

“AMENDED”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 22, 2013

13-0790

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

PRESENT: [14] Rawlings, Medrano, Jasso, Griggs, Caraway (9:17 a.m.) Hill,
Alonzo, Davis, Kadane, Allen, Koop, Margolin, Greyson, Hunt

ABSENT: [1] **Atkins

The meeting was called to order at 9:12 a.m.

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

The invocation was given by Dr. Don Bryant of Ledbetter Baptist Church.

Councilmember Kadane led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 4:27 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 as “Official City Business” per Resolution 13-1026 on 06/12/13**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 22, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 22, 2013

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0791

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: Joe Tave, 3330 Shady Hollow Ct.
SUBJECT: Red lines/Blue lines/Trojan horses

SPEAKER: Howard Garrett, 6563 Blanch Cir.
SUBJECT: Mosquito Control

SPEAKER: Kelly Nash, 6327 Vickery Blvd.
SUBJECT: Mosquito Control

SPEAKER: Gene Helmick-Richardson, 9003 Piper Ln.
SUBJECT: Mosquito Control

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Sherri Lowe, P.O. Box 397954
SUBJECT: Police brutality

OPEN MICROPHONE – SPOKE IN THE LAST 30 DAYS:

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

SPEAKER: Ozumba Lnuk-X
REPRESENTING: God
SUBJECT: We're living in Revelation, Watch!

SPEAKER: William Hopkins, 2011 Leath St. (handout provided)
SUBJECT: EPA/West Dallas/No gay marriage

SPEAKER: Robert Ceccarelli, 2218 Norwood Dr.
REPRESENTING: Madison/Lincoln High School
SUBJECT: DISD Superintendent

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
13-0791
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OPEN MICROPHONE – SPOKE IN THE LAST 30 DAYS:
(continued)

SPEAKER: Lakolya London, 1753 Mockingbird Ln.
SUBJECT: Corruption in Dallas/DISD

SPEAKER: Jonathan Vance, 5230 Bryan St.
REPRESENTING: Other People
SUBJECT: Culture Council and the Courts

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0792

Item 1: Approval of Minutes of the April 24, 2013 City Council Meeting and the Amended Minutes of the April 10, 2013 City Council Meeting

The city secretary clarified the amendment provided the minutes be modified to reflect approval of the following at the April 10, 2013 City Council Meeting:

- Councilmember Greyson absent on city business for the April 24, 2013 City Council Meeting.

Councilmember Kadane moved to adopt the minutes of the April 24, 2013 City Council Meeting and the Amended Minutes of the April 10, 2013 City Council Meeting.

Motion seconded by Councilmember Caraway and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0793

CONSENT AGENDA

The consent agenda, consisting of consent agenda items 2-40 and 43-69 and addendum addition consent agenda items 1-3, 6, and 8-11 was presented for consideration. Consent agenda items 49 and 102 were corrected on the addendum to the agenda.

Earlier in the meeting, prior to consideration of the consent agenda, the city secretary requested the following speaker be allowed to speak on consent agenda item 4. Mayor Rawlings stated the speaker would be allowed to speak on consent agenda item 4, there being no objection voiced to the city secretary’s request. The following individual spoke on the noted agenda item:

Michael Davis, 2807 Allen St.

Councilmember Koop requested that consent agenda items 41, 42 and addendum addition consent agenda item 7 be considered as individual items. Mayor Rawlings stated that consent agenda items 41, 42 and addendum addition consent agenda item 7 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Koop’s request.

Councilmember Greyson requested that addendum addition consent agenda items 4 and 5 be considered as individual items. Mayor Rawlings stated that addendum addition consent agenda items 4 and 5 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson’s request.

Councilmember Caraway moved to adopt all items on the consent agenda and addendum addition consent agenda with the exception of consent agenda items 41 and 42 and addendum addition consent agenda items 4, 5 and 7.

Motion seconded by Councilmember Kadane and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0794

Item 2: Authorize **(1)** an Interlocal Agreement with Texas A & M AgriLife Research, a Texas state agency; and **(2)** a service contract for a vegetation study at Love Field - Texas A & M AgriLife Research - Not to exceed \$106,000 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0795

Item 3: Authorize a service contract for the manufacturer suggested preventative maintenance of four industrial chillers at Love Field - TDIndustries, Inc., lowest responsible bidder of four - Not to exceed \$147,900 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0796

Item 4: Authorize a one-year service contract, with two two-year renewal options, for marketing services for the Dallas Executive Airport - Rocket Red Ltd., most advantageous proposer of ten - Not to exceed \$248,845 - Financing Aviation Current Funds (subject to annual appropriations)

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

Michael Davis, 2807 Allen St.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0797

Item 5: Authorize a service contract for ozone generator cleaning and repair services for Bachman Purification Treatment Plant - Fin-Tek Corporation dba Finnegan-Reztek, Inc., only bidder - Not to exceed \$129,894 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0798

Item 6: Authorize a three-year service contract for courier services - Guaranteed Express, Inc., lowest responsible bidder of three - Not to exceed \$363,420 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0799

Item 7: Authorize a three-year service contract for grounds maintenance of Fire-Rescue, Housing/Community Services and Street Services properties - Jimmy Douglas Weldon dba Weldon's Lawn and Tree in the amount of \$141,445 and T Smith's Lawn Service in the amount of \$6,702, lowest responsible bidders of five - Total not to exceed \$148,147 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0800

Item 8: Authorize a three-year service contract to conduct corrosion inspections of water mains - Russell Corrosion Consultants, Inc., lowest responsible bidder of three - Not to exceed \$89,750 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0801

Item 9: Authorize **(1)** a five-year acquisition contract for the purchase and implementation of a bait car system for Police enforcement in the amount of \$1,018,600; **(2)** a five-year service contract for maintenance and support of the bait car system in the amount of \$363,079 - Supercircuits, Inc.; **(3)** a five-year acquisition contract for the purchase and implementation of an asset tracking system in the amount of \$818,100; and **(4)** a five-year service contract for maintenance and support of the asset tracking system in the amount of \$197,500 - CovertTrack Group, Inc., most advantageous proposers of two - Total not to exceed \$2,397,279 - Financing: Confiscated Monies Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0802

Item 10: Authorize **(1)** the purchase of advanced traffic signal controller software - Intelight, Inc. in the amount of \$772,400; and **(2)** a one-year master agreement, with four one-year renewal options, for advanced traffic signal controllers in the amount of \$2,752,640 - Texas Highway Products, Ltd., through an Interlocal Purchasing Agreement with the City of Fort Worth - Total not to exceed \$3,525,040 - Financing: Current Funds (\$2,752,640) and 2003 Bond Funds (\$772,400)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0803

Item 11: Authorize a two-year master agreement for best-selling books for the Dallas Public Library - Ingram Library Services, Inc., lowest responsible bidder of three - Not to exceed \$917,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0804

Item 12: Authorize a two-year master agreement for coastal Bermuda and Johnson grass hay - Triple H Farms, lowest responsible bidder of two - Not to exceed \$85,345
- Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0805

Item 13: Authorize a two-year master agreement for the purchase of tapping machines, parts and accessories - HD Supply Waterworks, Ltd., lowest responsible bidder of two - Not to exceed \$80,444 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0806

Item 14: Authorize a three-year master agreement for the purchase of bagged ice - Emergency Ice, Inc., lowest responsible bidder of two - Not to exceed \$124,456 - Financing: Current Funds (\$85,000) and Water Utilities Current Funds (\$39,456)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0807

Item 15: Authorize an increase to the master agreement for medical supplies with Bound Tree Medical, LLC in the amount of \$295,000, MMS A Medical Supply Company in the amount of \$246,393, Practical A/R Solutions, Inc. in the amount of \$125,000 and Criterion Services, LLC in the amount of \$40,000 to extend the contract by six months through December 30, 2013 - Total not to exceed \$706,393, from \$3,075,572 to \$3,781,965 - Financing: Current Funds (\$671,073) and Water Utilities Current Funds (\$35,320)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0808

Item 16: Authorize payment of a judgment in the lawsuit styled Edward Monton v. City of Dallas, Cause No. DC-11-15342-C - Not to exceed \$28,077 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0809

Item 17: Authorize an amendment to the five-year, three-month enterprise agreement for Microsoft software through the State of Texas Department of Information Resources with Dell Marketing, LP to add Microsoft Office 365 Subscription Services to allow for cloud email and cloud computing - Not to exceed \$3,175,565, from \$2,796,674 to \$5,972,239 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0810

Item 18: Authorize **(1)** approval of the Tourism Public Improvement District Service Plan for 2013; **(2)** a public hearing to be held on June 12, 2013 to receive comments concerning the annual assessment rate for the Tourism Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on Dallas hotels with 100 or more rooms, based on hotel room nights sold; and, at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0811

Item 19: Authorize an amendment to Resolution Nos. 12-2399 and 12-2400, previously approved on September 26, 2012, granting a tax abatement and a Chapter 380 economic development grant with St. Paul Holdings, LP, for the redevelopment of Patriot Tower in downtown Dallas to replace Exhibit A to include all owned property not subject to a ground lease that is outside the project area - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0812

Item 20: Authorize an amendment to Resolution No. 13-0176, previously approved on January 23, 2013, to amend the Program Statement for the South Dallas/Fair Park Area Business Façade/Revitalization Program requiring business owners to provide verification of current insurance coverage - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0813

Item 21: Authorize a public hearing to be held on June 12, 2013 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eight (Design District TIF District) and the Project and Reinvestment Zone Financing Plans for the Design District TIF District to: **(1)** create two sub-districts within the Design District TIF District: **(a)** Design District Sub-district (original district boundary and additional property) and **(b)** Market Center/Stemmons Sub-district; **(2)** increase the geographic area of the Design District TIF District to create the Market Center/Stemmons Sub-district; **(3)** increase the geographic area of the Design District TIF District to include certain properties along Slocum Street, Dragon Street, and Riverfront Boulevard in the Design District Sub-District (along with the original boundary area); **(4)** increase the Design District TIF District's total budget from \$34,825,000 NPV (approximately \$63,736,506 total dollars) to \$76,976,666 NPV (approximately \$132,433,370 total dollars); **(5)** authorize an amendment to the participation agreement with Dallas County as a component of this budget increase; **(6)** recognize the adopted Design District Grant Program in the Plan and make modifications as needed; **(7)** remove the restriction in the TIF Project Plan for costs associated with structured parking; **(8)** restructure the TIF budget to consolidate and broaden categories of eligible project costs into the Design District Sub-District (original boundary area plus additional property); a new category for the Market Center/Stemmons Sub-District; and retain the Old Trinity Trail and Administration and Implementation categories; and **(9)** make corresponding modifications to the Design District TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and at the close of the hearing, consideration of an ordinance amending Ordinance No. 26021, previously approved on June 8, 2005; as amended, and Ordinance No. 26303, previously approved on April 12, 2006 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

MAY 22, 2013

13-0814

Item 22: Authorize **(1)** a public hearing to be held on June 12, 2013 to receive comments concerning the renewal of the Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the downtown area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing; **(2)** a resolution approving creation of the District for seven years and approval of the District's Service Plan for 2014-2020 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0815

Item 23: Authorize **(1)** a public hearing to be held on June 12, 2013 to receive comments concerning the creation of the University Crossing Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the University Crossing area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing; **(2)** a resolution approving creation of the District for seven years and approval of the District's Service Plan for 2014-2020 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0816

Item 24: Authorize a two-year Interlocal contract with El Centro Community College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2013 through August 31, 2015 - Revenue: \$275,188

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0817

Item 25: Authorize **(1)** the sale of one vacant lot located at 2639 Kilburn Avenue from the DallasHousing Acquisition and Development Corporation to Jose L. Hernandez and Imelda Pinon; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0818

Item 26: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Santos J. Coria for the construction of affordable houses; **(2)** the sale of 5 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Santos J. Coria; and **(3)** execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the 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

MAY 22, 2013

13-0819

Item 27: Authorize the release of lien on a secured, no interest, forgivable loan with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, in order to comply with Americans with Disabilities Act (ADA) and other site improvements at Revlon Apartments located at 720 North Lancaster Avenue and minor site improvements at Ewing Center located at 731 North Ewing Avenue in the amount of \$266,453 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0820

Item 28: Authorize the release of lien on a secured, no interest, forgivable loan, with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue, Revlon Apartments located at 720 North Lancaster, and Spencer Gardens located at 717 Comal Street in the amount of \$202,270 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0821

Item 29: Authorize the acquisition, jointly with the City of Fort Worth, for the benefit of and at the expense of the Dallas/Fort Worth International Airport (Airport), of 0.998+/- acres of land from the State of Texas, acting by and through the Texas Department of Transportation - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0822

Item 30: Authorize a Partial Rescission of Notices of Restriction on Dallas/Fort Worth International Airport Wetlands for the U.S. Army Corps of Engineers -
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0823

Item 31: Authorize a twenty-eight-month Interlocal Agreement with Dallas County Schools to transport participants to various programs and activities for the period May 23, 2013 through September 30, 2015 - Not to exceed \$875,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0824

Item 32: Authorize **(1)** a construction contract for renovation of water features at Dealey Plaza located at 400 Main Street - Sawyers Construction, Inc., best value proposer of two; **(2)** the receipt and deposit of funds from The Dallas Foundation/Dealey Plaza Restoration Project Fund in an amount not to exceed \$131,205; and **(3)** an increase in appropriations in the amount of \$131,205 - Not to exceed \$335,625 - Financing: 2003 Bond Funds (\$86,070), 2006 Bond Funds (\$46,810) and The Dallas Foundation Funds (\$202,745)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0825

Item 33: Authorize a contract for construction of a playground expansion at Lake Highlands North Park located at 9344 Church Road - A S Con, Inc., lowest responsible bidder of four - Not to exceed \$77,750 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0826

Item 34: Authorize **(1)** a professional services contract with Freese and Nichols, Inc. for planning and conceptual design services for the development of a master plan for the Elm Fork Greenbelt from Royal Lane southward to the confluence of the Trinity River; **(2)** the receipt and deposit of funds in the amount of \$140,000 from the Trinity Trust Foundation to the Capital Gifts, Donation and Development Fund; and **(3)** the establishment of appropriations in the amount of \$140,000 in the Capital Gifts, Donation and Development Fund - Not to exceed \$140,000 - Financing: Capital Gifts, Donation and Development Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0827

Item 35: Authorize **(1)** a public hearing to be held on June 12, 2013 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law; and, at the close of the hearing, **(2)** approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0828

Item 36: Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period May 1, 2013 through June 22, 2013 in the amount of \$59,949; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,355; and **(3)** execution of the grant agreement - Total not to exceed \$77,304 - Financing: Current Funds (\$17,355) and Texas Department of Transportation Grant Funds (\$59,949)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0829

Item 37: Authorize renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training, including receipt of payment from El Centro for the two-year period September 1, 2013 through August 31, 2015 - Not to exceed \$400,548 - Financing: Texas Higher Education Coordinating Board Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0830

Item 38: Authorize **(1)** the rejection of bids received for the construction of the A Lobby and C Area renovation at the Dallas Convention Center; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0831

Item 39: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Burbank Street from Harry Hines Boulevard to Denton Drive; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 26, 2013, to receive comments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0832

Item 40: Authorize the second twenty-four month renewal option to the consultant contract with URS Corporation for program management support services related to the implementation of the Love Field Modernization Program and associated Love Field Capital Projects in an amount not to exceed \$5,000,000 (\$2,492,924 for the first twelve months, with funds for the second twelve month period subject to annual appropriations) - Total not to exceed \$5,000,000 - Financing: Aviation Capital Construction Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0833

**Central Business District
Wayfinding and Signage Program, Phase II**

Note: Item Nos. 41 and 42
must be considered collectively.

Item 41: Authorize **(1)** an increase in the contract with Architectural Graphics, Inc. for the Central Business District Wayfinding and Signage Program, Phase II to provide alternative sign installation and sidewalk restoration due to conflicts with existing building basements and utilities in an amount not to exceed \$54,713, from \$575,891 to \$630,604; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$43,770; **(3)** the receipt and deposit of funds from the Downtown Improvement District in an amount not to exceed \$10,943; and **(4)** an increase in appropriations in the amount of \$54,713 in the Capital Projects Reimbursement Fund - Total not to exceed \$54,713 - Financing: Capital Projects Reimbursement Funds

Councilmember Koop requested that consent agenda items 41 and 42 be considered as individual items, Mayor Rawlings stated that consent agenda items 41 and 42 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Koop's request.

Later in the meeting, consent agenda items 41 and 42 were brought up for consideration.

Councilmember Koop moved to adopt the items.

Motion seconded by Councilmember Hunt and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0834

**Central Business District
Wayfinding and Signage Program, Phase II**

Note: Item Nos. 41 and 42
must be considered collectively.

Item 42: Authorize **(1)** Amendment No. 1 to the Advance Funding Agreement with and payment to the Texas Department of Transportation for the Central Business District Wayfinding and Signage Program, Phase II in an amount not to exceed \$556; **(2)** the receipt and deposit of funds from the Downtown Improvement District in an amount not to exceed \$2,300; and **(3)** an increase in appropriations in the amount of \$2,300 in the Capital Projects Reimbursement Fund - Not to exceed \$556 - Financing: Capital Projects Reimbursement Funds

Councilmember Koop requested that consent agenda items 41 and 42 be considered as individual items, Mayor Rawlings stated that consent agenda items 41 and 42 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Koop’s request.

Later in the meeting, consent agenda items 41 and 42 were brought up for consideration.

Councilmember Koop moved to adopt the items.

Motion seconded by Councilmember Hunt and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0835

Item 43: An ordinance adopting the boundary adjustment agreement with the City of Carrollton on property located along the west side of Midway Road from President George Bush Turnpike to the A.T. & S.F. Railroad, the north side of Rosemeade Parkway from Galloway Lane to Midway Road, the west side of Kelly Boulevard from north of Michaelangelo Drive to Rosemeade Parkway, and the north side of Trinity Mills Road from Midway Road to Vail Street - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28985

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0836

Item 44: Authorize Supplemental Agreement No. 1 to the professional services contract with Camargo Copeland Architects, LLP to provide full design services from design development through construction administration to relocate the entry and add mechanical systems to the pavilion at the Homeless Assistance Center "the Bridge" located at 1818 Corsicana Street - Not to exceed \$182,082, from \$50,000 to \$232,082 - Financing: 2005 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0837

Item 45: Authorize Supplemental Agreement No. 1 to the professional services contract with Salcedo Group, Inc. for additional engineering services to provide additional safe route improvements for Rosemont Safe Route to School project - Not to exceed \$4,000, from \$49,479 to \$53,479 - Financing: Davis Garden TIF District Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0838

Item 46: Authorize Supplemental Agreement No. 8 to the professional services contract with HKS, Inc. for architectural, engineering and construction administration services for the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project - Not to exceed \$771,638, from \$6,248,822 to \$7,020,460 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0839

Item 47: Authorize **(1)** the receipt and deposit of funds in the amount of \$23,921 from Wal-Mart Stores Texas, L.P. for construction of a proposed traffic signal at Blossom Lane and South Buckner Boulevard; and **(2)** an increase in appropriations in the amount of \$23,921 in the Capital Projects Reimbursement Fund - Not to exceed \$23,921 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0840

Item 48: Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. City Park A Lot, L.P., et al, Cause No. CC-12-06044-C, pending in County Court at Law No. 3, for acquisition from City Park A Lot, L.P., of approximately 4,500 square feet of land located near Main Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project, and **(2)** settlement of the lawsuit for an amount not to exceed the amount of the award - Not to exceed \$453,500 (\$450,000, being the amount of the award, plus closing costs and title expenses not to exceed \$3,500) - Financing: General Obligation Commercial Paper Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0841

Item 49: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Tomaino Properties, L.P., et al., Cause No. CC-12-06590-B, pending in County Court at Law No. 2 for acquisition from Tomaino Properties, L.P. of approximately 12,389 square feet of land located near the intersection of Elm Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project, and (2) settlement of the lawsuit for an amount not to exceed the amount of the award - Not to exceed \$808,785 (\$805,285, being the amount of the award, plus closing costs and title expenses not to exceed \$3,500) - Financing: General Obligation Commercial Paper Funds

Corrected on the addendum to the agenda.

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0842

Item 50: Authorize acquisition from Diana Cardenas of two parcels of land containing a total of approximately 30,000 square feet located near the intersection of San Leon Avenue and Glencliff Drive for the San Leon Avenue Project - Not to exceed \$26,000 (\$24,000, plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0843

Item 51: Authorize acquisition from Roy L. Smith, Inc. of approximately 10,260 square feet of land improved with a transmission repair facility located near the intersection of Zang Boulevard and Davis Street for Zang-Davis Median Improvement Project - Not to exceed \$375,368 (\$370,368, plus closing costs and title expenses not to exceed \$5,000) - Financing: 2010-11 Community Development Block Grant Reprogramming Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0844

Item 52: Authorize acquisition from South Dallas/Fair Park Inncity Community Development Corporation of approximately 4,133 square feet of land located near the intersection of Spring and Troy Avenues for the Spring Avenue Redevelopment Project - Not to exceed \$15,433 (\$13,433, plus closing costs and title expenses not to exceed \$2,000) - Financing: 2008-09 Community Development Block Grant Reprogramming Funds (\$2,135)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0845

Item 53: A resolution authorizing a Joint Use Agreement with Dallas Area Rapid Transit for the construction, maintenance and use of its SE-1 Light Rail Transit System on, over and across City property containing approximately 334,654 square feet of land located near the intersection of Metropolitan and Trunk Avenues - Financing - No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0846

Item 54: An ordinance granting a revocable license to 7-Eleven, Inc. for the use of approximately 11 square feet of aerial space to install and maintain one projecting attached blade sign over a portion of Akard Street located near its intersection with Patterson Street - Revenue: \$1,000 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28986

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0847

Item 55: An ordinance granting a revocable license to Radiant Outdoor, LLC for the use of approximately 360 square feet of aerial space to install and maintain lights that illuminate a supergraphic facade over a portion of Pacific Avenue located near its intersection with Griffin Street - Revenue: \$1,717 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28987

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0848

Item 56: An ordinance granting a revocable license to Wal-Mart Stores Texas, LLC for approximately 11,587 square feet of land to install and maintain landscaping and irrigation on portions of Greenville and Belmont Avenues located near the intersection of Greenville and Belmont Avenues - Revenue: \$1,000 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28988

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0849

Item 57: An ordinance granting renewal of a private license to Short Stack, LLC for the use of approximately 68 square feet of land to maintain and use the existing awning over Greenville Avenue located near its intersection with La Vista Court - Revenue: \$1,000 one-time fee, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28989

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0850

Item 58: An ordinance abandoning a portion of SMU Boulevard to 5640 SMU Blvd, L.P., the abutting owner, containing approximately 803 square feet of land located near the intersection of SMU Boulevard and Greenville Avenue, and authorizing the quitclaim - Revenue: \$24,090, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28990

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0851

Item 59: An ordinance abandoning a portion of a water line easement to Calisto Property Company, the abutting owner, containing approximately 900 square feet of land located near the intersection of Lemmon Avenue and Manor Way, and providing for the dedication of approximately 225 square feet of land needed for a water easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28991

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0852

Item 60: An ordinance abandoning a portion of a water easement to Dallas County Schools, the abutting owner, containing approximately 1,398 square feet of land located near the intersection of Samuel Boulevard and Hunnicut Road – Revenue: \$5,400, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28992

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0853

Item 61: An ordinance abandoning portions of two temporary working easements, a utility easement, a storm sewer easement, a sanitary sewer easement and three drainage easements to JLB 4662 Amesbury Partners L.P., the abutting owner, containing a total of approximately 18,222 square feet of land, located near the intersection of Skillman Street and Sandhurst Lane - Revenue: \$15,046, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28993

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0854

Item 62: An ordinance closing a portion of East Side Avenue located near the intersection of East Side and Washington Avenues - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28994

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0855

Item 63: An ordinance repealing Ordinance No. 4761, previously approved on April 18, 1950, which established building setbacks from various street segments -
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28995

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0856

Item 64: Authorize a two-year Interlocal Agreement with the City of Dallas, City of Grapevine and Dallas County Park Cities Municipal Utility District for continuation of the reimbursement to the City of Grapevine for Dallas' cost share for the administration of the Lake Grapevine Reservoir Accounting Plan - Not to exceed \$8,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0857

Item 65: Authorize a Mitigation Credit Sales Agreement with Wetlands Management, LP for the purchase of wetlands mitigation credits to satisfy the terms of the U.S. Army Corps of Engineers Section 404 permit approval for the Southwest Water Transmission Pipeline Project - Not to exceed \$59,100 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0858

Item 66: Authorize a Memorandum of Understanding with Texas Parks and Wildlife Department to: **(1)** continue the implementation of a public awareness campaign for the prevention and spread of zebra mussels for a three-year term in the amount of \$105,000; and **(2)** installation of “Clean, Drain and Dry Your Boat” stencils on boat ramps in the amount of \$16,370 - Total not to exceed \$121,370 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0859

Item 67: Authorize a contract for roof replacement and minor structural repairs at the Wastewater Collection Division building at 8915 Adlora Lane, and site improvements at the Walnut Hill Pump Station facility at 3822 Walnut Hill Lane - MART, INC., lowest responsible bidder of two - Not to exceed \$722,449
- Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0860

Item 68: Authorize a professional services contract with CDM Smith Inc. to provide engineering services associated with process control system improvements at the Central Wastewater Treatment Plant - Not to exceed \$2,450,976 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0861

Item 69: Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with miscellaneous improvements at the Forney Dam (Lake Ray Hubbard) - Not to exceed \$175,423, from \$4,821,922 to \$4,997,345 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0862

Item 70: 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.

Note: In accordance with Dallas City Code, Chapter 12-A, Article VI, Section 12A-19 (f) (1)(G)(ii), the city secretary announced the names of the board and commission members that had not turned in their financial disclosure report.

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0863

Item 71: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ronald Dale Rains and Patricia Alice Rains, of a tract of land containing approximately 99,480 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$280,000 (\$275,636, plus closing costs and title expenses not to exceed \$4,364) - Financing: Water Utilities Capital Construction Funds

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) 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 *Ronald Dale Rains* and *Patricia Alice Rains*, a tract of land containing approximately 99,480 square feet of land located in Kaufman County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Lake Tawakoni 144-inch Pipeline Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill’s motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis,
Kadane, Allen, Koop, Greyson, Margolin, Hunt
Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0864

Item 72: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James A. Loven, of a tract of land containing approximately 83,113 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$50,700 (\$47,700, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds.

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) 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 *James A. Loven*, a tract of land containing approximately 83,113 square feet of land located in Kaufman County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Lake Tawakoni 144-inch Pipeline Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis,
Kadane, Allen, Koop, Greyson, Margolin, Hunt

Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0865

Item 73: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Michael Franklin Green, of a tract of land containing approximately 71,521 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$44,050 (\$41,050, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds.

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) 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 *Michael Franklin Green*, a tract of land containing approximately 71,521 square feet of land located in Kaufman County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Lake Tawakoni 144-inch Pipeline Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis,
Kadane, Allen, Koop, Greyson, Margolin, Hunt
Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0866

Item 74: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Westley E. Raborn and Linda G. Raborn, of a tract of land containing approximately 67,530 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$41,750 (\$38,750, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds.

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) 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 *Westley E. Raborn* and *Linda G. Raborn*, a tract of land containing approximately 67,530 square feet of land located in Kaufman County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Lake Tawakoni 144-inch Pipeline Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill’s motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt

Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0867

Item 75: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jamie Zavala, of a tract of land containing approximately 57,564 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$36,050 (\$33,050, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds.

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) be pulled for individual vote.

The city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of the power of eminent domain, if necessary, to acquire from *Jamie Zavala*, a tract of land containing approximately 57,564 square feet of land located in Kaufman County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Lake Tawakoni 144-inch Pipeline Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis,
Kadane, Allen, Koop, Greyson, Margolin, Hunt

Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0868

Item 76: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mary Joann Woods, of a tract of land containing approximately 34,588 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$33,350 (\$30,350, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds.

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) 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 *Mary Joann Woods*, a tract of land containing approximately 34,588 square feet of land located in Kaufman County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Lake Tawakoni 144-inch Pipeline Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill’s motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin, Hunt

Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0869

Item 77: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the United States of America and the Estates of Leila May Bledsoe, Floyd W. Offhaus and Roy May, of a tract of land containing approximately 60,003 square feet located near the intersection of IH-20 and Dowdy Ferry Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$9,000 (\$7,200, plus closing costs and title expenses not to exceed \$1,800) - Financing: Water Utilities Capital Improvement Funds.

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) 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 the United States of America and the Estates of *Leila May Bledsoe, Floyd W. Offhaus* and *Roy May*, a tract of land containing approximately 60,003 square feet of land located near the intersection of IH-20 and Dowdy Ferry Road, Dallas Block 8535, Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Southwest 120/96-inch Water Transmission Pipeline Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis,
Kadane, Allen, Koop, Greyson, Margolin, Hunt
Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0870

Item 78: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Palestine Concrete Tile Company, L.P., of approximately 8,541 square feet of land located near Chalk Hill Road and Singleton Boulevard for the Chalk Hill Improvement Project - Not to exceed \$53,512 (\$50,512, plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Mayor Rawlings announced the city secretary would read agenda items 71-78 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 of agenda items 71-78, no councilmember indicated any item(s) 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 Palestine Concrete Tile Company, L.P., a tract of land containing approximately 8,542 square feet of land located in Dallas County, Dallas Blocks A/7204 and B/7205 Dallas County, Texas, and more fully described in Exhibit A of the proposed written resolution for this item, for the construction, maintenance and use of the Chalk Hill Improvement Project.

Councilmember Hill moved to adopt agenda items 71-78.

Motion seconded by Councilmember Margolin.

Mayor Rawlings called the vote on Councilmember Hill's motion to adopt agenda items 71-78:

Voting Yes: [14] Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis,
Kadane, Allen, Koop, Greyson, Margolin, Hunt

Absent: [1] **Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0871

Item 79: Authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs for improvements on Hatcher Street from Haskell Avenue to Spring Avenue - Not to exceed \$75,000 - Financing: 2003 Bond Funds (\$58,000) and General Obligation Commercial Paper Funds (\$17,000)

The following individual addressed the city council regarding the item:

Anna Hill, 4819 Silver Ave.

Councilmember Davis moved to defer the item to a later date.

Motion seconded by Councilmember Hill and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0872

Item 80: An ordinance abandoning an alley to Warwick Cedar Springs Corporation and Warwick Melrose Dallas Corporation, the abutting owners, containing approximately 1,947 square feet of land, located near the intersection of Cedar Springs Road and Reagan Street, and authorizing the quitclaim - Revenue: \$106,909, plus the \$20 ordinance publication fee

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Hunt and unanimously adopted. (Davis absent when vote was taken; **Atkins absent)

Assigned ORDINANCE NO. 28996

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0873

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

Agenda item 81: Zoning Case Z112-282(WE)

~~Agenda item 82: Zoning Case Z112-323(WE)~~ [considered individually]

Agenda item 83: Zoning Case Z123-145(RB)

~~Agenda item 84: Zoning Case Z123-179(MW)~~ [considered individually]

Agenda item 85: Zoning Case Z123-180(AB)

Agenda item 86: Zoning Case Z123-185(RB)

Agenda item 87: Zoning Case Z123-191(AB)

Agenda item 88: Zoning Case Z123-202(AB)

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

The following individual addressed the city council:

William Hopkins, 2011 Leath St., spoke in opposition to agenda item 81

Councilmember Kadane moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

Motion seconded by Councilmember Caraway and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0874

Item 81: Zoning Case Z112-282(WE)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

A public hearing was called on zoning case Z112-282(WE), regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1739 for an Open-enrollment charter school on property within Subdistrict S2b of Planned Development District No. 521 for mixed uses on the south side of Camp Wisdom Road, west of Eagle Ford Drive

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

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

William Hopkins, 2011 Leath St.

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28997

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0875

Item 82: Zoning Case Z112-323(WE)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

Councilmember Griggs requested that zoning consent item 82 be considered as an individual item. Mayor Rawlings stated that zoning consent item 82 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' request.

A public hearing was called on zoning case Z112-323(WE), regarding an application for and an ordinance granting a Specific Use Permit for a convenience store with drive-through on property zoned a CR Community Retail District on the west side of North Westmoreland Road, north of Angelina 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 the city plan commission's recommendation.

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

Ramon Arranda, 2946 S. Sunback Cir., Farmers Branch, TX, representing the applicant

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

- The convenience store with drive-through may only operate between 9:00 a.m. and 11:00 p.m., Monday through Thursday; 9:00 a.m. and 12:00 a.m. (midnight) on Friday; 9:00 a.m. and 1:00 a.m. (the next day) on Saturday; and 9:00 a.m. and 10:00 p.m. on Sunday.
- Exterior lighting must be directed away from adjoining properties and right-of-way.
- Outside speakers are prohibited.

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

13-0875

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Motion seconded by Councilmember Caraway and unanimously adopted. (**Atkins absent)

Assigned ORDINANCE NO. 28998

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0876

Item 83: Zoning Case Z123-145(RB)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

A public hearing was called on zoning case Z123-145(RB), regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an RR Regional Retail District on property bounded by Walton Walker Boulevard, Kiest Boulevard and Morse Drive

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28999

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0877

Item 84: Zoning Case Z123-179(MW)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

Councilmember Griggs requested that zoning consent item 84 be considered as an individual item. Mayor Rawlings stated that zoning consent item 84 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griggs' request.

A public hearing was called on zoning case Z123-179(MW), regarding an application for and an ordinance granting an amendment to Subarea 6 of Conservation District No. 1, the Kings Highway Conservation District, on the south side of Kings Highway and the east side of Mary Cliff Road

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

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

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

Karl Crawley, 900 Jackson St., representing the applicant.

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

Regarding enclosed parking:

- No attached enclosed parking will be permitted for units with driveways on Kings Highway or Kyle Avenue.

Regarding carports:

- Reducing the minimum front yard setback for carports to 20 feet; Carports attached to single family structures must be the same architectural style as the single family structure; use the same exterior materials; and have the same roofline, type, and pitch as the architectural style of the single family structure contained in Table 1, "Architectural Feature Summary," of the Kings Highway Conservation Plan; and
- Attached carports may not be enclosed.

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
13-0877
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Motion seconded by Councilmember Hunt and unanimously adopted (**Atkins absent)

Assigned ORDINANCE NO. 29000

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0878

Item 85: Zoning Case Z123-180(AB)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

A public hearing was called on zoning case Z123-180(AB), 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 east side of South Beckley Avenue, between East McVey Avenue and East Corning Avenue

(The staff and city plan commission recommended Approval for a two-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. 29001

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0879

Item 86: Zoning Case Z123-185(RB)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

A public hearing was called on zoning case Z123-185(RB), regarding an application for and an ordinance granting a Specific Use Permit No. 1775 for a Medical clinic on property within the Tract Ia portion of Planned Development District No. 225, H/25, the State Thomas Special Purpose District, on the northwest line of Thomas Avenue, north of Fairmount Avenue

(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's recommendation.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29002

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0880

Item 87: Zoning Case Z123-191(AB)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

A public hearing was called on zoning case Z123-191(AB), regarding an application for and an ordinance granting a Specific Use Permit for a commercial parking lot on property zoned an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Hickman Street and Malcolm X Boulevard

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 29003

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0881

Item 88: Zoning Case Z123-202(AB)

The consent zoning docket, consisting of agenda items 81-88, was presented for consideration.

A public hearing was called on zoning case Z123-202(AB), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1850 for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property within Planned Development District No. 366 with a D-1 Liquor Control Overlay on the southeast corner of South Buckner Road (Loop 12) and Elam Road

(The staff and city plan commission recommended Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, 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. 29004

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0882

Item 89: Zoning Case Z123-134(WE)

A public hearing was called on zoning case Z123-134(WE), regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and a commercial amusement (inside) use limited to a dance hall within Planned Development District No. 619 for mixed uses and a H/48 Historic District on the southwest corner of Pacific Avenue and Harwood Street

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

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

Jin Kim, 1310 Coit Rd.

Councilmember Hunt moved to continue the public hearing and hold under advisement until the June 12, 2013 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted (Hill absent when vote taken; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0883

ZONING CASES – INDIVIDUAL (continued)

Item 90: Zoning Case Z123-158(WE)

A public hearing was called on zoning case Z123-158(WE), regarding an application for and an ordinance granting a Planned Development District for single family uses and an ordinance granting a Specific Use Permit for private streets on property zoned an MF-2(A) Multifamily District on the west line of Plano Road, south of Le Manns Drive

(The staff recommended Approval of a Planned Development District, subject to a conceptual plan and staff’s recommended conditions, and approval of a Specific Use Permit for a permanent period, subject to a site plan and conditions and city plan commission recommended Approval of a Planned Development District, subject to a conceptual plan and conditions, and approval of a Specific Use Permit 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’s recommendation.

Councilmember Allen moved to close the public hearing, accept the recommendation of the city plan commission with the following changes to PD No. 888:

- Removing the requirement that Subarea A front on a minimum 30-foot-wide access easement.
- Increasing the number of lots that may be platted as a shared access development to 85.
- Providing a revised conceptual plan.
- Reducing the tree mitigation requirement for a single family development to 570 caliper inches.
- Requiring all trees in the common areas of a single family development to be preserved.

and pass the ordinances.

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

Assigned ORDINANCE NOS. 29005 AND 29006

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0884

ZONING CASES – INDIVIDUAL (continued)

Item 91: Zoning Case Z123-197(WE)

A public hearing was called on zoning case Z123-197(WE), regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1851 for the sale of alcoholic beverages in conjunction with a general merchandise store or food store 3,500 square feet or less on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the south line of C. F. Hawn Freeway, west of Silverado Drive

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

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

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

Motion seconded by Councilmember Margolin and unanimously adopted. (**Atkins absent)

Assigned ORDINANCE NO. 29007

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0885

ZONING CASES – INDIVIDUAL (continued)

Item 92: Zoning Case Z123-203(RB)

A public hearing was called on Zoning Case Z123-203 (RB), regarding an application for and an ordinance granting a Specific Use Permit for Commercial amusement (inside) use, limited to a Class A dance hall, on property zoned a CS Commercial Service District on the west corner of East Grand Avenue and St. Mary Avenue

(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.

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

Motion seconded by Councilmember Kadane and unanimously adopted. (**Atkins absent)

Assigned ORDINANCE NO. 29008

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0886

DESIGNATED ZONING CASES - INDIVIDUAL

Item 93: Zoning Case Z123-183(WE)

A public hearing was called on Zoning Case Z123-183(WE), regarding an application for and an ordinance granting a Planned Development District for CR Community Retail District uses and a resolution accepting the termination of deed restrictions on property zoned an MF-1(A) Multifamily District, CR Community Retail District and a P(A) Parking District with deed restrictions on the southwest corner of Midway Road and Lyndon B. Johnson Freeway (IH 635)

(The staff and city plan commission recommended Approval of a Planned Development District, subject to a conceptual plan, development plan, elevations and conditions).

In accordance with Section 7.13 of the City Council Rules of Procedure, “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:

Mike Perkins, 4135 Flintridge Dr.

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

Myron Dornic, 5026 Maple Springs Blvd., representing Wal-Mart Real Estate Business Trust

Al Daniels, 4111 Shady Bend Dr., representing Glen Meadows Home Owners Association

David Forsythe, 3911 Rosser Square, representing Rosset Park Home Owners Association

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13-0886

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Councilmember Margolin moved to close the public hearing, accept the recommendation of the city plan commission which does not include the request to terminate the deed restrictions as it has been determined the deed restrictions were previously terminated, and pass the ordinance.

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

Assigned ORDINANCE NO. 29009

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0887

DESIGNATED ZONING CASES - INDIVIDUAL

Item 94: Zoning Case Z112-290(RB)

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

A public hearing was called on Zoning Case Z112-290(RB) to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 385 for a Private school, a Convent or Monastery, and Single Family Dwellings, on property zoned Planned Development District No. 385 and an R-1ac(A) Single Family District in the southwest quadrant of Walnut Hill Lane and Inwood Road with consideration given to and an ordinance granting a Specific Use Permit for an Illuminated competitive athletic field on a portion of the property

(The staff recommended Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and staff's recommended conditions, and approval of a Specific Use Permit for an Illuminated competitive athletic field for a three-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan and staff's recommended conditions and city plan commission recommended Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and conditions, and approval of a Specific Use Permit for an Illuminated competitive athletic field for a five-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan and conditions)

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In accordance with Section 7.13 of the City Council Rules of Procedure, "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:

Bill Myer, 5026 Lakehill Ct.
Dale Caffey, 2217 Ridgewood St., Carrollton, TX
Richard Lee, 10014 Surry Oaks Dr.
Mindy Stenger, 4831 S. Lindhurst Ave.
Nancy Sanders, 10025 Meadowbrook Dr.
Hillary Hurst, 4645 Meadowood Rd.

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

Bill Dahlstrom, 901 Main St.
Karen Pollack, 9929 Strait Ln.
Regen Fearon, 9785 Audubon Pl.
Stephen Giles, 9949 Strait Ln.
Margot Murphy, 4817 Alta Vista Ln.

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

- That the scoreboard and field lighting be turned off by 9:00 for a maximum of 20 nights per year and by 7:30 on all other nights;
- That spillover lighting on nearby residential lots not exceed 0.1 foot candles above ambient lighting conditions; and
- That one photometric study is required before the issuance of a certificate of occupancy for an illuminated competitive athletic field and two additional studies must be completed during winter months within the first year.

and pass the ordinances.

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Motion seconded by Mayor Pro Tem Medrano and Councilmember Hill and unanimously adopted. (**Atkins absent)

Assigned ORDINANCE NOS. 29010 AND 29011

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0888

DESIGNATED ZONING CASES - INDIVIDUAL

Item 95: Zoning Case Z123-118(WE)

A public hearing was called on Zoning Case Z123-118(WE) regarding an application for and an ordinance granting a Planned Development District for metal recycling related uses on property zoned an IM Industrial Manufacturing District, south of Singleton Boulevard at the terminus of Vinson Street with consideration being given to a Specific Use Permit for a recycling collection center for the collection of household and industrial metals, a metal salvage facility and an outside salvage or reclamation use in lieu of a Planned Development District

(The staff recommended Approval of a Specific Use Permit for a recycling collection center for the collection of household and industrial metals and recyclable materials for a two-year period, subject to a site plan, traffic management plan and conditions, and approval of a Specific Use Permit for a metal salvage facility and an outside salvage or reclamation for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan and conditions in lieu of a Planned Development District for metal recycling related uses and city plan commission recommended Approval of a Planned Development District for metal recycling related uses, subject to a development plan, traffic management plan and conditions)

In accordance with Section 7.13 of the City Council Rules of Procedure, “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."

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

Ozumba Lnuk-X, 4106 Vineyard Dr.
William Hopkins, 2011 Leath St.
Lakolya London, 1753 Mockingbird Ln.

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

Robert Miklos, 1909 Woodall Rogers Frwy., representing Galleria Alpha Plaza,
Ltd.

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

Motion seconded by Councilmember Kadane and Councilmember Greyson and unanimously adopted. (**Atkins absent)

Assigned ORDINANCE NO. 29012

****Note: Absent as "Official City Business" per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0889

DESIGNATED ZONING CASES - INDIVIDUAL

Item 96: Zoning Case Z123-136(RB)

A public hearing was called on Zoning Case Z123-136(RB) regarding an application for and an ordinance granting an MF-3(A) Multifamily District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an MF-2(A) Multifamily District and a P(A) Parking District on the southwest line of Hill Avenue, between Simpson Street and Race Street

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

In accordance with Section 7.13 of the City Council Rules of Procedure, “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:

Lloyd Kofahl, 3921 Elm St., representing the property owner

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

Robert Baldwin, 3904 Elm St., representing Stonegate Senior Living

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

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (**Atkins absent)

Assigned ORDINANCE NO. 29013

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0890

MISCELLANEOUS HEARINGS

Item 97: 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 with Specific Use Permit No. 1541 for a child-care facility; community service center; and private recreation center, club, or area on the west side of Bernal Drive, southwest of Palacios Avenue with consideration being given to a Planned Development District for R-5(A) Single Family District uses and a child-care facility; community service center; and private recreation center, club, or area – Financing: No cost consideration to the City (via Mayor Pro Tem Medrano, and Councilmembers Alonzo, Allen, Koop, and Greyson)

The following individual addressed the city council regarding the item:

Michael Coker, 2700 Swiss Ave., representing Good Shephard Community Center

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

Motion seconded by Councilmember Caraway and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0891

MISCELLANEOUS HEARINGS

Item 98: A public hearing to receive comments on the proposed FY 2013-14 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Ed Palmer, 6020 Tremont St., representing the Municipal Library Board
Trina Triche, 1818 Corsicana St.

Mayor Pro Tem Medrano moved to close the public hearing.

Motion seconded by Councilmember Alonzo and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0892

MISCELLANEOUS HEARINGS

Item 99: A public hearing to receive comments on an amendment to the forwardDallas! Comprehensive Plan to incorporate the Valley View - Galleria Area Plan and at the close of the public hearing, consideration of an ordinance amending the forwardDallas! Comprehensive Plan of the City of Dallas by adopting the Valley View - Galleria Area Plan generally located east of the Dallas North Tollway, south of Southern Boulevard, south of the northern boundary of (Block E) Montfort Place, south of the northern boundary of Woodchase Apartments, south of the northern boundary of Preston View Estates, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Tommy Mann, 500 Winstead Bldg.
Robert Miklos, 1909 Woodall Rogers Frwy., representing Galleria Alpha Plaza Ltd.
Bill Dahlstrom, 901 Main St., representing Beck Ventures
Barry Knight, 2728 N Harwood St., representing E. F. Properties
Lee Kleinmann, 11322 Eastwick Cir.
Bruce Bradford, 10707 Preston Rd., representing North Dallas Chamber

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

Motion seconded by Councilmember Caraway and unanimously adopted. (Caraway absent when vote taken; **Atkins absent)

Assigned ORDINANCE NO. 29014

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0893

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Downtown Connection TIF District

Note: Item Nos. 100 and 101 must be considered collectively.

Item 100: A public hearing to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: **(1)** increase the Downtown Connection TIF District’s budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars), an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); **(2)** expand the District’s focus of redevelopment efforts; and **(3)** make corresponding modifications to the Downtown Connection TIF District’s budget and Project and Reinvestment Zone Financing Plans – Financing: No cost consideration to the City

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

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

No one addressed the city council regarding this item.

Councilmember Hunt moved to close the public hearing.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0894

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 100 and 101
must be considered collectively.

Downtown Connection TIF District

Item 101: An ordinance amending Ordinance No. 26020, originally approved on June 8, 2005, as amended, and Ordinance No. 26096, originally approved on August 25, 2009, as amended, to reflect these amendments - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, “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 pass the ordinance.

Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken; **Atkins absent)

Assigned ORDINANCE NO. 29015

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0895

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 102, 103 & 104
must be considered collectively.

Downtown Connection TIF District

Item 102: Authorize Supplemental Agreement No. 2, an amendment to the development agreement with Ricchi Dallas Investments, LLC, for the renovation of 1600 Pacific Avenue, previously approved on October 26, 2010 by Resolution Nos. 10-2767 and 10-2768, to: **(1)** require only the completion of Stage 1 and a portion of Stage 2 work inclusive of renovation of elevator systems, roof, windows, restoration of the exterior of the building and installation of core components of a new heating and air conditioning system; **(2)** allow project’s eligibility for reimbursement of TIF funding previously committed in 2010 of up to \$12,870,200 (\$8,830,000 plus interest in an amount not to exceed \$4,040,200) to be effective upon acquisition and closing of a construction loan for the LTV Tower Building by 1600 Pacific Landlord, LLC; **(3)** establish an acquisition and project construction financing closing date; and **(4)** establish that if 1600 Pacific Landlord, LLC, does not acquire and close construction financing for the LTV Tower Building by established acquisition and financing closing date, amendments (1) and (2) shall be void and the Certificate of Occupancy Date defined in the existing development agreement with Ricchi Dallas Investments, LLC, as amended, shall be extended - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, “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."

Corrected on the addendum.

Councilmember Hunt moved to adopt agenda items 102, 103 and 104.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Greyson and unanimously adopted. (Caraway absent when vote taken; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0896

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 102, 103 & 104
must be considered collectively.

Downtown Connection TIF District

Item 103: Authorize **(1)** a Development Agreement with 1600 Pacific Landlord, LLC, for the completion of remaining portions of Stage 2, and Stage 3 work removed from the development agreement with Ricchi Dallas Investments, LLC and finish out of the entire building with hotel and residential uses; **(2)** an Economic Development Grant Agreement with First National Bank for TIF incentives associated with redevelopment of the building by 1600 Pacific Landlord, LLC; and **(3)** the Downtown Connection TIF District Board of Directors to dedicate an amount not to exceed \$17,500,000 from future Downtown Connection TIF District revenues in the form of a Economic Development TIF grant in accordance with the grant agreement - Not to exceed \$17,500,000 - Financing: Downtown Connection TIF District Funds

In accordance with Section 7.13 of the City Council Rules of Procedure, “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 agenda items 102, 103 and 104.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Greyson and unanimously adopted. (Caraway absent when vote taken; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0897

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 102, 103 & 104
must be considered collectively.

Downtown Connection TIF District

Item 104: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to dedicate an amount not to exceed \$17,500,000 for the LTV Tower Redevelopment project to First National Bank, pursuant to the grant agreement with First National Bank - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedure, “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 agenda items 102, 103 and 104.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Greyson and unanimously adopted. (Caraway absent when vote taken; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0898

Closed Session

6ES

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

- Legal issues regarding gas drilling and production

Personnel (Sec. 551.074 T.O.M.A.)

- Personnel issues involving City Manager and City Attorney

At 10:31 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues regarding gas drilling and production

Personnel (Sec. 551.074 T.O.M.A.)

- Personnel issues involving City Manager and City Attorney

Mayor Pro Tem Medrano reconvened the city council meeting after the closed session at 1:14 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0899

Addendum addition 1: Authorize settlement of the lawsuit styled Thomas Hannon v. David L. Nevitt, et al., Civil Action No. 3:09-CV-0066-N -
Not to exceed \$412,823 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0900

Addendum addition 2: An ordinance repealing Chapter 29 and amending Chapters 29A and 42A of the Dallas City Code to: **(1)** eliminate requirements, regulations, procedures and other provisions relating to the municipal produce market; and **(2)** provide requirements and exceptions for the Dallas Farmers Market in city code provisions governing neighborhood farmers markets and special events - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29016

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0901

Addendum addition 3: Authorize an amendment to Resolution No.13-0459, previously approved on February 27, 2013, to extend the land-lease agreement between the City of Dallas and Serenity Place Apartments, L.P. from 35 years to 55 years for City of Dallas owned property to be developed as Serenity Place Apartments located at 3124 South Denley Drive - Revenue: \$200

Adopted as part of the consent agenda.

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0902

Texas Horse Park

Note: Item Nos. 4 and 5
must be considered collectively

Addendum addition 4: Authorize a contract with Curtis R. Patterson for the fabrication and installation of a site-specific artwork at the front entrance of the Texas Horse Park located at 811 Pemberton Hill Road - Not to exceed \$136,220 - Financing: 2006 Bond Funds

Councilmember Greyson requested that addendum addition consent agenda items 4 and 5 be considered as individual items. Mayor Rawlings stated that addendum addition consent agenda items 4 and 5 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson’s request.

Later in the meeting, addendum addition consent agenda items 4 and 5 were brought up for consideration.

Councilmember Hill moved to adopt addendum addition consent agenda item 4 as read by the city secretary and adopt addendum addition consent agenda item 5 with changes to Section 3 to read, “A contract for construction of the Texas Horse Park located at 811 Pemberton Hill Road - Sedalco/MetalMan Design/Build Corporation, A Joint Venture, best value proposer of seven, to reduce the construction award amount by \$200,000 from not to exceed \$10,883,100 to not to exceed \$10,683,100.”

Motion seconded by Councilmember Kadane.

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

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson and Councilmember Hunt voting "No." (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0903

Texas Horse Park

Note: Item Nos. 4 and 5
must be considered collectively

Addendum addition 5: Authorize **(1)** the receipt and deposit of funds from the Hillcrest Foundation Trust in an amount not to exceed \$200,000; **(2)** the establishment of appropriations in the amount of \$200,000; and **(3)** a contract for construction of the Texas Horse Park located at 811 Pemberton Hill Road - Sedalco/MetalMan Design/Build Corporation, A Joint Venture, best value proposer of seven - Not to exceed \$10,883,100 - Financing: General Obligation Commercial Paper Funds (\$10,683,100) and Hillcrest Foundation Trust Funds (\$200,000)

Councilmember Greyson requested that addendum addition consent agenda items 4 and 5 be considered as individual items. Mayor Rawlings stated that addendum addition consent agenda items 4 and 5 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson’s request.

Later in the meeting, addendum addition consent agenda items 4 and 5 were brought up for consideration.

Councilmember Hill moved to adopt addendum addition consent agenda item 4 as read by the city secretary and adopt addendum addition consent agenda item 5 with changes to Section 3 to read, “A contract for construction of the Texas Horse Park located at 811 Pemberton Hill Road - Sedalco/MetalMan Design/Build Corporation, A Joint Venture, best value proposer of seven, to reduce the construction award amount by \$200,000 from not to exceed \$10,883,100 to not to exceed \$10,683,100.”

Motion seconded by Councilmember Kadane.

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

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson and Councilmember Hunt voting "No." (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0904

Addendum addition 6: Authorize **(1)** preliminary adoption of the FY 2013-14 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$26,286,472 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$15,065,098; **(b)** HOME Investment Partnerships Program in the amount of \$4,700,686; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$4,060,375; **(d)** Emergency Solutions Grant in the amount of \$1,375,313; and **(e)** estimated Program Income in the amount of \$1,085,000; **(2)** preliminary adoption of the FY 2012-13 Reprogramming Budget in the amount of \$773,873; and **(3)** a public hearing to be held on June 12, 2013 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0905

Addendum addition 7: Authorize a thirty-nine year lease agreement with Dallas Convention Center Hotel Development Corporation for approximately 116,261 square feet of land located near the intersection of Young and Lamar Streets, the initial term of the Lease will commence on June 1, 2013, with two (2), five (5) year extension periods upon mutual agreement of the parties - Annual Revenue: \$697,600 (guaranteed minimum), plus an additional percentage rent equal to 100% of net profits from ancillary development

Councilmember Koop requested that addendum addition consent agenda item 7 be considered as individual items. Mayor Rawlings stated that addendum addition consent agenda item 7 would be considered as individual items later in the meeting, there being no objection voiced to 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 Caraway moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Koop abstain; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0906

Addendum addition 8: A resolution authorizing **(1)** the conveyance of an easement containing a total of approximately 68 acres of land to Dallas Area Rapid Transit (DART) for the purpose of constructing and operating an extension of its light rail transit system into the Dallas/Fort Worth (DFW) International Airport property; and **(2)** accepting conveyance from DART to DFW Airport of two perpetual easements containing a total of approximately 21,000 square feet of land across the Cotton Belt railway for roadway and utility purposes - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0907

Addendum addition 9: An ordinance abandoning a portion of Marilla Street, St. Louis Street, Paris Street and four alleys to the City of Dallas, the abutting owner, for the development of the Farmers Market containing a total of approximately 65,550 square feet of land, located near the intersection of Harwood and Marilla Streets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 29017

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0908

Addendum addition 10: Authorize a contract for the construction of the Continental Avenue Bridge and West Dallas Gateway Improvements - Gibson & Associates, Inc., lowest responsible bidder of three - Not to exceed \$8,347,936 - Financing: Private Funds (\$5,030,030), General Obligation Commercial Paper Funds (\$3,263,100) and 2006 Bond Funds (\$54,806)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0909

Addendum addition 11: Authorize **(1)** a construction contract with Ratliff Hardscape, Ltd., lowest responsive bidder of thirteen, for the construction of 3.6 miles of multipurpose trail including stone bench rest areas for the AT&T Trail Project in an amount of \$1,910,453; and **(2)** authorize a license agreement with ONCOR to allow the trail to be built and maintained within the ONCOR right-of-way for a portion of the AT&T Trail - Not to exceed \$1,910,453 - Financing: Private Funds

Adopted as part of the consent agenda.

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0910

Addendum addition 12: Receive the report of the Ad Hoc City Council Canvassing Committee and adopt a resolution and order accepting the canvassing committee's report declaring the results of the May 11, 2013 general election for members of the City Council and special election - Financing: No cost consideration to the City.

Mayor Pro Tem Medrano moved to adopt the resolution.

Motion seconded by Councilmember Caraway and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0911

Addendum addition 13: An ordinance ordering a runoff election to be held in the City of Dallas, on Saturday, June 15, 2013, for the purpose of electing members of the City Council to represent Places 5 and 14, in which no candidate received a majority of the votes in the general election held on Saturday, May 11, 2013
- Financing: No cost consideration to the City

The city secretary read the following early voting location changes into the record:

- Robert E. Lee Elementary School, 2911 Delmar Avenue, Dallas, TX 75206 and Zion Lutheran Church, 6121 E. Lovers Lane, Dallas, TX 75214 would be deleted as early voting locations
- Lakewood Branch Library, 6121 Worth Street, Dallas, TX 75214 would be added as an early voting location

Councilmember Caraway moved to adopt the item with the changes.

Motion seconded by Councilmember Kadane and unanimously adopted. (**Atkins absent)

Assigned ORDINANCE NO. 29018

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0912

Addendum addition 14: A resolution authorizing an increase in the joint elections agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a runoff election to be held on Saturday, June 15, 2013, in an amount not to exceed \$408,636, to cover the cost of the June 15, 2013 city council runoff election - Not to exceed \$408,636, from \$449,708 to \$858,344 - Financing: Current Funds

Councilmember Caraway moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0913

Addendum addition 15: A resolution approving the appointment of citizens to serve as election judges for the June 15, 2013 runoff election -
Financing: No cost consideration to the City

The city secretary read the following changes into the record which resulted following the adoption of addendum addition consent agenda item 13 and corresponding addition/deletion of the noted early voting locations:

- Addition of George Siggers as election judge at the Lakewood Branch Library, 6121 Worth Street, Dallas, Texas 75214 as the location was added; and
- No judge appointments needed to the Robert E. Lee Elementary School, 2911 Delmar Avenue, Dallas, TX 75206 and Zion Lutheran Church, 6121 E. Lovers Lane, Dallas, TX 75214, as the locations were deleted.

Councilmember Margolin moved to adopt the item with the changes.

Motion seconded by Councilmember Koop and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0914

Addendum addition 16: A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the June 15, 2013 runoff election, and submit a canvass report to the full City Council on Monday, June 24, 2013 - Financing: No cost consideration to the City

Councilmember Hill moved to approve the resolution authorizing Mayor Rawlings to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the June 15, 2013 runoff election and submit a canvass report to the full City Council on Monday June 24, 2013.

The Ad Hoc City Council Canvassing Committee will consist of:

Mayor Pro Tem Pauline Medrano, Chair
Councilmember Linda Koop
Councilmember Angela Hunt
Councilmember Ann Margolin
Councilmember Delia Jasso
Deputy Mayor Pro Tem Tennell Atkins, Alternate

Councilmember Hill moved to adopt the item.

Motion seconded by Councilmember Koop and unanimously adopted. (**Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0915

Addendum addition 17: A resolution designating an absence by Councilmember Delia Jasso as being for "official city business" - Financing: No cost consideration to the City

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

Councilmember Caraway moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Jasso abstain; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0916

Addendum addition 18: Authorize a conditional grant agreement in the amount of \$890,000 with Rudolph Edwards to provide funding for the construction of a commercial building at 3103 South Lancaster Road in accordance with the Lancaster Corridor Economic Development Program - Not to exceed \$890,000 - Financing: 2006 Bond Funds (\$470,055) and General Obligation Commercial Paper Funds (\$419,945)

Councilmember Caraway moved to adopt the item.

Motion seconded by Councilmember Davis. (Greyson absent when vote taken, **Atkins absent)

Councilmember Caraway requested a record vote on the item.

After discussion, Mayor Rawlings called the vote on Councilmember Caraway’s motion

Voting Yes:	[13]	Rawlings, Medrano, Jasso, Griggs, Caraway, Hill, Alonzo, Davis, Kadane, Allen, Koop, Margolin, Hunt
Absent when vote taken	[1]	Greyson
Absent:	[1]	**Atkins

The city secretary declared the motion adopted.

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0917

DESIGNATED ZONING CASES – INDIVIDUAL

Addendum addition 19: Zoning Case Z112-265(MW)

A public hearing was called on Zoning Case Z112-265(MW) regarding an application for and an ordinance granting (1) a Planned Development District for MU-3 Mixed Use District uses on property zoned a GO(A) General Office District, an MU-3 (SAH) Mixed Use District (Affordable) and a portion of Subdistrict E in Planned Development District No. 305, Cityplace, on the northeast corner of North Central Expressway and North Carroll Avenue; and for an ordinance granting (2) a new subdistrict on property zoned Subdistrict E within Planned Development District No. 305 on the east side of North Central Expressway between North Carroll Avenue and North Haskell Avenue

The staff and city plan commission recommended Approval of a Planned Development District for Mixed Use District uses, subject to a conceptual plan and conditions, and approval of a new subdistrict within Planned Development District No. 305, subject to conditions

In accordance with Section 7.13 of the City Council Rules of Procedure, “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.

Mayor Pro Tem Medrano moved to close the public hearing, accept the city plan commission's recommendation and pass the ordinances.

Motion seconded by Councilmember Hill and Councilmember Hunt and unanimously adopted. (Caraway, Margolin absent when vote taken; **Atkins absent)

Assigned ORDINANCE NOS. 29019 AND 29020

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0918

DESIGNATED ZONING CASES – INDIVIDUAL

Addendum addition 20: Zoning Case Z123-177(WE)

An application for and an ordinance granting an amendment to Planned Development District No. 759 for RR Regional Retail District uses in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue

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

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

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

Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Caraway and Councilmember Hill and unanimously adopted. (**Atkins absent)

Later in the meeting, Mayor Pro Tem Medrano moved to reconsider the item as a public hearing.

Motion seconded by Kadane and unanimously adopted. (Hill absent when vote taken; **Atkins absent)

The city secretary re-read the item into the record and called for speakers.

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
13-0918
Page 2

At the request of Mayor Pro Tem Medrano, Mayor Rawlings allowed the following individual to address the city council at the end of the meeting, there being no objection voiced by the city council.

Martha Jimenez, 2232 Empire Central, representing Trailer Park Homes

Assigned ORDINANCE NO. 29021

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

“AMENDED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 22, 2013

13-0919

FLOODPLAIN APPLICATIONS

Addendum addition 21: A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 8.73 acres of the current 185.39 acres of land located at 6300 Trinity Forest Way, within the floodplain of the Trinity River and Stream 4B5, Fill Permit 13-01 - 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 Margolin and unanimously adopted. (Caraway, Kadane absent when vote taken; **Atkins absent)

****Note: Absent as “Official City Business” per Resolution 13-1026 on 06/12/13**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 22, 2013

EXHIBIT C