Freeway to Flora Street from three lanes southbound to one lane northbound and one lane southbound and Harwood Street from Flora Street to Ross Avenue from four lanes southbound to two lanes northbound and two lanes southbound; and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted. (Allen absent on city business)

Assigned ORDINANCE NO. 28910

Note: At the time the item was considered, the city secretary announced for the record the item pertained to District 14.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0240

Addendum addition 1: Authorize **(1)** an Interlocal Agreement with the Texas Municipal League Intergovernmental Risk Pool; and **(2)** a one-year agreement, with two one-year renewal options, for Excess Workers' Compensation Insurance through, and subject to, approval by the executive board of Texas Municipal League Intergovernmental Risk Pool - Not to exceed \$425,000 - Financing: Current Funds (subject to appropriations)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0241

Addendum addition 2: Authorize a contract with CGI Technologies and Solutions, Inc. to implement an upgrade to the City's financial and accounting system and maintenance and licensing for three years, through the State of Texas Department of Information Resources - Not to exceed \$1,130,411 - Financing: Current Funds (\$127,361) and Municipal Lease Agreement Funds (\$1,003,050) (subject to annual appropriations)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0242

Addendum addition 3: Authorize a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas - Texas Tree & Landscape LTD, lowest responsible bidder of four - Not to exceed \$8,843,445 - Financing: Current Funds (subject to annual appropriations)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0243

Addendum addition 4: Authorize Supplemental Agreement No. 1 to increase the service contract with All Temps 1 Personnel for temporary industrial labor for Sanitation Services - Not to exceed \$2,816,003, from \$11,264,013 to \$14,080,016 - Financing: Current Funds (subject to appropriations)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0244

Addendum addition 5: Authorize an Interlocal Agreement with the University of Texas at Arlington to develop the Southeast Oak Cliff Economic Development Approach - Not to exceed \$22,695 - Financing: Public/Private Partnership Funds

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0245

Addendum addition 6: Authorize a contract with Alternative Building Concepts Group (ABC) Behavioral Health, with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals for the period December 1, 2012 through September 30, 2013 - Not to exceed \$89,145 - Financing: 2012-13 Emergency Solutions Grant Funds (\$87,145) and 2011-12 Emergency Solutions Grant Funds (\$2,000)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0246

Addendum addition 7: Authorize a contract with Alternative Building Concepts Group (ABC) Behavioral Health, with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals for the period December 1, 2012 through September 30, 2013 - Not to exceed \$89,145 - Financing: 2012-13 Emergency Solutions Grant Funds (\$87,145) and 2011-12 Emergency Solutions Grant Funds (\$2,000)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0247

Addendum addition 8: Authorize a contract with CitySquare (formerly Central Dallas Ministries), with one twelve-month renewal option, to provide Housing Relocation and Stabilization and Financial Assistance Services to single homeless individuals for the period December 1, 2012 through September 30, 2013 - Not to exceed \$106,100 - Financing: 2012-13 Emergency Solutions Grant Funds (\$96,100) and 2011-12 Emergency Solutions Grant Funds (\$10,000)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0248

Addendum addition 9: Authorize a contract with Family Gateway, Inc., with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to homeless families and individuals for the period December 1, 2012 through September 30, 2013 - Not to exceed \$165,750 - Financing: 2011-12 Emergency Solutions Grant Funds

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0249

Addendum addition 10: Authorize the acceptance of a grant from the U.S. Department of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2011 through March 31, 2013 - Not to exceed \$227,570 - Financing: U.S. Department of Homeland Security Grant Funds

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0250

**Margaret McDermott (IH30) Bicycle
and Pedestrian Improvements**

Note: Addendum Item Nos. 11 and 12
must be considered collectively.

Addendum addition 11: Authorize **(1)** the receipt and deposit of funds in the amount of \$5,000,000 from the Trinity Trust Foundation for the construction of the IH30 Bridge Pedestrian and Bicycle components; **(2)** the receipt and deposit of donated funds in the amount of \$443,423 from the Dallas Foundation; **(3)** an increase in appropriations in the IH30 Bridge Donation Fund in the amount of \$6,321,203; and **(4)** payment to the Texas Department of Transportation (TxDOT) for construction of the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridge over the Trinity Floodway - Not to exceed \$8,438,228 - Financing: 2003 Bond Funds (\$646,247), 2006 Bond Funds (\$1,223,778) (designated Public Art Funds approved in the 2003 and 2006 Bond Programs) and IH30 Bridge Donation Funds (\$6,568,203)

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

William Hopkins, 2011 Leath St.
Craig Holcomb, 3601 Turtle Creek Blvd., representing The Trinity Commons
Foundation

Councilmember Griggs and Councilmember Koop requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs and Councilmember Koop's request.

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

Councilmember Hill moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Deputy Mayor Pro Tem Atkins requested a roll call vote on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-0250

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

Voting Yes:	[10]	Rawlings, Medrano, Atkins, Jasso, Caraway, Hill, Alonzo, Davis, Greyson, Margolin
Voting No:	[2]	Griggs, Hunt
Abstain:	[1]	Koop
Absent when vote taken:	[1]	Kadane
Absent on city business:	[1]	Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0251

**Margaret McDermott (IH30) Bicycle
and Pedestrian Improvements**

Note: Addendum Item Nos. 11 and 12
must be considered collectively.

Addendum addition 12: Authorize a Project Specific Agreement with Dallas County for funding participation for the design and construction of IH30 bicycle and pedestrian connections between Riverfront Boulevard and Beckley Avenue - Financing: No cost consideration to the City

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

William Hopkins, 2011 Leath St.
Craig Holcomb, 3601 Turtle Creek Blvd., representing The Trinity Commons
Foundation

Councilmember Griggs and Councilmember Koop requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs and Councilmember Koop's request.

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

Councilmember Hill moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Deputy Mayor Pro Tem Atkins requested a roll call vote on the item.

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

Voting Yes:	[10]	Rawlings, Medrano, Atkins, Jasso, Caraway, Hill, Alonzo, Davis, Greyson, Margolin
Voting No:	[2]	Griggs, Hunt
Abstain:	[1]	Koop
Absent when vote taken:	[1]	Kadane
Absent on city business:	[1]	Allen

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2013

13-0252

Addendum addition 13: Authorize a professional services contract with Pacheco Koch Consulting for tree and topographic survey work necessary to proceed with the restoration of the U. S. Army Corps of Engineers mitigation lands, remediation activities to address landfill closure concerns and recreational amenities - Not to exceed \$193,000 - Financing: 1998 Bond Funds (\$38,000), Stormwater Drainage Management Funds (\$125,000) and U.S. Army Corps of Engineers Project Cooperation Funds (\$30,000)

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

William Hopkins, 2011 Leath St.

Adopted as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2013

EXHIBIT C