

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 27, 2009

09-1300
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [14] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis,
Atkins, Kadane, Allen, Koop, Rasansky, Hunt (*9:24 a.m.)

ABSENT: [1] Natinsky absent on city business

The meeting was called to order at 9:11 a.m.

The Assistant City Secretary announced that a quorum of the city council was present.

The invocation was given by Reverend Anna Neitzel, of the St. Thomas the Apostle Episcopal Church

Mayor Pro Tem Garcia, 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 1:53 p.m.

Mayor

ATTEST:

Assistant 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 invocation and pledge of allegiance.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 27, 2009

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 27, 2009

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1301

CITIZEN SPEAKERS

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

OPEN MICROPHONE –BEGINNING OF MEETING:

SPEAKER: Richard Sheridan, 3022 Forest Lane
REPRESENTING: Some citizens
SUBJECT: Dallas, our divided home

SPEAKER: Khallih Talid, 5044 Corrigan Court
REPRESENTING: AMN Community Redevelopment
SUBJECT: Affordable housing, mental health

SPEAKER: William Gonzalez, 8610 Southwestern Blvd.
SUBJECT: Dallas city employees meet and confer

SPEAKER: Randolph Shaheed, 9916 Cedar Mountain Circle
REPRESENTING: XOAAA
SUBJECT: Jobs for ex-offenders

SPEAKER: Eli Jacobs, 418 Southport Dr.
REPRESENTING: XOAAA
SUBJECT: Jobs for ex-offenders

OPEN MICROPHONE – END OF MEETING

SPEAKER: Eddie Propes, 2639 Exter St.
SUBJECT: Southern Dallas issues

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Dallas; arrogant, racist, unjust, corrupt

SPEAKER: Irish Watson, 3979 Granite Hill Dr.
REPRESENTING: Concerned citizens of Dallas
SUBJECT: DISD Issues and other issues

SPEAKER: William Hopkins, 2011 Leath Street
SUBJECT: DPD

SPEAKER: B. M. Randolph, P. O. Box 210315
REPRESENTING: Making a difference (FJC)
SUBJECT: Budget and Reduction suggestions

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1302

Item 1: Approval of Minutes of the May 13, 2009 City Council Meeting

Councilmember Rasansky moved to approve the minutes.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted.
(Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1303

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-46 and addendum addition consent agenda items 1-6, was presented for consideration.

Mayor Leppert announced that at the time the consent agenda was considered, and at the request of the City Manager, consent agenda items 39 and 41 had been added to the list of items to be deferred.

The Assistant City Secretary announced City Attorney Thomas Perkins had a conflict of interest on consent agenda items 11, 31 and 32 and he would abstain from voting or participating in any discussion. City Attorney Thomas Perkins left the city council chamber.

Councilmember Atkins requested that consent agenda items 25, 44 and 45 be considered as individual items. Mayor Leppert stated that consent agenda items 25, 44 and 45 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Rasansky requested that consent agenda items 8, 9, 20 and 25 be considered as individual items. Mayor Leppert stated that consent agenda items 8, 9, 20 and 25 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda 8, 9, 20, 25, 39, 41, 44 and 45 which would be considered later in the meeting.

Motion seconded Deputy Mayor Pro Tem Caraway and unanimously adopted. (Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1304

Item 2: Authorize the purchase of two sets of mobile column lifts for Dallas Fire-Rescue - J.A.M. Equipment Sales & Service, LLC, lowest responsible bidder of six - Not to exceed \$73,288 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1305

Item 3: Authorize a four-month professional services contract to conduct historic resource surveys to update the City's National Register Historic Districts - URS Corporation, most advantageous proposer of seven - Not to exceed \$50,000 - Financing: 2003-04 Community Development Block Grant Funds (\$11,117) and 2004-05 Community Development Block Grant Funds (\$38,883)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1306

Item 4: Authorize a thirty-six-month master agreement for automotive, truck and equipment batteries - Interstate Battery System of Dallas, lowest responsible bidder of four - Not to exceed \$805,973 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1307

Item 5: Authorize a thirty-six-month master agreement for water meter castings, risers and cast iron inlet frames and covers - Bass and Hays Foundry, Inc. in the amount of \$4,364,723, Doug Meadows Co. LLC in the amount of \$156,100 and CDR Systems Corp. in the amount of \$89,360, lowest responsible bidders of three - Total not to exceed \$4,610,184 - Financing: Current Funds (\$361,219), Water Utilities Current Funds (\$4,248,965)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1308

Item 6: Authorize a thirty-six-month master agreement for uniforms, alterations, jackets, raingear and accessories for the Dallas Police Department, Dallas Security Officers and Dallas Marshal's Office - Ashley Worldwide, Inc. dba Gerber Manufacturing, Co. in the amount of \$3,237,035, C & G Police Supply dba C & G Wholesale in the amount of \$2,098,312, Uniforms, Inc. in the amount of \$587,175, and Premier Uniforms, Inc. in the amount of \$33,737, lowest responsible bidders of twelve - Total not to exceed \$5,956,259 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1309

Item 7: Authorize a thirty-six-month service contract for grounds maintenance for Water Utilities properties - Good Earth, Inc. in the amount of \$887,648, Forest Hills Lawn Service in the amount of \$60,750, V. Fernandez Trucking, Inc. in the amount of \$56,700 and Texas Blooms Organic Landscape in the amount of \$28,356, lowest responsible bidders of twelve - Total not to exceed \$1,033,454 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1310

Item 8: Authorize a thirty-six-month service contract for overhead door repair, maintenance, parts and labor - All Facility Services, LLC, lowest responsible bidder of three - Not to exceed \$2,185,082 - Financing: Current Funds (\$1,999,046), Water Utilities Current Funds (\$183,036), Aviation Current Funds (\$3,000) (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 8 be considered as an individual item. Mayor Leppert stated that consent agenda item 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, consent agenda item 8 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1311

Item 9: Authorize a thirty-six-month service contract for veterinary services for Dallas Police canine and equine units - Casa Linda Animal Clinic in the amount of \$286,243 and Cedar Hill Veterinary Clinic in the amount of \$136,397, most advantageous proposers of two - Total not to exceed \$422,640 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 9 be considered as an individual item. Mayor Leppert stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, consent agenda item 9 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No." (Atkins absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1312

Item 10: Authorize a thirty-six-month service contract, with two twelve-month renewal options, for veterinary spay and neuter services - Buckner Terrace Animal Clinic in the amount of \$67,500 and SPCA of Texas in the amount of \$95,250, most advantageous proposers of two - Total not to exceed \$162,750 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1313

Item 11: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C. for legal services in matters related to the Atmos Energy Corporation, Mid-Tex Division's Statement of Intent to Increase Gas Utility Rates within the Incorporated Areas of the City of Dallas - Not to exceed \$203,000, from \$110,000 to \$313,000 - Financing: Current Funds (the full amount is reimbursable by Atmos Gas Corporation subject to approval by the Railroad Commission of Texas)

Approved as part of the consent agenda.

Note: The City Attorney notified the Assistant City Secretary he had a conflict of interest on consent agenda 11 and left the City Council Chamber during the vote on the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1314

Item 12: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Isiah Turner of approximately 14,366 square feet of land improved with a single-family dwelling located near the intersection of Fernwood and Georgia Avenues, for the Fernwood Erosion Control Project - \$65,450 (\$59,500 plus closing costs not to exceed \$5,950) - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1315

Item 13: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Thomas Wurtz and Teri Wurtz of approximately 18,956 square feet of land improved with a single family dwelling located near the intersection of Toland Street and Jim Miller Road for the replacement of Fire Station No. 32 - \$116,377 (\$114,000 plus closing costs not to exceed \$2,377) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1316

Item 14: Authorize settlement in lieu of proceeding further with condemnation in City of Dallas vs. 318 Cadiz, L.P., Cause No. CC-08-09086-A, pending in the County Court at Law No. 1, for acquisition from 318 Cadiz Holding, L.P., a Delaware limited partnership of approximately 10,632 square feet of land located near the intersection of Cadiz Street and Industrial Boulevard for the Cadiz Street Pump Station Project - \$186,347 (\$182,347 plus closing costs not to exceed \$4,000) - Financing: Wastewater Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1317

Item 15: A resolution authorizing the sale of approximately 24,000 square feet of unwanted and unneeded City-owned land, improved with a fire station, located near the intersection of Parrot Street and Illinois Avenue to Merced Elizondo, the highest bidder - Revenue: \$98,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1318

Item 16: A resolution declaring approximately 224,106 square feet of City-owned land located near the intersection of Westmoreland and Camp Wisdom Roads unwanted and unneeded and authorizing its advertisement for sale by sealed bid with a minimum bid of \$145,669 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1319

Item 17: Authorize a rental assistance payment for Eulalio Juarez and Leticia Martinez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1022 Packard Street for future City facilities - Not to exceed \$14,700 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1320

Item 18: Authorize moving expense and rental assistance payments for Denis Morales and Beatriz Vasquez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 922 Packard Street for future City facilities - Not to exceed \$15,550 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1321

Item 19: Authorize moving expense and rental assistance payments for Sergio and Maria Rodriguez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1015 Packard Street for the new Dallas Police Academy - Not to exceed \$12,650 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1322

Item 20: An ordinance abandoning portions of various easements to 9837 North Central, L.P., the abutting owner, containing approximately 7 acres of land located near the intersection of Walnut Hill Lane and U.S. Highway 75 - Revenue: \$5,400 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda item 20 be considered as an individual item. Mayor Leppert stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, consent agenda item 20 was brought up for consideration.

Councilmember Koop moved to pass the ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Natinsky absent on city business)

Assigned ORDINANCE NO. 27540

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1323

Item 21: An ordinance granting a private license to TR 8333 Douglas Corp. for the use of approximately 138 square feet to install and maintain two canopies on a portion of Douglas Avenue right-of-way located near its intersection with Luther Lane - Revenue: \$2,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27541

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1324

Item 22: An ordinance granting a private license to Young Men's Christian Association of Metropolitan Dallas for the use of approximately 270 square feet of land to install and maintain a canopy above a portion of Ross Avenue right-of-way located near its intersection with Akard Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Assigned ORDINANCE NO. 27542

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1325

Item 23: An ordinance granting a revocable license to Prestige Dining LLC for the use of approximately 360 square feet of land, to construct and maintain a sidewalk café on a portion of Main Street right-of-way located near its intersection with Akard Street - Revenue: \$2,500 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27543

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1326

Item 24: Authorize an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Jess Baroukh, LLC., related to the remodeling of the Crest Plaza Shopping Center located at South Lancaster Road and East Saner Avenue - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1327

Item 25: Authorize an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Square 67, L.P. related to the leasing and remodeling of an empty grocery store in the Square 67 Shopping Center located at Hampton Road and Red Bird Lane - Not to exceed \$350,000 - Financing: Public/Private Partnership Funds

Councilmember Atkins and Councilmember Rasansky requested that consent agenda item 25 be considered as an individual item. Mayor Leppert stated that consent agenda item 25 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins and Councilmember Rasansky's request.

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

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1328

Item 26: Authorize **(1)** a public hearing to be held on June 24, 2009 to receive comments concerning the creation of the Oak Lawn-Hi Line Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Oak Lawn-Hi Line 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 **(2)** at the closing of the hearing, a resolution approving creation of the District for seven years and approval of the District's Service Plan for 2010-2016 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1329

Item 27: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$154,027 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2009 through November 30, 2010; **(2)** a local match in an amount not to exceed \$9,978; and **(3)** execution of the grant agreement - Total not to exceed \$164,005 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$154,027) and Current Funds (\$9,978) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1330

Item 28: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$257,606 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2009 through September 30, 2010; **(2)** a local match in an amount not to exceed \$15,866; and **(3)** execution of the grant agreement - Total not to exceed \$273,472 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$257,606) and Current Funds (\$15,866) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1331

Item 29: Authorize **(1)** a contract with Frontier Waterproofing, Inc., lowest responsible bidder of eight for repairing and cleaning exterior limestone, granite walls and architectural concrete at the Morton H. Meyerson Symphony Center located at 2301 Flora Street; and **(2)** an increase in appropriations in the amount of \$110,000 in the Capital Construction Fund - Not to exceed \$195,505 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1332

Item 30: Authorize Supplemental Agreement No. 1 to the contract with Deloitte Consulting Outsourcing, LLC to reduce the contract amount and resources dedicated to the technical support and maintenance of the City's Human Resources Information System's software application - Not to exceed (\$104,156), from \$1,803,801 to \$1,699,645 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1333

Item 31: Authorize a professional services contract with McFadden Consulting Group, Inc. for expert consulting services and testimony in matters related to Atmos Energy Corporation Statement of Intent to Change Rates in the Atmos Energy Corp., Mid-Tex Division Gas Utility System filed November 5, 2008 (GUD 9869) - Not to exceed \$81,870 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Approved as part of the consent agenda.

Note: The City Attorney notified the Assistant City Secretary he had a conflict of interest on consent agenda 31 and left the City Council Chamber during the vote on the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1334

Item 32: Authorize Supplemental Agreement No. 1 to the professional services contract with Diversified Utility Consultants, Inc. for expert consulting services and testimony in matters related to the statement of intent of Atmos Energy Corp. Mid-Tex Division to change rates in the City of Dallas, filed November 5, 2008 - Not to exceed \$100,000, from \$75,000 to \$175,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Approved as part of the consent agenda.

Note: The City Attorney notified the Assistant City Secretary he had a conflict of interest on consent agenda 32 and left the City Council Chamber during the vote on the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1335

Item 33: Authorize Supplemental Agreement No. 5 to the professional services contract with Carter & Burgess, Inc. for additional community task force meetings and work sessions to finalize the lighting master plan report for White Rock Lake Park located at 8300 Garland Road - Not to exceed \$40,461, from \$302,425 to \$342,886 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1336

Item 34: Authorize **(1)** a public hearing to be held on June 10, 2009 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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1337

Item 35: Authorize an additional payment to Dallas Area Rapid Transit for the City's share of right-of-way costs for the paving and drainage improvements at the intersection of U.S. 75 and Bryan Street associated with the DART Southeast-1 light rail extension project - Not to exceed \$1,161,863 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1338

Item 36: Authorize a contract for the construction of sidewalk paving, water and wastewater adjustment improvements for South Storey Street from Foster Avenue to Havendon Circle - Advanced Paving Acquisition, LTD dba Advanced Paving Company, lowest responsible bidder of eleven - Not to exceed \$73,577 - Financing: 2005-06 Community Development Block Grant Funds (\$62,997) and Water Utilities Capital Construction Funds (\$10,580)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1339

Item 37: Authorize an increase in the contract with Tiseo Paving Company for additional quantities of reinforced concrete and flex base for the construction of street paving and storm drainage improvements on Alaska Avenue from East Saner Avenue to East Elmore Avenue - Not to exceed \$35,807, from \$589,548 to \$625,355 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1340

Item 38: Authorize an increase in the professional services contract with Alan Plummer Associates, Inc. for additional construction administration services necessary to complete stormwater drainage modifications, Phase 2, at 27 fire stations and additional design services for stormwater improvements at the fire maintenance facility located at 5000 Dolphin Road (list attached) - Not to exceed \$47,270, from \$287,375 to \$334,645 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1341

Item 39: Authorize ordinances granting eight franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$6,000

Mayor Leppert announced that at the time the consent agenda was considered, and at the request of the City Manager, consent agenda item 39 was deferred during the vote for approval of the consent agenda.

Mayor Pro Tem Garcia moved to defer the item indefinitely.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted.
(Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1342

Item 40: Authorize the Loving My Community Neighborhood Improvement Grant to provide financial assistance to neighborhood groups that wish to improve the City's quality of life by implementing neighborhood service programs or initiating construction projects within their neighborhood - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1343

Item 41: Authorize the rejection of bids received for the construction of intersection improvements for North Beckley Avenue at West Commerce Street - Financing: No cost consideration to the City

Mayor Leppert announced that at the time the consent agenda was considered, and at the request of the City Manager, consent agenda item 41 was deferred during the vote for approval of the consent agenda.

Councilmember Salazar moved to defer the item until the June 10, 2009 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1344

Item 42: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two properties containing a total of approximately 14,000 square feet of land located near the intersection of Colonial Avenue and Starks Avenue for the Trinity Parkway (list attached) - Not to exceed \$94,500 (\$90,000 plus closing costs not to exceed \$4,500) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1345

Item 43: Authorize a contract for the installation of water and wastewater mains at 21 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of six - \$4,061,908 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1346

Item 44: Authorize Supplemental Agreement No. 1 to the professional services contract with Carollo Engineers, P.C. for engineering services required to perform a feasibility study on the collection of high strength wastes and implementation of the co-digestion process for the Southside Wastewater Treatment Plant - Not to exceed \$178,500, from \$3,546,492 to \$3,724,992 - Financing: Water Utilities Capital Construction Funds

Councilmember Atkins requested that consent agenda item 44 be considered as an individual item. Mayor Leppert stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 44 was brought up for consideration.

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1347

Item 45: Authorize Supplemental Agreement No. 1 to the professional services contract with DAL-TECH Engineering, Inc. for design and construction administration services at the Southside Wastewater Treatment Plant associated with major maintenance and rehabilitation improvements - Not to exceed \$1,887,707, from \$748,348 to \$2,636,055 - Financing: Water Utilities Capital Improvement Funds

Councilmember Atkins requested that consent agenda item 45 be considered as an individual item. Mayor Leppert stated that consent agenda item 45 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

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

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1348

Item 46: Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Webb & Webb for additional legal services in connection with related matters involving representation of the City of Dallas on water rights pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - Not to exceed \$300,000, from \$800,000 to \$1,100,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1349

Item 47: 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 to boards and commissions to consider.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1350

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 48-53, was presented for consideration.

No items were removed from the consent zoning docket, to be considered as individual hearings.

- Agenda item 48: Zoning Case Z089-112 (OTH)
- Agenda item 49: Zoning Case Z089-156 (MAW)
- Agenda item 50: Zoning Case Z089-157 (MAW)
- Agenda item 51: Zoning Case Z089-162 (RB)
- Agenda item 52: Zoning Case Z089-165 (WE)
- Agenda item 53: Zoning Case Z089-166 (MAW)

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

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Caraway, Salazar absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1351

Item 48: Zoning Case Z089-121 (OTH)

The consent zoning docket, consisting of agenda items 48-53, was presented for consideration.

A public hearing was called on zoning case Z089-121 (OTH), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 751 on property zoned an RR Regional Retail District and Tract 1 within Planned Development District No 751, on the north side of Wheatland Road, west of Hampton Road and north of L.B.J. Freeway

(The staff and city plan commission recommended approval, subject to Tract 1A Development Plan/Tract 1, Tract 2 Conceptual Plan and a landscape plan)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27544

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1352

Item 49: Zoning Case Z089-156 (MAW)

The consent zoning docket, consisting of agenda items 48-53, was presented for consideration.

A public hearing was called on zoning case Z089-156 (MAW), an application for and a resolution terminating the deed restrictions on property zoned an LI Light Industrial District on the south side of I-20 Frontage Road, east of Honeysuckle Lane

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1353

Item 50: Zoning Case Z089-157 (MAW)

The consent zoning docket, consisting of agenda items 48-53, was presented for consideration.

A public hearing was called on zoning case Z089-157 (MAW), an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the southwest corner of Converse Street and Conant Street

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27545

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1354

Item 51: Zoning Case Z089-162 (RB)

The consent zoning docket, consisting of agenda items 48-53, was presented for consideration.

A public hearing was called on zoning case Z089-162 (RB), an application for and an ordinance granting a Specific Use Permit for a general merchandise or food store greater than 100,000 square feet on property zoned a CS Commercial Service District on the west line of McCree Road, north of Northwest Highway

(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, landscape plan, and conditions)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27546

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1355

Item 52: Zoning Case Z089-165 (WE)

The consent zoning docket, consisting of agenda items 48-53, was presented for consideration.

A public hearing was called on zoning case Z089-165 (WE), an application for and an ordinance granting a Planned Development District for CR Community Retail District uses on property zoned a CR-D Community Retail District with a Dry Liquor Control Overlay and an R-7.5(A) Single Family District, on the northeast corner of St. Augustine Road and Lake June Road

(The staff and city plan commission recommended approval, subject to a development plan, landscape plan and conditions with retention of the D Dry Liquor Control Overlay on a portion of the site)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27547

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1356

Item 53: Zoning Case Z089-166 (MAW)

The consent zoning docket, consisting of agenda items 48-53, was presented for consideration.

A public hearing was called on zoning case Z089-166 (MAW), an application for and an ordinance granting an IM Industrial Manufacturing District on property zoned an IR Industrial Research District on the north side of West Commerce Street, east of Edgefield Avenue

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27548

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1357

Item 54: Zoning Case Z089-105 (MAW) – INDIVIDUAL

Theresa O'Donnell, director of development services, 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 the 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 development services.

A public hearing was called on zoning case Z089-105 (MAW), an application for a Planned Development District for Multifamily uses on property zoned an MF-2(A) Multifamily District in an area bounded by Cabell Drive, Ashby Street, Lafayette Street and Peak Street and an area on the south side of Lafayette Street between Ashby Street and Peak Street

(The staff recommended approval subject to a development plan, landscape plan and conditions and city plan commission recommended denial without prejudice)

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

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

John Bellamy, 2200 N. Haskell Ave.

John Bond, 2020 N. Haskell Ave., representing the Residents of Haskell

Taylor Allday, 1901 N. Haskell Ave.

Suzan Kedron, 901 Main, representing the applicant

Councilmember Medrano moved to close the public hearing and approve the request subject to staff recommended conditions and a development plan, and with the following additional condition:

- Structures within 40 feet of a bounding property line are limited to 36 feet in height.
- With the ordinance adopting the zoning change to return on a future agenda in conjunction with an ordinance abandoning Lafayette Street.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1358

Item 55: Zoning Case Z089-141 (MAW) – INDIVIDUAL

A public hearing was called on zoning case Z089-141 (MAW), an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District on the north side of Meadow Road, west of Greenville Avenue with consideration given to an MU-2 Mixed Use District

(The staff recommended approval of an MU-2 Mixed Use District in lieu of a Planned Development District and city plan commission recommended approval of a Planned Development District for Mixed Uses, subject to a conceptual 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:

Peter Kavanagh, 1620 Handley, representing the applicant

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

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

Assigned ORDINANCE NO. 27549

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1359

Item 56: Zoning Case Z078-289 (JH) – UNDER ADVISEMENT INDIVIDUAL

Theresa O'Donnell, director of development services, 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 the 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 development services.

A public hearing was called on zoning case Z078-289 (JH), an application for a Specific Use Permit for a recycling buy-back center use on property zoned an IM Industrial Manufacturing District on the northwest side of Hickory Street, east of Malcolm X Boulevard

(The staff and city plan commission recommended denial)

Note: This item was considered by the City Council at a public hearing on January 14 and April 22, 2009, and was taken under advisement until May 27, 2009, with the public hearing open.

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

Councilmember Medrano moved to close the public hearing and approve the request for one year subject to proposed conditions and site plan, with the ordinance adopting the zoning change to return on a future agenda.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1360

Item 57: Zoning Case Z067-147 (SA) – UNDER ADVISEMENT INDIVIDUAL

A public hearing was called on zoning case Z067-147 (SA), to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned an MU-2 Mixed Use District, CS Commercial Service District, IM Industrial Manufacturing District, with Specific Use Permit No. 1484 for Commercial Amusement (Inside) for Class A Dance Hall with consideration given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations in an area generally bounded by Interstate 35 and Interstate 30 to the northwest, the Union Pacific Railroad right-of-way to the northeast, the DART Railroad right-of-way to southeast, and the Trinity Levee to the southwest and an ordinance granting a new subarea within Planned Development District No. 784, the Trinity River Corridor Special Purpose District

(The staff and city plan commission recommended approval of a new subarea and form districts within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, subject to conditions and a regulating plan for property located southeast of Interstate 35 and Interstate 30, with retention of Specific Use Permit No. 1484 and no change of zoning to property generally bounded by Cadiz Street, the existing sumps, Industrial Boulevard, and the Union Pacific Railroad)

Note: This item was considered by the City Council at public hearings on December 10, 2008, and February 25, 2009, and was held under advisement until May 27, 2009, with the public hearing open.

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

Art Anderson, 6615 Lupton Dr., representing Buckley Oil
John Hargrove, 1903 Rock Island, representing Orr Reed
Louis Okon, 2001 S. Industrial Boulevard, representing Okon Metals
Paul Hardie, 1120 Rock Island St., representing Industrial Electric Equipment Inc. and
Hurt and Hardie Inc.

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

Councilmember Medrano moved to continue the public hearing and hold under advisement until the November 9, 2009 voting agenda meeting of the city council.

Motion seconded by Councilmember Neumann and unanimously adopted. (Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1361

Item 58: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by Schottenstein Trustees located near the intersection of Reading Street and Irving Boulevard and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Schottenstein Trustees by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The Assistant City Secretary read the following statement into the record:

"Pursuant to Section 51A-6.108 (g) (3) of the Dallas Development Code, the applicant or licensed professional engineer or professional geoscientist who is familiar with the application must be present and available to answer questions."

The following individual addressed the city council regarding the item:

Austin Cooley, professional geoscientist

Councilmember Salazar moved to close the public hearing, accept the recommendation of the staff and pass the ordinance.

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

Assigned ORDINANCE NO. 27550

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1362

Item 59: A public hearing to receive comments in preparation of the FY 2009-10 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Paul Hoffman, 1420 W. Mockingbird Lane, representing Dental Health Program/Community Care

Sydney Kay, 5718 Harvest Hill Road, representing Senior Affairs Commission

Ester Davis, 2204 Miller Moore St., representing Senior Affairs Commission

Bert Holmes, 4515 W. Lawther Dr., representing Senior Affairs Commission

Bill Peterson, 2711 Gaston Ave., representing Senior Affairs Commission

Jearldine McDaniel, 2515 Sylvan Ave., representing Senior Affairs Commission

The City Council closed the public hearing by general concensus.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1363

Item 60: A public hearing to receive comments on a substantial amendment to the FY2008-09 Consolidated Plan Budget and Action Plan regarding Community Development Block Grant - Recovery Program Funds (Federal Stimulus); and at the close of the hearing, authorize final adoption of the substantial amendment - Not to exceed \$4,700,469 - Financing: U.S. Department of Housing and Urban Development Grant Funds

No one addressed the city council regarding the item.

Mayor Pro Tem Garcia moved to closed the public hearing and approve the item with the following amendments to Schedule A:

- 1) Lines 4 and 5, Decrease the Community Prosecutors for West Oak Cliff and South Oak Cliff areas by \$222,514
- 2) Line 3, Increase the Sidewalk/Street Improvements in CDBG eligible areas by \$97,514
- 3) Add Ferguson Park Trail Improvements for \$125,000
- 4) Line 13, change Project Name from Offender Re-entry Program (City Program) to Program Administration.

Motion seconded by Councilmember Koop.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No." (Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1364

Item 61: Consideration of authorization of a public hearing to amend the *forwardDallas!* Comprehensive Plan and the Trinity River Corridor Comprehensive Land Use Plan to incorporate amendments to the Oak Cliff Gateway Land Use Opportunity Plan - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding the item:

Pam Conley, no address given
Bob Stimson, no address given

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Salazar abstain; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1365

Item 62: A public hearing to receive comments regarding an amendment to Chapter 51A, "Dallas Development Code", Section 51A-105.102, of the Dallas City Code to adopt the Collin County Flood Insurance Rate Maps which become effective on June 2, 2009, as a requirement of the Federal Emergency Management Agency; and at the close of the hearing, consideration of an ordinance authorizing the adoption of the Collin County Flood Insurance Rate Maps - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Kadane moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Salazar absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 27551

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1366

Addendum addition 1: A resolution authorizing the City of Dallas' **(1)** support for the 2010 National Basketball Association ("NBA") All-Star Game, and **(2)** participation as an endorsing municipality, to initiate the establishment of the Other Events Trust Fund by the State Comptroller of Public Accounts - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1367

Addendum addition 2: An ordinance providing for the closing of Whitehaven Drive at its intersection with an adjacent alley, near the intersection of Lake Gardens Drive, pursuant to Resolution No. 93-4028, which authorized the Policy for Closure of Local Residential Streets to Through Vehicular Traffic - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27552

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1368

Addendum addition 3: Authorize an amendment to the deed restrictions on property zoned an RR Regional Retail District on the north side of Chenault Street between Buckner Boulevard and Dilido Road
- Z089-140 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1369

Addendum addition 4: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements for Routh Street from Flora Street to Woodall Rodgers Freeway - Omega Contracting, Inc., lowest responsible bidder of four - Not to exceed \$1,524,334 - Financing: 2006 Bond Funds (\$1,344,247) and Water Utilities Capital Construction Funds (\$180,087)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1370

Lochwood Branch Library

Note: Addendum Item Nos. 5 & 6
must be considered collectively.

Addendum addition 5: Authorize a contract for the purchase and installation of furniture for the Lochwood Branch Library located at 11221 Lochwood Boulevard from the following nine bidders: Corporate Express Office Products, Inc. in the amount of \$21,054; Furniture Consultants, Inc. in the amount of \$8,132; Intelligent Interiors, Inc. in the amount of \$65,323; Facilitech, Inc. dba Business Interiors in the amount of \$13,377; Facility Interiors, Inc. in the amount of \$11,788; Bauhaus Interiors Group in the amount of \$75,731; Vance Hunt & Associates - LB Interiors in the amount of \$51,605; Libra Tech Corporation in the amount of \$19,675; and BKM Total Office of Texas, LLC in the amount of \$13,758 - Not to exceed \$280,443 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1371

Lochwood Branch Library

Note: Addendum Item Nos. 5 & 6
must be considered collectively.

Addendum addition 6: Authorize an increase in the contract with J.C. Commercial, Inc. for millwork fabrication and installation for Lochwood Branch Library - Not to exceed \$71,013, from \$3,983,164 to \$4,054,177 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1372

Addendum addition 7: Authorize amendments to the FY2008-09 Position Classification Assignments (PCA) to authorize: **(1)** two unpaid furlough days, July 6, 2009 and September 4, 2009, for all City of Dallas civilian employees for an estimated cost savings of \$2,600,000; **(2)** the City Manager to make operational and scheduling changes necessary to implement the furlough days; and **(3)** elimination of Dallas Police Department Graduation Incentive Pay and Incentive Pay for Completion of Probation and Police Trainee Assignment Pay with an estimated annual savings of \$3,780,000 - Estimated Total Savings (\$6,380,000) - Financing: Current Funds

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Atkins.

After discussion, Mayor Leppert called the vote on Councilmember Hill's motion:

Voting Yes: [14] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis, Atkins, Kadane, Allen, Koop, Rasansky, Hunt

Voting No: [0]

Absent: [1] Natinsky

Mayor Leppert declared the motion adopted.

Note: Mayor Leppert requested the record to reflect Mayor Pro Tem Garcia and Deputy Mayor Pro Tem Caraway are not in favor of item (3) the elimination of Dallas Police Department Graduation Incentive Pay and Incentive Pay for Completion of Probation and Police Trainee Assignment Pay with an estimated annual savings of \$3,780,000.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1373

Addendum addition 8: Authorize an increase in the Over 65 and Disabled Persons Homestead Property Tax Exemption from \$64,000 to \$70,000 beginning with the 2009 tax year - Estimated Annual Revenue Loss: (\$2,600,000)

Councilmember Hunt moved to defer the item for one year.

Motion seconded by Deputy Mayor Pro Tem Caraway.

After discussion, Mayor Leppert called the vote on Councilmember Hunt's motion to defer the item for one year:

Voting Yes: [9] Leppert, Garcia, Caraway, Neumann, Salazar, Davis, Kadane, Allen, Hunt

Voting No: [5] Medrano, Hill, Atkins, Koop, Rasansky

Absent: [1] Natinsky (on city business)

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 27, 2009

09-1374

Addendum addition 9: An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** revise the parking ticket base fine amounts and second penalty amount; **(2)** revise parking rates for various streets; **(3)** revise the commercial loading zone permit fee for permanent, temporary and replacement permits; and **(4)** revise the parking meter hooding and temporary removal fees - Estimated Revenue: FY 2008-09 \$585,847 and \$2,987,676 annually

Councilmember Rasansky moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27553

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 27, 2009

EXHIBIT C