

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 12, 2009

09-1874
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar, Davis
Atkins, Kadane, Allen, Koop (*10:00 a.m.), Natinsky, Margolin,
Hunt (*9:06 a.m.)

ABSENT: [0]

The meeting was called to order at 9:00 a.m.

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

The invocation was given by Dwight Robarts, of the Skillman Church of Christ.

Councilmember Davis 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 1:26 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 Assistant 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, AUGUST 12, 2009

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 12, 2009

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1875

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: Judy Pollack, 8600 Thackery St.
SUBJECT: Office of Cultural Affairs

SPEAKER: Murphy Pickett, 4003 Druid Hills Dr.
SUBJECT: Friendship

SPEAKER: Richard Sheridan, 3022 Forest Lane
REPRESENTING: Some Dallas residents
SUBJECT: Save the 800 city employees

SPEAKER: Barbara Barbee, 303 N. Barnett Ave.
REPRESENTING: Friends of Oak Cliff parks
SUBJECT: Budget cuts for the Park Dept.

SPEAKER: Anne Marie Bristow, 802 Haines Ave.
REPRESENTING: Friends of Oak Cliff
SUBJECT: Budget Items relating to parks

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

SPEAKER: Frank Ward III, P. O. Box 50694
REPRESENTING: The Kingdom of God
SUBJECT: The Kingdom of Heaven

SPEAKER: William Hopkins, 2011 Leath
SUBJECT: Racism against the City Council

SPEAKER: Michael King, 2433 E. Kiest Blvd..
SUBJECT: Addendum #9

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1876

Item 1: Approval of Minutes of the June 19, 2009 Special Called Meeting, June 22, 2009 Special Called Meeting, June 22, 2009 City Council Inaugural Meeting, and the June 24, 2009 City Council Meeting.

Mayor Pro Tem Caraway moved to approve the minutes with corrections to the June 24, 2009 City Council Meeting:

- The minutes were corrected to reflect Councilmember Davis arrived prior to the meeting being called to order.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1877

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-68 and addendum addition consent agenda items 1-11, was presented for consideration.

The Assistant City Secretary requested that addendum addition consent agenda item 9 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that addendum addition consent agenda item 9 would be considered as an individual item later in the meeting there being no objection voiced to the Assistant City Secretary's request.

Councilmember Neumann requested that consent agenda items 9, 29, 30 and addendum addition consent agenda items 2 and 9 be considered as individual items. Mayor Leppert stated that consent agenda items 9, 29, 30 and addendum addition consent agenda items 2 and 9 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Atkins requested that consent agenda items 29, 30, 56, 63, 65 and addendum addition consent agenda item 2 be considered as individual items. Mayor Leppert stated that consent agenda items 29, 30, 56, 63, 65 and addendum addition consent agenda item 2 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Allen requested that consent agenda item 32 be considered as an individual item. Mayor Leppert stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Allen's request.

Councilmember Margolin requested that consent agenda items 48, 54, 59 and addendum addition consent agenda item 2 be considered as individual items. Mayor Leppert stated that consent agenda items 48, 54, 59 and addendum addition consent agenda item 2 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Natinsky moved to approve all items on the consent agenda with the exception of consent agenda 9, 29, 30, 32, 48, 54, 56, 59, 63, 65 and agenda addendum addition consent items 2 and 9 which would be considered later in the meeting.

Motion seconded Mayor Pro Tem Caraway and unanimously adopted. (Medrano, Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1878

Item 2: Authorize the rental of a venue for six terrorism awareness training seminars for first responders of Dallas Police, Dallas Fire-Rescue and other agencies of the North Texas area - Mockingbird Partners, LP dba Wyndham Love Field, lowest responsible bidder of two - Not to exceed \$70,320 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1879

Item 3: Authorize the purchase of rifles for the Police Department - GT Distributors, Inc., lowest responsible bidder of five - Not to exceed \$66,275 - Financing: Confiscated Monies Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1880

Item 4: Authorize the purchase and installation of a dissolved oxygen analyzer system - Roderick Lee Electrical Contractors, Inc., lowest responsible bidder of four - Not to exceed \$119,210 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1881

Item 5: Authorize a service contact for the refurbishment of an aqua bar filter screen for Dallas Water Utilities - Alltech Engineering Corporation, lowest responsible bidder of three - Not to exceed \$574,681 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1882

Item 6: Authorize a twelve-month master agreement for anhydrous ammonia - DPC Industries, Inc., lowest responsible bidder of two - Not to exceed \$257,070 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1883

Item 7: Authorize a twenty-four-month master agreement for communication equipment parts and auxiliary equipment - Hutton Communications, Inc. in the amount of \$422,600, Continental Wireless, Inc. in the amount of \$137,400, Bearcom Operating, LLC in the amount of \$61,700, and Tescos, Inc. in the amount of \$4,500, lowest responsible bidders of five - Total not to exceed \$626,200 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1884

Item 8: Authorize a twenty-four-month master agreement for hot mix asphalt and cold patch material for the repair of streets, alleys, and sidewalks - Austin Asphalt, L.P. in the amount of \$2,709,585, APAC-Texas, Inc. in the amount of \$1,474,218 and Unique Paving Materials Corporation in the amount of \$1,233,550, lowest responsible bidders of four - Total not to exceed \$5,417,353 - Financing: Current Funds (\$4,298,578), Water Utilities Current Funds (\$1,118,775)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1885

Item 9: Authorize a twenty-four-month master agreement for the rental of service vehicles, light and heavy equipment and cranes - Hertz Equipment Rental Corp. in the amount of \$2,469,810, CLS Sewer Equipment Co., Inc. in the amount of \$1,792,404, Landmark Equipment, Inc. in the amount of \$1,141,944, R & D Services, Inc. in the amount of \$993,600, Capps Rent-A-Car, Inc. in the amount of \$613,686, Bane Machinery, Inc. in the amount of \$596,400, Romco Equipment Co. in the amount of \$460,200, Enterprise Rent-A-Car in the amount of \$423,516, TNT Crane and Rigging, Inc. in the amount of \$379,180, B & R Equipment in the amount of \$276,000, Equipment Support Services in the amount of \$199,200, Holt Texas Ltd. in the amount of \$109,188, Conley-Lott-Nichols of Texas, Inc. in the amount of \$72,000, and Four Seasons Equipment, Inc. in the amount of \$43,200, lowest responsible bidders of sixteen - Total not to exceed \$9,570,328 - Financing: Current Funds

Councilmember Neumann 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 Neumann's request.

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

Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill, Davis, Margolin absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1886

Item 10: Authorize a thirty-six-month master agreement for heavy equipment parts and labor - Holt Texas, Ltd. in the amount of \$8,251,939, Conley-Lott-Nichols of Texas, Inc. in the amount of \$1,412,749, Stewart & Stevenson Power Products, LLC in the amount of \$369,880, Equipment Southwest, Inc. in the amount of \$245,460, Kinloch Equipment & Supply Co., Inc. in the amount of \$225,450, Industrial Disposal Supply in the amount of \$156,600, and Landmark Equipment, Inc. in the amount of \$85,280, lowest responsible bidders of nine - Total not to exceed \$10,747,358 - Financing: Current Funds (\$10,546,398), Water Utilities Current Funds (\$200,960)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1887

Item 11: Authorize a thirty-six-month master agreement for service center and environmental supplies and equipment - Midway Auto Supply Co. in the amount of \$1,108,424, Arrow-Magnolia International, L.P. in the amount of \$873,934, Saf-T-Glove, Inc. in the amount of \$736,643, Absorbent Specialty Products in the amount of \$474,800, SID Tool Co., Inc. dba MSC Industrial Supply Co., Inc. in the amount of \$13,575 and Fort Worth Bolt & Tool Co., LLP in the amount of \$12,150, lowest responsible bidders of nine - Total not to exceed \$3,219,526 - Financing: Current Funds (\$3,026,782), Water Utilities Current Funds (\$192,744)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1888

Item 12: Authorize a thirty-six-month master agreement for sewer and general hoses, fittings and stainless steel repair clamps - Powerseal Pipeline Products Corp. in the amount of \$1,076,937, 4-Star Hose and Supply, Inc. in the amount of \$297,158, and Underground, Inc. in the amount of \$112,068, lowest responsible bidders of three - Total not to exceed \$1,486,163 - Financing: Current Funds (\$27,017), Water Utilities Current Funds (\$1,459,146)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1889

Item 13: Authorize a thirty-six-month service contract for inspection, maintenance and purchase of fire extinguishers and sprinkler systems for City departments - Total Fire & Safety, Inc., in the amount of \$1,403,250 and Eagle Fire Extinguisher Co., Inc. in the amount of \$562,390, lowest responsible bidders of six - Total not to exceed \$1,965,640 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1890

Item 14: Authorize settlement of a claim filed by Progressive County Mutual, Claim No. 08225829 - Not to exceed \$16,849 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1891

Item 15: Authorize settlement of the lawsuit styled Monica Alvarez, Individually and as Next Friend of Paul Gonzalez v. City of Dallas, Cause No. 08-01857-B - Not to exceed \$8,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1892

Item 16: Authorize settlement of the lawsuit styled Maria Muniz v. City of Dallas, Cause No. 08-00166-E - Not to exceed \$11,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1893

Item 17: Authorize Supplemental Agreement No. 1 to the CityLaw Law Office Management System purchase and maintenance agreement, for additional maintenance and support through October 31, 2010 - Cycom Data Systems, Inc. - Not to exceed \$72,749, from \$328,735 to \$401,484 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1894

Item 18: Authorize a thirty-six-month Interlocal Agreement with the ~~Parkland~~ Dallas County Hospital District to provide two-way radio service and radio system airtime for the period May 1, 2009 through April 30, 2012 - Revenue: \$224

Corrected on the addendum.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1895

Item 19: Authorize **(1)** the City Manager to exercise an option to extend the term of the food and beverage concession contract with Service America Corporation dba Centerplate to provide exclusive food and beverage services in the Dallas Convention Center by one additional year; and **(2)** an amendment to the contract providing for the one-year extension - Not to exceed a base management fee of \$288,750 plus allowable expenses and a percent of net profits - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1896

Item 20: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of four tracts of land containing a total of approximately 3,000 square feet of land located near Carbondale and Corregidor Streets for the Carbondale Street Improvement Project (list attached) - Not to exceed \$8,898 (\$4,568 plus closing costs not to exceed \$4,330) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1897

Item 21: An ordinance closing a portion of Cullum Lane at its intersection with the proposed Dallas Area Rapid Transit NW-2 Line Section of the Light Rail Transit System - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27602

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1898

Item 22: An ordinance for closing and vacating a portion of Harwood Street, containing approximately 13,623 square feet of land, located near its intersection with Woodall Rodgers Freeway for the Woodall Rodgers Deck Plaza Project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27603

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1899

Item 23: An ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath properties owned by local businesses and individuals generally located along Singleton Boulevard between Canada Drive and Westmoreland Road with extensions north and south of Singleton Boulevard and adjacent street rights-of-way as potable water (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27604

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1900

Item 24: An ordinance abandoning a portion of a utility easement to First Presbyterian Church of Dallas, the abutting owner, containing approximately 6,850 square feet of land located near the intersection of St. Paul and Wood Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27605

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1901

Item 25: An ordinance abandoning portions of storm sewer and wastewater easements to Dallas Area Rapid Transit, the abutting owner, containing approximately 8,466 square feet of land located near Harry Hines Boulevard and Cullum Lane - Revenue: \$5,400 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27606

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1902

Item 26: An ordinance granting a private license to the Board of Regents of the University of Texas System for the use of approximately 537 square feet of land to install and maintain a private telecommunications conduit under a portion of Chattanooga Place and Lee Hall Drive rights-of-way located near the intersection of Chattanooga Place and Lee Hall Drive - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27607

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1903

Item 27: An ordinance granting renewal of a private license to Greenville 2100, LTD for the use of approximately 321 square feet of land to use and maintain an existing sidewalk cafe in the Greenville Avenue right-of-way located near its intersection with Prospect Avenue - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27608

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1904

Item 28: An ordinance granting renewal of a private license to Texas Instruments, Incorporated for the use of approximately 360 square feet of land to maintain the existing six-foot diameter casing containing up to twelve industrial gas lines in TI Boulevard right-of-way located near the intersection of TI Boulevard and Valley View Lane - Revenue: \$1,000 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27609

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1905

La Reunion Towncenter, LLC

Note: Item Nos. 29 and 30
must be considered collectively.

Item 29: Authorize **(1)** a development agreement with La Reunion Towncenter, LLC and/or its affiliate Orleans at La Reunion, LLC in an amount not to exceed \$4,700,000 payable from future Fort Worth Avenue TIF District funds in consideration of the development of Orleans at La Reunion in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and **(2)** the Fort Worth Avenue TIF District Board of Directors to dedicate up to \$4,700,000 from future Fort Worth Avenue TIF revenues in accordance with the development agreement - Not to exceed \$4,700,000 - Financing: Fort Worth Avenue TIF District Funds

Councilmember Neumann and Councilmember Atkins requested that consent agenda item 29 be considered as an individual item. Mayor Leppert stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Atkins' request.

Later in the meeting, consent agenda item 29 was brought up for consideration.

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1906

La Reunion Towncenter, LLC

Note: Item Nos. 29 and 30
must be considered collectively.

Item 30: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to reimburse La Reunion Towncenter, LLC and/or its affiliate Orleans at La Reunion, LLC for eligible expenditures pursuant to the development agreement up to \$4,700,000 for certain improvements related to the development of Orleans at La Reunion in the Fort Worth Avenue TIF District - Financing: No cost consideration to the City

Councilmember Neumann and Councilmember Atkins requested that consent agenda item 30 be considered as an individual item. Mayor Leppert stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Atkins' request.

Later in the meeting, consent agenda item 30 was brought up for consideration.

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1907

Item 31: Authorize a contract with Community Dental Care for the continuation of dental health services to low-income residents of Dallas for the period October 1, 2009 through September 30, 2010 - Not to exceed \$200,000 - Financing: 2009-10 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1908

Item 32: Authorize a secured, no interest, forgivable loan agreement with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor to provide for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue and Revlon Apartments located at 720 North Lancaster Avenue for the period October 1, 2009 through September 30, 2010 - Not to exceed \$161,500 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds Approved as part of the consent agenda.

Councilmember Allen requested that consent agenda item 32 be considered as an individual item. Mayor Leppert stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Allen's request.

Later in the meeting, consent agenda item 32 was brought up for consideration.

Councilmember Margolin moved to defer the item until the September 9, 2009 voting agenda meeting of the city council.

Motion seconded by Councilmember Allen and unanimously adopted. (Medrano, Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1909

Item 33: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide a tenant-based rental assistance program for the homeless for the period October 1, 2009 through September 30, 2010 - Not to exceed \$300,000 - Financing: 2009-10 HOME Investment Partnerships Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1910

Item 34: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2009 through September 30, 2010 - Not to exceed \$1,326,800 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds (\$707,000), 2008-09 Housing Opportunities for Persons with AIDS Grant Funds (\$222,800), and 2007-08 Housing Opportunities for Persons with AIDS Grant Funds (\$397,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1911

Item 35: Authorize the first twelve-month renewal option to the contract with Legal Aid of NorthWest Texas, Inc. to provide legal aid to the homeless for emergency shelter services for the period October 1, 2009 through September 30, 2010 - Not to exceed \$114,400 - Financing: 2009-10 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1912

Item 36: Authorize the second twelve-month renewal option to the contract with AIDS Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2009 through September 30, 2010 - Not to exceed \$401,250 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1913

Item 37: Authorize the second twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2009 through September 30, 2010 - Not to exceed \$176,205 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1914

Item 38: Authorize the second twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2009 through September 30, 2010 - Not to exceed \$977,120 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds (\$403,485), 2008-09 Housing Opportunities for Persons with AIDS Grant Funds (\$344,000), and 2007-08 Housing Opportunities for Persons with AIDS Grant Funds (\$229,635)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1915

Item 39: Authorize the second twelve-month renewal option to the contract with Welcome House, Inc., to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2009 through September 30, 2010 - Not to exceed \$429,925 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1916

Item 40: Authorize a professional services contract with IDA Engineering, Inc., to design the upgrade and replacement of the emergency generator and the heating, ventilation, and air conditioning system at the Northeast Police Station located at 9915 East Northwest Highway - Not to exceed \$87,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1917

Item 41: Authorize a decrease in the contract with Gilbert May, Inc. dba Phillips/May Corporation to reduce the contractor's scope of work and add nineteen days to the contract time for the Hall of State Improvement and Restoration Project located at 3939 Grand Avenue - Not to exceed (\$198,089), from \$6,576,496 to \$6,378,407 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1918

Item 42: Authorize a construction contract for the acoustical enhancements at the Morton H. Meyerson Symphony Center located at 2301 Flora Street - MAPP Construction, LLC, lowest responsible bidder of six - Not to exceed \$79,980 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1919

Item 43: Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2009 through August 31, 2010 - Not to exceed \$427,856 - Financing: Current Funds (\$392,202 subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1920

Item 44: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Builders of Hope Community Development Corporation for the construction of affordable houses; **(2)** the sale of 6 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation; and **(3)** execution of a release of 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 (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1921

Item 45: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by East Dallas Community Organization for the construction of affordable houses; **(2)** the sale of 5 vacant lots from Dallas Housing Acquisition and Development Corporation to East Dallas Community Organization; and **(3)** execution of a release of 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 (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1922

Item 46: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Sphinx Development Corporation for the construction of affordable houses; **(2)** the sale of 6 vacant lots from Dallas Housing Acquisition and Development Corporation to Sphinx Development Corporation; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1923

Item 47: Authorize the reconstruction on-site of five homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 2603 Macon Street in the amount of \$87,500, 2519 Idaho Avenue in the amount of \$87,500, 123 South Navy Avenue in the amount of \$87,500, 4019 Jamaica Street in the amount of \$87,500 and 5215 North Arcadia Drive in the amount of \$87,500 - Total not to exceed \$437,500 - Financing: 2002-03 Community Development Block Grant Funds (\$14,918), 2007-08 Community Development Block Grant Funds (\$262,500), 2004-05 Home Funds (\$23,197), 2006-07 Home Funds (\$24,559) and 2007-08 Home Funds (\$112,326)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1924

Item 48: Authorize an amendment to Resolution No. 06-3362, previously approved on December 13, 2006, to increase the loan amount by \$150,000 on existing economic development loan with Hai Tak Enterprises, Inc. for predevelopment costs, demolition and gap financing to facilitate the construction of the retail component of a mixed-used building at 5203 Bexar Street located within the Neighborhood Investment Program Bexar Street Redevelopment Corridor - Not to exceed \$150,000, from \$305,000 to \$455,000 - Financing: 2006-07 Community Development Block Grant Funds

Councilmember Margolin requested that consent agenda item 48 be considered as an individual item. Mayor Leppert stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Later in the meeting, consent agenda item 48 was brought up for consideration.

Councilmember Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1925

Item 49: Authorize **(1)** a public hearing to be held October 14, 2009 to receive comments on the proposed City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan; and **(2)** at the close of the public hearing, consideration of approval of the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1926

Item 50: Authorize **(1)** the acceptance of a federal grant through the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2009 through August 31, 2010; and **(2)** execution of the grant agreement - Not to exceed \$305,412 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1927

Item 51: Authorize a public hearing to be held on August 26, 2009 to receive comments on the proposed FY 2009-10 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1928

Item 52: Authorize a professional services contract with Jacobs Engineering Group, Inc. for the preparation of a conceptual plan, market and financial analysis and schematic design for renovation and expansion of the off-leash dog park located at Mockingbird Point at White Rock Lake Park located at 7700 Mockingbird Lane - \$43,270 - Financing: 2006 Bond Funds (\$30,710) and Current Funds (\$12,560)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1929

Item 53: Authorize a professional services contract with Schrickel, Rollins and Associates, Inc. for schematic design; topographic survey; hydrology; preliminary cost estimating; right-of-way and property acquisition investigation; trail connection alignment studies; and environmental assessments for the Trinity Strand/Katy Trail connection - \$310,620 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1930

Item 54: Authorize Supplemental Agreement No. 1 to the professional services contract with Leni Schwendinger Light Projects, Ltd. for additional coordination with the general contractor and art lighting fabricator; design development and fabrication of the public art project; additional travel for meetings; and on-site visits for coordination of the public art project at Main Street Garden Park located at 1917 Commerce Street - Not to exceed \$16,246, from \$24,827 to \$41,073 - Financing: 2003 Bond Funds

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

Later in the meeting, consent agenda item 54 was brought up for consideration.

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1931

Item 55: Authorize approval of the recommended plan for the proposed alignment of Burbank Street from Denton Drive to Harry Hines Boulevard, from its current alignment to the proposed alignment of Burbank Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1932

Item 56: Authorize a professional services contract with KAI Texas, LLC for architectural and engineering services for design and construction administration of the replacement of the Highland Hills Branch Library to be located at 6200 Bonnie View Road - Not to exceed \$433,490 - Financing: 2006 Bond Funds

Councilmember Atkins requested that consent agenda item 56 be considered as an individual item. Mayor Leppert stated that consent agenda item 56 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 56 was brought up for consideration.

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Leppert, Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1933

Item 57: Authorize a contract with CORE Construction Services of Texas, Inc. for construction of the replacement of the Pleasant Grove Branch Library located at 7310 Lake June Road - Not to exceed \$3,678,730 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1934

Item 58: Authorize **(1)** sidewalk paving for Sidewalk Group 03-136; 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 September 23, 2009, to receive comments (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1935

Item 59: Authorize (1) sidewalk paving for Sidewalk Group 03-137; 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 September 23, 2009, to receive comments (list attached) - Financing: No cost consideration to the City

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

Later in the meeting, consent agenda item 59 was brought up for consideration.

Councilmember Margolin moved to defer the item until the September 9, 2009 voting agenda meeting of the city council.

Motion seconded by Councilmember Allen and unanimously adopted. (Medrano, Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1936

Item 60: Authorize an increase in the contract with Austin Filters Systems, Inc. for the construction of erosion control improvement projects at 9538, 9546, 9606, 9614, & 9622 Galway Drive and at the 10500 Block of Clearbrook Lane for Galway Drive and Clearbrook Lane - Not to exceed \$65,000, from \$980,822 to \$1,045,822 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1937

Item 61: Authorize **(1)** an increase in the contract with Gilbert May, Inc. dba Phillips / May Corporation for additional work necessary for the infrastructure improvements at Dallas Heritage Village, Phase 1 improvements in the amount of \$11,922, from \$1,602,330 to \$1,614,252; **(2)** the receipt and deposit of funds from the Dallas Heritage Village in the amount of \$11,922 in participation costs in the Capital Projects Reimbursement Fund; and **(3)** an increase in appropriations in the amount of \$11,922 in the Capital Projects Reimbursement Fund - Not to exceed \$11,922 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1938

Item 62: Authorize settlement in lieu of proceeding with condemnation of an unimproved tract of land containing approximately 6,875 square feet from Trinidad Sanchez Delgado, Individually and as Trustee of the Delgado Family Trust, located at the intersection of Topeka Avenue and Morris Street for the Sylvan Avenue Bridge Project - Not to exceed \$20,000 (\$18,000 plus closing costs not to exceed \$2,000) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1939

Item 63: Authorize a professional services contract with Corpro Companies, Inc. to provide engineering services for corrosion prevention design for five priority water transmission pipeline locations - \$749,834 - Financing: Water Utilities Capital Improvement Funds

Councilmember Atkins requested that consent agenda item 63 be considered as an individual item. Mayor Leppert stated that consent agenda item 63 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 63 was brought up for consideration.

Councilmember Atkins moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1940

Item 64: Authorize a professional services contract with DAL-TECH Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 28 locations (list attached) - \$776,911 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1941

Item 65: Authorize a contract for the construction of a new Dewatering Facility at the Southside Wastewater Treatment Plant - Archer Western Contractors, Ltd., lowest responsible bidder of three - \$39,129,700 - Financing: Water Utilities Capital Improvement Funds

Councilmember Atkins requested that consent agenda item 65 be considered as an individual item. Mayor Leppert stated that consent agenda item 65 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 65 was brought up for consideration.

Councilmember Atkins moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1942

Item 66: Authorize a contract for the installation of water and wastewater mains at 20 locations (list attached) - SYB Construction Co., Inc., lowest responsible bidder of seven - \$5,236,623 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1943

Item 67: Authorize a contract for the installation of water and wastewater mains at 27 locations (list attached) - Camino Construction, L.P., lowest responsible bidder of eight - \$6,805,115 - Financing: Water Utilities Capital Improvement Funds (\$6,795,509) and 2003 Bond Funds (\$9,606)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1944

Item 68: Authorize the second amendment to the lease agreement with Continental Electronics Corporation to extend the lease for an additional three years for approximately 28,000 square feet of office and warehouse space located at 8231 and 8239 Hoyle Avenue for the continued use by Dallas Water Utilities Pumping and Wastewater Collection Divisions for the period September 1, 2009 through August 31, 2012 - Not to exceed \$294,955 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1945

Item 69: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the Assistant City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1946

Item 70: Authorize acceptance of a zoning application with delinquent taxes on property located at 2509 Thomas Avenue - Financing: No cost consideration to the City

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 two-thirds 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.

The following individual addressed the city council regarding the item:

Myron Mims, 3129 Ross Ave., representing the applicant

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1947

Item 71: An ordinance granting a Planned Development Subdistrict for an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, with retention of the Dry Liquor Control Overlay on property zoned an O-2 Office Subdistrict within Planned Development District No. 193 on the western half of the abandoned portion of Howell Street between Lemmon Avenue East and Lemmon Avenue West - Z089-151 - Financing: No cost consideration to the City

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

Councilmember Hunt moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27610

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1948

Item 72: An ordinance granting an amendment to the conceptual plan and conditions for the Tract II portion of Planned Development District No. 375 for Retail, Office, and Residential uses in an area generally bounded by Lemmon Avenue East, the eastern half of the abandoned portion of Howell Street, and Lemmon Avenue West - Z089-150 - Financing: No cost consideration to the City

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

Councilmember Hunt moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27611

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1949

Item 73: Authorize professional services contracts with 5 consulting firms for the engineering design of 9 alley reconstruction projects, 2 storm drainage projects, and 3 street reconstruction projects (list attached) - Not to exceed \$749,402 - Financing: 1998 Bond Funds (\$40,980), 2003 Bond Funds (\$610,612) and Water Utilities Capital Improvement Funds (\$97,810)

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 Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1950

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 74 - 77 was presented for consideration.

Agenda items 74, 75, 76 and 77 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 74 Zoning Case Z089-184 (WE) [considered individually]~~
~~Agenda item 75 Zoning Case Z089-196 (WE) [considered individually]~~
~~Agenda item 76 Zoning Case Z089-211 (OTH) [considered individually]~~
~~Agenda item 77 Zoning Case Z089-217 (MAW) [considered individually]~~

There were no other zoning consent dockets to be heard.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1951

Item 74: Zoning Case Z089-184 (WE)

The consent zoning docket, consisting of agenda items 74–77, was presented for consideration.

Councilmember Atkins requested that zoning consent item 74 be considered as an individual item. Mayor Leppert stated that zoning consent item 74 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

A public hearing was called on zoning case Z089-184 (WE), an application for and an ordinance granting a P(A) Parking Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the east line of Southland Street, north of Malcolm X Boulevard and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas Fair/Park Special Purpose District, on the northwest corner of Malcolm X Boulevard and Hatcher Street

(The staff and city plan commission recommended approval of a P (A) Parking Subdistrict, subject to a site plan and conditions and approval of the deed restrictions volunteered by the applicant)

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

Councilmember Atkins moved to close the public hearing and follow the City Plan Commission's recommendation with the following amendment to the site plan:

Parking area to be resurfaced and striped to be in compliance with the construction and maintenance provisions for off-street parking in section 51A-4.301 (d) of the Dallas Development Code.

Motion seconded Councilmember Jasso and unanimously adopted. (Hill, Salazar, Davis, Allen absent when vote taken)

Assigned ORDINANCE NO. 27612

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1952

Item 75: Zoning Case Z089-196 (WE)

The consent zoning docket, consisting of agenda items 74-77, was presented for consideration.

Councilmember Atkins requested that zoning consent item 75 be considered as an individual item. Mayor Leppert stated that zoning consent item 75 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

A public hearing was called on zoning case Z089-196 (WE), an application for and an ordinance granting a CS Commercial Service District on property zoned an R-7.5(A) Single Family District, an ordinance granting a Specific Use Permit for commercial motor vehicle parking and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay and an R-7.5(A) Single Family District on the north side of C.F. Hawn Freeway, east of Silverado Drive

(The staff recommended approval of a CS Commercial Service District with retention of the D-1 Dry Liquor Control Overlay, approval of a Specific Use Permit for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a revised site plan and conditions and approval of the deed restrictions volunteered by the applicant and city plan commission recommended approval of a CS Commercial Service District with retention of the D-1 Dry Liquor Control Overlay, approval of a Specific Use Permit for a three-year period, subject to a revised site plan and conditions and approval of the deed restrictions volunteered by the applicant)

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

Councilmember Atkins moved to continue the public hearing and hold under advisement until the October 14, 2009 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Hill, Salazar, Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1953

Item 76: Zoning Case Z089-211 (OTH)

The consent zoning docket, consisting of agenda items 74-77, was presented for consideration.

Mayor Leppert requested that zoning consent item 76 be considered as an individual item. Mayor Leppert stated that zoning consent item 76 would be considered as an individual item later in the meeting, there being no objection voiced to his request.

A public hearing was called on zoning case Z089-211 (OTH), an application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment use for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Commerce Street, east of Good Latimer Expressway

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

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

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

Susan Reese, 8626 Douglas Ave.
Diane Tucker, the applicant

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

Motion seconded by Councilmember Jasso and unanimously adopted. (Hill, Salazar absent when vote taken)

Assigned ORDINANCE NO. 27613

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1954

Item 77: Zoning Case Z089-217 (MAW)

The consent zoning docket, consisting of agenda items 74-77, was presented for consideration.

Councilmember Davis requested that zoning consent item 77 be considered as an individual item. Mayor Leppert stated that zoning consent item 77 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

A public hearing was called on zoning case Z089-217 (MAW), an application for and an ordinance granting an R-5(A) Single Family Subdistrict on property zoned an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southeast side of Pine Street, east of Leland 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.

Councilmember Davis 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. (Hill, Salazar absent when vote taken)

Assigned ORDINANCE NO. 27614

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1955

Item 78: Zoning Case Z089-124 (WE) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z089-124 (WE), an application for and an ordinance granting the renewal of Specific Use Permit No. 1659 for an alcoholic beverage establishment use for a bar, lounge, or tavern within Planned Development District No. 619 for mixed uses, on the south side of Main Street, west of Ervay Street

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

Note: This item was considered by the City Council at a public hearing on February 11, 2009, and was taken under advisement with the public hearing open.

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

Councilmember Hunt moved to close the public hearing and approve the Specific Use Permit No. 1695 with the following change:

“The alcoholic beverage establishment limited to a bar, lounge, or tavern may only operate between 8:00 p.m. and 2:00 a.m., the next day, Wednesday through Sunday.”

and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted. (Hill, Salazar absent when vote taken)

Assigned ORDINANCE NO. 27615

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1956

Item 79: A benefit assessment hearing to receive comments on sidewalk paving for Sidewalk Group 03-135, and at the close of the hearing, authorize an ordinance levying benefit assessments (list attached) - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill, Salazar absent when vote taken)

Assigned ORDINANCE NO. 27616

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1957

Item 80: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Jerry Street between Vanguard Way and Stults Road to Vanguard Way - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Diane Cheatham, 22 Vanguard Way, representing Urban Edge Developers

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill, Salazar absent when vote taken)

Assigned ORDINANCE NO. 27617

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1958

Item 81: 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 Bishop Colorado Retail Plaza, LP located near the intersection of Colorado Boulevard and Bishop Avenue and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Bishop Colorado Retail Plaza, LP 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:

Frank Clark, 906 E. 18th St., **Plano, TX**, professional engineer

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill, Salazar absent when vote taken)

Assigned ORDINANCE NO. 27618

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

CLOSED SESSION [09-1959]

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

- Legal issues regarding reduction in force.

At 11:41 a.m., Mayor Pro Tem Caraway announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues regarding reduction in force.

Mayor Pro Tem Caraway reconvened the city council meeting after the closed session at 1:01 p.m. No other matters were discussed during the closed session

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1960

Addendum addition 1: Authorize an application for and acceptance of a grant from the Federal Aviation Administration for the federal share of eligible capital improvement projects for the Love Field Modernization Program at Dallas Love Field - Not to exceed \$3,264,000 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1961

Addendum addition 2: A resolution amending Sections 2, 4, 6, and 7 of the City Council Rules of Procedure to revise rules relating to city council attendance, city council quorum requirements, conduct of meetings, speakers, and agenda procedures -
Financing: No cost consideration to the City

The Assistant City Secretary announced that Councilmember Hill deferred consideration of Addendum addition consent agenda item 2 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedures.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1962

Addendum addition 3: An ordinance abandoning a portion of a sanitary sewer easement to City North Development Group, L.P., the abutting owner, containing approximately 1,245 square feet of land located near the intersection of Valley View and Thistle Lanes - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27619

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1963

Addendum addition 4: An ordinance abandoning portions of Avenue B, Fiji and Danel Streets and easements to Sphinx Development Corporation, the abutting owner, containing a total of approximately 68,643 square feet of land located near the intersection of Compton Street and Fran Way, authorizing the quitclaim, and providing for the dedication of approximately 69,000 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27620

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1964

Addendum addition 5: An ordinance abandoning a portion of Speckley Street and a portion of a sanitary sewer easement to The Frazier-Berean Group, the abutting owners, containing approximately 14,233 square feet of land located near its intersection with Dolphin Road and authorizing the quitclaim - Revenue: \$12,396 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27621

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1965

Addendum addition 6: Authorize an amendment to Resolution No. 08-2433, previously approved on September 10, 2008, authorizing the execution of loan documents for an Economic Development loan with City Wide Community Development Corporation to increase the loan amount by \$500,000 to continue the acquisition of improved and unimproved properties, associated relocation, environmental remediation, and/or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Lancaster Corridor - Not to exceed \$500,000, from \$500,000 to \$1,000,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1966

Addendum addition 7: Ordinances amending Ordinance No. 27350 (FY 2008-2009 Operating Budget Appropriation Ordinance) and Ordinance No. 27351 (FY 2008-2009 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2008-09 for the capital improvement program and for maintenance and operation of various departments and activities and to authorize the City Manger to implement those adjustments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NOS. 27622 AND 27623

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1967

Addendum addition 8: Authorize an increase in the contract with Rogers-O'Brien Construction Company, Ltd. for the Esplanade and Parry Avenue gate restoration at Fair Park, including structural modifications to the Parry Avenue wall; electrical, lighting and sound system modifications; and revisions to landscaping - Not to exceed \$87,863, from \$12,760,583 to \$12,848,446 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1968

Addendum addition 9: Authorize a twenty-five year agreement (Agreement) with the Dallas Zoological Society and Dallas Zoo Management, Inc. (DZS/DZM) to manage the Dallas Zoo; the City will pay DZS/DZM an annual management fee for the first year of \$10,800,000 for the management, maintenance and operation of the Dallas Zoo - Not to exceed \$337,600,000 - Financing: Current Funds (\$337,000,000) (subject to annual appropriations); Zoo Education Funds (\$600,000)

The Assistant City Secretary requested that Addendum addition consent agenda item 9 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that Addendum addition consent agenda item 9 would be considered as an individual item later in the meeting there being no objection voiced to the Assistant City Secretary's request.

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

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

The following individual addressed the city council regarding the item:

Gay Hopkins, 6030 Monticello Ave.

Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Natinsky.

After discussion, Mayor Leppert called the vote on Mayor Pro Tem Caraway's motion:

Voting Yes: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar, Davis, Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt

Voting No: [0]

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1969

Addendum addition 10: Authorize an increase in the contract with A & R Demolition for additional work due to unforeseen conditions encountered during the demolition of Reunion Arena located at 777 Sports Street and adding 84 calendar days to the contract - Not to exceed \$49,800, from \$2,089,000 to \$2,138,800 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1970

Addendum addition 11: Authorize an increase in the contract with TMV LLC dba Triune Associates for additional work necessary to comply with Americans with Disabilities Act at the Moorland YMCA Building located at 2700 Flora Street for the Dallas Black Dance Theatre - Not to exceed \$36,865, from \$4,797,500 to \$4,834,365 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 12, 2009

09-1971

NOTICE OF DEFERRED OR DELETED ITEMS

CITY COUNCIL MEETING

AUGUST 12, 2009

POSTED ON MONDAY, AUGUST 10, 2009

THE FOLLOWING AGENDA ITEMS HAVE BEEN DEFERRED AND/OR DELETED ON THE CITY COUNCIL VOTING AGENDA MEETING BY MEMBERS OF THE COUNCIL AND CITY MANAGER IN ACCORDANCE WITH RULE 7.11 OF THE CITY COUNCIL RULES OF PROCEDURE:

Addendum Item 2: A resolution amending Sections 2, 4, 6, and 7 of the City Council Rules of Procedure to revise rules relating to city council attendance, city council quorum requirements, conduct of meetings, speakers, and agenda procedures - Financing: No cost consideration to the City **[DEFERRED BY COUNCILMEMBER HILL]**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 12, 2009

EXHIBIT C