

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 27, 2013

13-0370

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

PRESENT: [14] Rawlings, Atkins, Jasso, Griggs (*9:03 a.m.), Caraway (*9:04 a.m.), Hill, Alonzo, Davis, Kadane (*11:12 a.m.), Allen, Koop, Greyson (*9:07 a.m.), Margolin, Hunt (*9:17 a.m.)

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

The meeting was called to order at 9:01 a.m.

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

The invocation was given by Rabbi David Singer of Congregation Shearith Israel.

Councilmember Alonzo led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 2:38 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, FEBRUARY 27, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 27, 2013

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0371

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: Molly Rooke, 5825 Palm Ln. (handouts provided)
SUBJECT: Gas drilling

SPEAKER: David Williams, Private
SUBJECT: Budget cuts

SPEAKER: Isiah Payne, 1715 Driskell St. (handouts provided)
SUBJECT: Demolition of property

SPEAKER: Stan Miklis, 4540 County Rd. 2546, Royse City (handouts provided)
SUBJECT: Farmers Market

SPEAKER: Ed Meyer, 6015 Fox Point Trl.
SUBJECT: Gas drilling

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Joyce Cammerino, 10408 Mapleridge Dr. (handouts provided)
SUBJECT: Invention nondisclosure

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

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

SPEAKER: Richard Sheridan, 3022 Forest Ln. (handouts provided)
REPRESENTING: Awakening Citizens
SUBJECT: Election vote fraud

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

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13-0371
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OPEN MICROPHONE – END OF MEETING – SPOKE IN THE LAST 30 DAYS:
(Continued)

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Farmers Market/Agenda - 54, Addendum - 1, 9

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: Real American Women
SUBJECT: Let freedom ring

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0372

Item 1: Approval of Minutes of the February 13, 2013 City Council Meeting

Councilmember Kadane moved to adopt the minutes of the February 13, 2013 City Council Meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0373

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-54 and addendum addition consent agenda items 1-7, was presented for consideration.

Deputy Mayor Pro Tem Atkins requested that consent agenda item 45 be considered as an individual item. Mayor Rawlings stated that consent agenda item 45 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 7 be considered as an individual item. Mayor Rawlings stated that addendum addition consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' request.

Councilmember Caraway requested that consent agenda items 6, 7, 39 and 40 be considered as individual items. Mayor Rawlings stated that consent agenda items 6, 7, 39 and 40 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Caraway's request.

Councilmember Greyson requested that consent agenda items 24, 45 and addendum addition consent agenda item 3 be considered as individual items. Mayor Rawlings stated that consent agenda items 24, 45 and addendum addition consent agenda item 3 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Kadane moved to adopt all items on the consent agenda with the exception of consent agenda items 6, 7, 24, 39, 40, 45 and addendum addition consent agenda items 3 and 7 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0374

Item 2: Authorize a professional services contract with ABS Aviation Consultancy, Inc. d/b/a Airport Business Solutions for the appraisal and development of lease rates for aviation/non-aviation use properties and recommend fuel flow fees at Dallas Love Field and Dallas Executive Airport - Not to exceed \$45,500 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0375

- Item 3: Authorize a second amendment to the lease with EAN Holdings, LLC, which does business as Enterprise Rent-A-Car, to reimburse in the form of rent abatement construction cost overruns in an amount not to exceed \$253,041 and extend the period in which the City has the right to recall all or any portion of the leased premises from the current two years to five years at Dallas Love Field
- Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0376

Item 4: Authorize a five-year concession contract, with renewal options not to exceed three years, for automated teller machine services at Dallas Love Field Airport - Cardtronics USA, Inc., most advantageous proposer of three - Estimated Revenue: \$1,438,200

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0377

Item 5: Authorize a three-year service contract, with two three-year renewal options, for dock master services at Dallas Love Field - Bradford Airport Logistics, LTD, most advantageous proposer of two - Not to exceed \$2,084,874 - Financing: Aviation Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0378

Crowd Management Services at Fair Park

Note: Item Nos. 6 and 7
must be considered collectively.

Item 6: Authorize a three-year service contract, with two one-year renewal options, to provide crowd management services at Fair Park for non-City sponsored events and receive a 30.76% revenue share of annual gross sales - Platinum Events Services, Inc., most advantageous proposer of six - Estimated Annual Revenue: \$156,000

Councilmember Caraway requested that consent agenda item 6 be considered as an individual item. Mayor Rawlings stated that consent agenda item 6 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 6 was brought up for consideration.

Councilmember Caraway moved to adopt the item.

Motion seconded Councilmember Kadane and unanimously adopted. (Davis absent when vote taken; Medrano absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0379

Crowd Management Services at Fair Park

Note: Item Nos. 6 and 7
must be considered collectively.

Item 7: Authorize a three-year service contract to provide crowd management services for City sponsored events at Fair Park - Platinum Events Services, Inc., most advantageous proposer of six - Not to exceed \$45,000 - Financing: Current Funds (subject to annual appropriations)

Councilmember Caraway 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 Caraway's request.

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

Councilmember Caraway moved to adopt the item.

Motion seconded Councilmember Kadane and unanimously adopted. (Davis absent when vote taken; Medrano absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0380

Item 8: Authorize a three-year master agreement for service pins, medals, award bars and shadow boxes for Police and Fire-Rescue - J. Brandt Recognition, Ltd. in the amount of \$110,882, Metis, Inc. in the amount of \$36,864 and Duncan/Day Advertising, LP in the amount of \$7,848, lowest responsible bidders of eight - Total not to exceed \$155,594 - Financing: Current Funds

Adopted as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0381

Item 9: Authorize a three-year master agreement for cervical collars and blood testing supplies - Products Unlimited, Inc. in the amount of \$524,328 and Emegear, LLC in the amount of \$220,541, lowest responsible bidders of seven - Total not to exceed \$744,869 - Financing: Department of State Health Services Grant Funds (\$524,329) and Current Funds (\$220,540)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0382

Item 10: Authorize an increase and a six month extension to the master agreement for dress and station wear uniforms for Fire-Rescue with GST Public Safety Supply in the amount of \$120,000, Mag & Son LLC dba Mag & Son Clothing in the amount of \$45,000, Casco Industries, Inc. in the amount of \$155,000, Uniforms, Inc. in the amount of \$50,000, C & G Police Supply dba C & G Wholesale in the amount of \$7,500, Circle R Embroidery Co. dba Classic Cap & Embroidery in the amount of \$20,000 and Municipal Emergency Services, Inc. in the amount of \$2,500 - Total not to exceed \$400,000, from \$5,396,051 to \$5,796,051 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0383

Item 11: Authorize settlement of the lawsuit styled Constance S. Rhodes v. City of Dallas, Cause No. DC-12-04916-L - Not to exceed \$110,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0384

Item 12: Authorize settlement of the lawsuit styled J.B. Persley v. City of Dallas, Cause No. CC-11-08017-D - Not to exceed \$75,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0385

Item 13: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0386

- Item 14: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0387

Item 15: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0388

Item 16: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0389

Item 17: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0390

Item 18: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0391

Item 19: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0392

Item 20: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0393

Item 21: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0394

Item 22: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0395

Item 23: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0396

Item 24: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District) and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

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

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

Councilmember Greyson moved adopt the item.

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

Note: At the time the item was considered, Councilmember Greyson announced for the record the item pertained to District 7.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0397

Item 25: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District) and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0398

Item 26: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0399

Item 27: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0400

Item 28: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0401

Item 29: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0402

Item 30: A resolution accepting the FY 2012 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District), submitted by the Cypress Waters TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0403

Item 31: Authorize **(1)** an agreement with the State of Texas for the design and construction of the Kessler Theater Pedestrian Amenities project; **(2)** the receipt and deposit of Regional Toll Revenue funds from the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), in the amount of \$179,200; and **(3)** an increase in appropriations in the amount of \$179,200 in the Regional Toll Revenue II Fund - Not to exceed \$179,200 - Financing: Regional Toll Revenue II Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0404

Item 32: Authorize Supplemental Agreement No. 1 to the contract with Metro Dallas Homeless Alliance to add additional funding to provide operations training, maintenance of the software and computer system and technical support with respect to the Homeless Management and Information System (HMIS) for the period October 1, 2012 through September 30, 2013 - Not to exceed \$50,140, from \$50,000 to \$100,140 - Financing: 2012-13 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0405

Item 33: Authorize a contract with The Family Place, Inc. to add additional funding for homeless prevention services to victims of domestic violence for the period January 1, 2013 through September 30, 2013 - Not to exceed \$78,635 - Financing: 2012-13 Emergency Solutions Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0406

Item 34: Authorize an amendment to the Mortgage Assistance Program for FY 2012-13 to add an eligible homebuyer category to include those homebuyers purchasing a new home constructed on properties sold by the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0407

- Item 35: Authorize a public hearing to be held on April 10, 2013 to receive comments on the proposed sale of one unimproved property (list attached) acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0408

Item 36: Authorize a public hearing to be held on March 27, 2013 to receive comments on the proposed FY 2013-14 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0409

Item 37: Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C. – Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0410

Item 38: Forty-ninth Supplemental Concurrent Bond Ordinance authorizing one or more series of Dallas/Fort Worth International Airport Joint Revenue Bonds, for lawful purposes; providing the security therefore; providing for the sale, execution and delivery thereof subject to certain parameters - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28921

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0411

Item 39: Authorize Supplemental Agreement No. 1 to the professional services contract with Perkins+Will Architects for renovations to include basic services, including schematic design, design development, construction documents, bidding, construction administration; and additional services including furniture, fixtures and equipment design, Stormwater Pollution Prevention Plan (SWPPP) and platting of the Jules E. Muchert Army Reserve Center complex for use as a Park and Recreation Department office and maintenance facility located at 10031 East Northwest Highway - Not to exceed \$390,226, from \$68,400 to \$458,626 - Financing: 2006 Bond Funds

Councilmember Caraway requested that consent agenda item 39 be considered as an individual item. Mayor Rawlings stated that consent agenda item 39 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 39 was brought up for consideration.

Councilmember Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0412

Item 40: Authorize Supplemental Agreement No. 2 to the contract with the Dallas Arboretum and Botanical Society, Inc, as previously amended and supplemented, to manage, maintain and operate an arboretum and botanical garden for a ten-year term, for the period March 23, 2013 through March 23, 2023 – Not to exceed \$395,000 annually - Financing: Current Funds (subject to annual appropriations)

Councilmember Caraway requested that consent agenda item 40 be considered as an individual item. Mayor Rawlings stated that consent agenda item 40 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 40 was brought up for consideration.

Councilmember Caraway moved to adopt the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Davis absent when taken; Medrano absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0413

Item 41: Authorize **(1)** a Project Specific Agreement with Dallas County for the design and construction of paving and drainage improvements on La Prada Drive from Millmar Drive to Motley Drive; and **(2)** payment to Dallas County for the City's share of design and construction costs - Not to exceed \$950,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0414

Item 42: Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of street improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard - Not to exceed \$565,654 - Financing: 2006 Bond Funds (\$473,254) and Water Utilities Capital Improvement Funds (\$92,400)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0415

Item 43: Authorize a contract with Bartlett Cocke General Contractors, LLC, best value proposer of five, for the construction of the Fire Station No. 27 replacement facility located at 8401 Douglas Avenue - Not to exceed \$6,231,909 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0416

Item 44: Authorize an increase in the contract with North Texas Contracting, Inc. for the construction of additional utility and paving improvements on Buckner Boulevard from Bruton Road to Scyene Road - Not to exceed \$174,426, from \$3,453,557 to \$3,627,983 - Financing: 2003 Bond Funds (\$48,230) and Water Utilities Capital Improvement Funds (\$126,196)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0417

Item 45: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Amador Garcia of a tract of land containing approximately 15,714 square feet of land improved with a billboard and a storage trailer located near the intersection of Tempest Drive and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$130,239 (\$127,393, plus closing costs and title expenses not to exceed \$2,846) - Financing: Water Utilities Capital Improvement Funds

Deputy Mayor Pro Tem Atkins and Councilmember Greyson requested that consent agenda item 45 be considered as an individual item. Mayor Rawlings stated that consent agenda item 45 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Atkins' and Councilmember Greyson's requests.

Later in the meeting, consent agenda item 45 was brought up for consideration.

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 a tract of land containing approximately 15,714 square feet of land located near the intersection of Tempest Drive and Interstate Highway 20 in City of Dallas Block 1/8778, and more fully described in Exhibit A of the proposed written resolution for this item, for the Southwest 120/96-inch Water Transmission Pipeline Project.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Kadane.

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

Voting Yes: [14] Rawlings, Atkins, Jasso, Griggs, Caraway, Hill, Alonzo,
Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt
Voting No: [0]
Absent on city business: [1] Medrano

The city secretary declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0418

Item 46: Authorize moving expense and replacement housing payments for Linda Shelton in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2934 Gloyd Street for future City facilities - Not to exceed \$60,800 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0419

Item 47: Authorize a five-year and three month lease agreement with Texas Prince Properties, Inc. for approximately 4,162 square feet of office space located at 7610 Stemmons Freeway, Suite 190 for the Northwest Building Inspection District Office for the period March 1, 2013 through May 31, 2018 - Not to exceed \$364,175 - Financing: Building Inspection Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0420

Item 48: A resolution authorizing the conveyance of a wastewater easement with a temporary construction easement containing a total of approximately 10,357 square feet of land to the City of Rowlett for the construction and maintenance of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of McCleery Lane and Dalrock Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0421

Item 49: A resolution authorizing the conveyance of a drainage easement with a temporary construction easement containing a total of approximately 37,571 square feet of land to the City of Rowlett for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of McCleery and Dalrock Road - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0422

Item 50: An ordinance abandoning a portion of an alley to Kojo Plaza, L.L.C., the abutting owner, containing approximately 1,467 square feet of land located near the intersection of Hampton and Mountain Lake Roads, authorizing the quitclaim and providing for the dedication of approximately 1,875 square feet of land needed for right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28922

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0423

Item 51: An ordinance abandoning portions of two drainage easements and a sanitary sewer easement to CADG Shady Side, LLC, the abutting owner, containing a total of approximately 6,347 square feet of land located near the intersection of Shadyside Lane and Grand Avenue - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28923

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0424

Item 52: Authorize a contract for the construction of process improvements at the Central Wastewater Treatment Plant - Cardinal Contractors, Inc., lowest responsible bidder of three - Not to exceed \$6,454,200 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0425

Item 53: Authorize a contract for the installation of water and wastewater mains at 44 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of seven - Not to exceed \$11,668,032 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0426

Item 54: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for additional work associated with the construction of approximately 1,575 feet of 27-inch and 30-inch wastewater mains - Not to exceed \$727,655, from \$7,223,024 to \$7,950,679 - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0427

Item 55: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0428

Item 56: Authorize the Authorize the quitclaim of 97 ~~98~~ ~~99~~ properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$514,487 ~~\$518,586~~ ~~\$525,736~~

Corrected on the addendum.

Councilmember Davis moved to postpone the item until April 10, 2013 voting agenda meeting of the city council.

Motion seconded by Councilmember Caraway.

Mayor Rawlings called the vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Hill voting "No." (Medrano absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0429

Item 57: Authorize the use of \$445,000 in Vickery Meadow TIF funds as the required matching funds for the City's HUD Sustainable Communities Grant to support the development of affordable housing in the Vickery Meadow TIF District - Not to exceed \$445,000 - Financing: Vickery Meadow 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 Margolin moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0430

**Downtown Connection TIF District -
500 South Ervay Redevelopment Project**

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

Item 58: Authorize (1) a development agreement with Alterra 500 South Ervay, LLC, to dedicate future TIF revenues for reimbursement of eligible project costs related to environmental remediation and demolition and façade restoration, for redevelopment of the 500 South Ervay building located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District); and (2) the Downtown Connection TIF District Board of Directors to dedicate an amount not to exceed \$5,000,000 from future Downtown Connection TIF District revenues, in accordance with the development agreement - Not to exceed \$5,000,000 - Financing: Downtown Connection 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 Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0431

**Downtown Connection TIF District -
500 South Ervay Redevelopment Project**

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

Item 59: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Alterra 500 South Ervay, LLC, up to \$5,000,000, for TIF-eligible project costs pursuant to the development agreement with Alterra 500 South Ervay, 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 Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0432

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 60-65, was presented for consideration.

Agenda item 60: Zoning Case Z112-312(MW)

Agenda item 61: Zoning Case Z123-116(MW)

Agenda item 62: Zoning Case Z123-126(MW)

Agenda item 63: Zoning Case Z123-137(MW)

Agenda item 64: Zoning Case Z123-146(WE)

Agenda item 65: Zoning Case Z112-215(JH)

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

The following individuals addressed the city council:

Phyllis Arceneaux, 316 Woodlark Trl. spoke in favor of agenda item 61

Richard Sheridan, 3022 Forest Ln., spoke in favor of agenda item 63

Michael Hampton, 1828 Tumbleweed Cir., Rockwall, TX, spoke in favor
of agenda item 61

Councilmember Hill 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. (Davis absent when vote taken; Medrano absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0433

Item 60: Zoning Case Z112-312(MW)

The consent zoning docket, consisting of agenda items 60-65, was presented for consideration.

A public hearing was called on zoning case Z112-312(MW), regarding an application for and an ordinance granting a Planned Development District for MU-1 Mixed Use District uses on property zoned an MU-1 Mixed Use District on the northeast corner of Arapaho Road and Knoll Trail

(The staff and city plan commission recommended Approval, subject to a conceptual plan; development plan, mews street landscape 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. 28924

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0434

Item 61: Zoning Case Z123-116(MW)

The consent zoning docket, consisting of agenda items 60-65, was presented for consideration.

A public hearing was called on zoning case Z123-116(MW), regarding an application for and **(1)** 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 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay; **(2)** an ordinance granting an RR Regional Retail District on property zoned a CR Community Retail District; and **(3)** a resolution accepting deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District and a CR Community Retail District on the north side of East Laureland Road, east of South R.L. Thornton Freeway

(The staff and city plan commission recommended Approval of a D-1 Liquor Control Overlay, approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions; approval of an RR Regional Retail District, and approval of deed restrictions volunteered by the applicant)

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

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

Phyllis Arceneaux, 316 Woodlark Trl., representing Glenview Homeowners Association

Michael Hampton, 1828 Tumbleweed Cir., Rockwall, TX, representing the applicant

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28925, 28926 AND 28927

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0435

Item 62: Zoning Case Z123-126(MW)

The consent zoning docket, consisting of agenda items 60-65, was presented for consideration.

A public hearing was called on zoning case Z123-126(MW), regarding an application for and an ordinance granting an MU-1 Mixed District on property zoned an IR Industrial Research District on the west corner of Crampton Street and Converse Street

(The staff and city plan commission recommended Approval)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28928

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0436

Item 63: Zoning Case Z123-137(MW)

The consent zoning docket, consisting of agenda items 60-65, was presented for consideration.

A public hearing was called on zoning case Z123-137(MW), regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to bar, lounge or tavern use on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Elm Street, east of North Good Latimer Expressway

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

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

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

Richard Sheridan, 3022 Forest Ln., representing some citizens

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28929

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0437

Item 64: Zoning Case Z123-146(WE)

The consent zoning docket, consisting of agenda items 60-65, was presented for consideration.

A public hearing was called on zoning case Z123-146(WE), regarding an application for and an ordinance granting an amendment to Zone 1 of Planned Development District No. 184 for office, retail and residential uses on the northeast corner of Carlisle Street and Cedar Springs Road

(The staff and city plan commission recommended Approval, subject to a development plan, landscape 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. 28930

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0438

Item 65: Zoning Case Z112-215(JH)

The consent zoning docket, consisting of agenda items 60-65, was presented for consideration.

A public hearing was called on zoning case Z112-215(JH), regarding an application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned a TH-3(A) Townhouse District on the southwest corner of South Tyler Street and West Page Avenue

(The staff and city plan commission recommended Approval)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28931

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0439

Item 66: Zoning Case Z123-128(WE) - INDIVIDUAL

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

A public hearing was called on zoning case Z123-128(WE), regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned a D(A) Duplex District on the north side of Del Norte Lane, west of Hillcrest Road

(The staff and city plan commission recommended Denial)

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

Joseph Cutcher, 6729 Del Norte, the applicant

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

Councilmember Margolin moved to close the public hearing, with the ordinance and deed restrictions to come back on March 27, 2013 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0440

Item 67: Zoning Case Z123-131(RB) - INDIVIDUAL

A public hearing was called on zoning case Z123-131(RB), regarding an application for and an ordinance granting a Planned Development District for a Nursery, garden shop, or plant sales use, a Landscape contractor's maintenance yard, and certain residential and nonresidential uses on property zoned an R-16(A) Single Family District on the southwest corner of Northaven Road and Freda Stern Drive

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

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

Robert Tabak, 7607 Currin Dr., property owner
Tricia Weiner, 7606 Currin Dr., representing property owners

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

Lillian Pinkus, 7040 Teakwood Dr.
Mercy Helferd, 7191 Kendellwood Dr., representing Northeven Campus
Facilities Corp.
Robert Reeves, 3807 Vinecrest Dr., representing the applicant

Councilmember Koop moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

- Landscape contractor's maintenance yard is an interim use only and must cease operations by October 1, 2014.
- For single family or handicapped group dwelling unit uses located within 30 feet of the western Property line or any other permitted use located within 80 feet of the western Property line, all windows located above the first floor on a western façade must be constructed at a minimum height of six feet above the floor , measured to the bottom of the window or constructed using a non-transparent material, such as glass blocks or frosted glass that allows only light into interior spaces.

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

Assigned ORDINANCE NO. 28932

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0441

DESIGNATED ZONING CASES - INDIVIDUAL

Item 68: Zoning Case Z112-262(JH)

A public hearing was called on zoning case Z112-262(JH), regarding an application for and an ordinance granting a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District on the northeast corner of Luna Road and Ryan Road

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

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

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

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

Councilmember Alonzo moved to continue the public hearing and hold under advisement until the March 27, 2013 voting agenda meeting of the city council.

Motion seconded by Councilmember Caraway and unanimously adopted. (Davis absent when vote taken; Medrano absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0442

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 69: Zoning Case Z112-268(RB)

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 the city plan commission recommended Approval, subject to deed restriction volunteered by the applicant)

Note: This item was considered by the City Council at public hearings on January 9, January 23 and February 13, 2013; and was taken under advisement until February 27, 2013, with the public hearing open.

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

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

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

Councilmember Alonzo moved to continue the public hearing and hold under advisement until the March 27, 2013 voting agenda meeting of the city council.

Motion seconded by Councilmember Caraway and unanimously adopted. (Davis absent when vote taken; Medrano absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0443

SPECIAL PROVISION SIGN DISTRICT

Item 70: A public hearing to receive comments regarding an application for an amendment to the Arts District Extension Area Special Provision Sign District to allow for new sign types and the creation of the Arts Plazas One, Two & Three, and the Dallas Black Dance Theater areas in an area generally bounded by Woodall Rodgers Freeway, North Central Expressway, Routh Street, and Ross Avenue and an ordinance granting an amendment

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

The following individual addressed the city council regarding the item:

Lucilo Peña, 1717 Arts Plaza

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

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

Assigned ORDINANCE NO. 28933

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0444

MISCELLANEOUS HEARINGS

Item 71: A public hearing to receive comments on Substantial Amendment No. 18 to the FY 2012-13 Action Plan for the Reconstruction/Share Program to establish a new CDBG Reconstruction/Share activity and reallocate \$400,000 from the CDBG Major System Repair Program activity to the Reconstruction/Share Program; and at the close of the public hearing, authorize the final adoption of Substantial Amendment No. 18 to the FY 2012-13 Action Plan - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0445

MISCELLANEOUS HEARINGS

Item 72: A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to Cornerstone Community Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property under the HB110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0446

Briefing: *Trinity East Gas Lease*

The city manager briefed the city council on the item.

At Mayor Rawlings request, Deputy Mayor Pro Tem Atkins provided a timeline to the city council and incorporated into the minutes.

22-ACRE TRACT TIME LINE

July 31, 1963	Deed from John Field of 10 tracts (approx. 289 acres), subject to a radio tower lease on 22 acres
Jan. 26, 1970	Settlement Agmt. (conveyance of the 22 acres) between Carla Broadcasting, Inc. and City with reverter to City if tower use ceases
March 26 thru April 2, 2007	Series of e-mails by Staff re. reverter of Radio Tower Site; best way to document it, removal of the towers and possible other uses
March 29, 2007	Letter from First Broadcasting, LLC advising City of discontinuance of radio tower use and offering to execute Quitclaim to document reversion of title; Use cessation and reverter effective automatically April 1, 2007
April 2, 2007	Memo to Real Estate Services from Park Dept. asking for Quitclaim Deed
July 20, 2007	Request for Gas Lease Proposals published on City Website
August 20, 2007	Quitclaim Deed dated April 1, 2007, acknowledged Aug. 20, 2007; Draft -- no indication finalized or recording
Oct. 29, 2007	Quitclaim Deed dated and acknowledged Oct. 4, 2007 filed in real property records on Oct, 29, 2007, as Instrument #20070387882 (refers back to April 1, 2007 reverter date in "Whereas" provisions)
Nov. 9, 2007	Proposals received by City from bidders

22-ACRE TRACT TIME LINE (Continued)

Feb. 27, 2008	CC Resolution authorizing Leases
June 6, 2008	Trinity East identifies 22-acre Radio Tower Site as, in fact, being owned by City and incorrectly excluded from earlier property lists that had relied on DCAD acct info
June 25, 2008	CC action (calling Chapter 26 public hearing for subsurface use) with discussion of subsurface and surface / drill site uses of 22-Acre Radio Tower Site; Park Director states "It's . . . an old property . . . we've not used for years. It has reverted back to parkland and is currently next to the golf course and would not in any way impact the park system or the park use."
Aug 15, 2008	Trinity East Lease Agreement executed

Note: This briefing was presented at the beginning of the meeting immediately following the "Begin Open Microphone Speakers."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0447

Addendum addition 1: Authorize a master agreement with DFM Developer, Ltd. to outline recommended public financial incentives and developer obligations related to the development of an approximately 12 acre site located southeast of the intersection of Harwood Street and Marilla Street known as Dallas Farmers Market - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0448

Addendum addition 2: Authorize a public hearing to be held on March 27, 2013 to receive comments on amendments to the Project and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Six (the Farmers Market TIF District) to: **(1)** increase the geographic area of the Farmers Market TIF District to include properties located south and east of the existing boundary; **(2)** extend the term of the Farmers Market TIF District from September 30, 2013 to December 31, 2028; **(3)** increase the total Farmers Market TIF budget from \$11,645,918 NPV (\$22,733,724 total dollars) to \$19,238,514 NPV (\$33,955,605 total dollars), including the adjustment of various budget categories/line items; **(4)** decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; and **(5)** allow direct land sale to implement the plan and, at the close of the public hearing, consideration of an ordinance amending Ordinance No. 23521, previously approved on May 27, 1998, and Ordinance No. 24001, previously approved on August 25, 1999, to reflect these amendments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0449

Addendum addition 3: Authorize acceptance of the City's Local Solid Waste Management Plan, with amended timelines - Financing: No cost consideration to the City

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

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

At the request of Councilmember Greyson, the following individual addressed the city council regarding the item:

Zac Trahan, 6017 La Vista

Councilmember Koop moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0450

Addendum addition 4: Authorize a two-year lease agreement with Dallas Children's Advocacy Center for approximately 2,500 square feet of office space and five parking spaces located at 5351 Samuel Boulevard for the Police Department's Youth and Family Crimes Division for the period March 1, 2013 through February 28, 2015 - Total not to exceed \$98,499 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0451

Addendum addition 5: An ordinance granting a Planned Development District for mixed uses on property zoned Planned Development Subdistrict No. 73 in Planned Development District No. 193, the Oak Lawn Special Purpose District, and a Historic Transition Subdistrict within Planned Development District No. 225, the State-Thomas Special Purpose District with Historic Overlay District No. 25, the State Thomas Historic District - Z123-129 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28934

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0452

Addendum addition 6: An ordinance granting a new subdistrict, a resolution accepting deed restrictions volunteered by the applicant, and a resolution accepting the termination of existing deed restrictions on property zoned a Historic Transition Subdistrict within Planned Development District No. 225, the State-Thomas Special Purpose District with Historic Overlay District No. 25, the State Thomas Historic District on the northwest side of State Street, between Routh Street and Fairmount Street - Z123-130 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28935

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0453

Addendum addition 7: An ordinance abandoning a portion of Neely Street to Dallas County Schools, the abutting owner, containing approximately 17,005 square feet of land located near its intersection with Zang Boulevard - Revenue: \$170,000 plus the \$20 ordinance publication fee

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

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

Councilmember Jasso moved to adopt the item.

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 Griggs voting "No." (Medrano absent on city business)

Assigned ORDINANCE NO. 28936

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0454

Addendum addition 8: An ordinance amending Ordinance No. 20231, as amended, to adopt new, renumbered and revised city election precincts
- Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the item.

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

Assigned ORDINANCE NO. 28937

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0455

Addendum addition 9: An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 11, 2013, for the purpose of electing 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 for the term beginning June 24, 2013 - Financing: No cost consideration to the City

The city secretary read the following polling location changes into the record for Council District 11:

- Precinct 2016 from Unity Church of Dallas to Arthur Kramer Elementary School
- Precinct 2017 from Unity Church of Dallas to Arthur Kramer Elementary School

Councilmember Kadane moved to adopt the item with the changes.

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

Assigned ORDINANCE NO. 28938

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0456

Addendum addition 10: An ordinance ordering a special election to be held in the City of Dallas on Saturday, May 11, 2013, for the purpose of submitting to the qualified voters propositions on the question of conveying, by sale or exchange, of: **(1)** up to approximately 25 acres of land, being part of Joey Georgusis Park; and **(2)** up to approximately 257 acres of land, being all of Elgin B. Robertson Park - Financing: No cost consideration to the City

The city secretary read the following polling location changes into the record for Council District 11:

- Precinct 2016 from Unity Church of Dallas to Arthur Kramer Elementary School
- Precinct 2017 from Unity Church of Dallas to Arthur Kramer Elementary School

Councilmember Caraway moved to adopt the item with the changes.

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

Assigned ORDINANCE NO. 28939

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0457

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 11: Authorize (1) a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Flora Street Lofts, located at 2121 Flora Street, for the acquisition and new construction of the proposed 47-unit multifamily residential development for mixed income families; and (2) a loan in an amount of \$1,100,000 to La Reunion TX for the development at 2121 Flora Street - Not to exceed \$1,100,000 - Financing: 2010-11 HOME Investment Partnership Program Grant Funds (\$915,235) and 2012-13 HOME Investment Partnership Program Grant Funds (\$184,765)

(The staff 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."

Councilmember Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0458

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 12: Authorize (1) a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for the proposed project to be located at 4623 South Lancaster Road, for the acquisition and new construction of the proposed 150-unit multifamily residential development for low income families; and (2) a loan in an amount of \$1,350,000 to Sapphire Road Development Patriots Crossing South, LLC for the development at 4623 South Lancaster Road - Financing: 2011-12 HOME Investment Partnership Program Grant Funds (\$984,442) and 2012-13 HOME Investment Partnership Program Grant Funds (\$365,558)

(The staff 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."

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0459

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 13: Authorize **(1)** a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Serenity Place Apartments, located at 3124 South Denley Drive, for the acquisition and new construction of the proposed 45-unit multifamily residential supportive housing development for low income families; **(2)** a loan in the amount of \$1,997,913 to City Wide Community Development Corporation for the development at 3124 South Denley Drive; and **(3)** a land-lease agreement for City of Dallas owned property related to this project development - Not to exceed \$1,997,913 - Financing: 2006 Bond Funds (\$997,913); 2011-12 Community Development Block Grant Reprogramming Funds (\$500,000) and 2012-13 Community Development Block Grant Funds (\$500,000)

(The staff 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."

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0460

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 14: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Summit Place, located at the SWC of Merit Drive & Interstate Highway 635, for the acquisition and new construction of the proposed 100-unit multifamily residential development for mixed income families - Financing: No cost consideration to the City

(The staff 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."

The following individual addressed the city council regarding the item:

Megan Deluna, 401 Congress Ave., Austin, TX, representing Summit Place Project

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2013

13-0461

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 15: Authorize **(1)** a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Wynnewood Family Housing, located at 2048 South Zang Boulevard, for the acquisition and new construction of the proposed 160-unit multifamily residential development for low income families; and **(2)** an amendment to the terms of a housing redevelopment loan provided for The Parks at Wynnewood located at 1910 Argentia Drive to forgive \$425,000 of the current balance of the loan conditioned on the award of 2013 9% Low Income Housing Tax Credit - Financing: No cost consideration to the City

(The staff 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."

Councilmember Davis moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 27, 2013

EXHIBIT C