

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 26, 2009

09-2040  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill (\*9:11 a.m.),  
Salazar, Davis Atkins (\*9:11 a.m.), Kadane, Allen, Koop, Natinsky,  
Margolin, Hunt (\*9:09 a.m.)

ABSENT: [0]

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

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

The invocation was given by Fran Shelton, Reverend of the Preston Hollow Presbyterian Church.

Councilmember Salazar 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 5:09 p.m.

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Mayor

ATTEST:

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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, AUGUST 26, 2009

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 26, 2009

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2041

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: Lico Reyes, 702 S. Beckley Ave.  
REPRESENTING: Steel Worker's Union  
SUBJECT: The Budget

SPEAKER: Jeri Arbuckle, 4800 Victor St.  
REPRESENTING: Women's Issue Network (W.I.N)  
SUBJECT: Women's Equality Day

SPEAKER: Cynthia L. Coaston, 6952 Sammy Cir.  
SUBJECT: Bachman Recreation Center

SPEAKER: Sandra Crenshaw, Not provided  
REPRESENTING: Home owners association  
SUBJECT: Community mtg's., zoning case, etc.

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Mary Brooks-Stewart, 4828 Berridge Ln.  
REPRESENTING: SEIF  
SUBJECT: Senior Employee Program

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Arrogant, racist, unjust with greed

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

SPEAKER: William Hopkins, 2011 Leath  
SUBJECT: The mayor and gay silence

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

SPEAKER: Gwain Wooten, 1000 Grisby Ave.  
REPRESENTING: Real American Women (R.A.W.)  
SUBJECT: Beams under the Trinity

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.  
REPRESENTING: Jurlinegateshollins.com  
SUBJECT: Promoting homosexuality in children

SPEAKER: Michael King, 2433 E. Kiest Blvd.  
SUBJECT: Southern Skates

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2042

Item 1: Approval of Minutes of the August 12, 2009 City Council Meeting

Councilmember Koop moved to approve the minutes.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2043

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-64 and addendum addition consent agenda items 1-12, was presented for consideration.

Councilmember Hill requested that addendum addition consent agenda item 4 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Councilmember Neumann requested that consent agenda items 26, 43 and addendum addition consent agenda item 10 be considered as individual items. Mayor Leppert stated that consent agenda items 26, 43 and addendum addition consent agenda item 10 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Margolin requested that consent agenda items 4, 10 and 25 be considered as individual items. Mayor Leppert stated that consent agenda items 4, 10 and 25 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Mayor Pro Tem Caraway moved to approve all items on the consent agenda with the exception of consent agenda 4, 10, 25, 26, 43 and addendum addition consent agenda items 4 and 10 which would be considered later in the meeting.

Motion seconded Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2044

Item 2: Authorize Supplemental Agreement No. 3 to the lease agreement with the Transportation Security Administration to extend the existing lease term by sixty months for office space at Dallas Love Field for the period October 1, 2009 through September 30, 2014 - Annual Revenue: \$118,275

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2045

Item 3: Authorize the purchase of acoustic ceiling panels for the renovation of the J. Erik Jonsson Library - CMA, Inc., lowest responsible bidder of four - Not to exceed \$96,314 - Financing: 2003 Bond Funds (\$52,443), 2006 Bond Funds (\$43,871)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2046

Item 4: Authorize the purchase of one water tank truck, two catch basin cleaner trucks and one reach bucket truck - Southwest International Trucks, Inc., lowest responsible bidder of three - Not to exceed \$616,504 - Financing: 2005 Equipment Acquisition Contractual Obligation Notes (\$272,765), 2006 Equipment Acquisition Contractual Obligation Notes (\$262,463), 2007 Equipment Acquisition Contractual Obligation Notes Approved as part of the consent agenda.

Councilmember Margolin requested that consent agenda item 4 be considered as an individual item. Mayor Leppert stated that consent agenda item 4 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 4 was brought up for consideration.

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2047

Item 5: Authorize **(1)** the purchase and installation of video surveillance equipment in the amount of \$412,568; and **(2)** a thirty-six-month maintenance contract in the amount of \$61,411 - Bearcom Operating, LLP - Total not to exceed \$473,979 - Financing: Current Funds (\$61,411) (subject to annual appropriations), U.S. Department of Homeland Security, Governor's Division of Emergency Management Grant Funds (\$412,568)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2048

Item 6: Authorize a twenty-four-month master agreement for plumbing fixtures, parts, pipes and fittings - Ferguson Enterprises, Inc. in the amount of \$475,918, Romar Supply, Inc. in the amount of \$251,729, HD Supply Waterworks, Ltd. in the amount of \$249,180, Winston Water Cooler, Ltd. in the amount of \$188,600, Best Plumbing Specialties, Inc. in the amount of \$15,000, and Apex Supply Co. in the amount of \$6,500, lowest responsible bidders of six - Total not to exceed \$1,186,927 - Financing: Current Funds (\$294,302), Water Utilities Current Funds (\$892,625) Approved as part of the consent agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2049

Item 7: Authorize a thirty-six-month service contract for factory authorized equipment, parts and service to provide maintenance and repair of sewer inspection television camera systems - SPX dba Pearpoint, Inc. in the amount of \$176,675, Aries Industries, Inc. in the amount of \$208,104, Underground, Inc. in the amount of \$249,000 and Green Equipment Company in the amount of \$102,250, lowest responsible bidders of four - Total not to exceed \$736,029 - Financing: Current Funds (\$249,000), Water Utilities Current Funds (\$487,029) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2050

Item 8: Authorize a thirty-six-month master agreement for replacement reflective decals for squad cars, City fleet vehicles and non-reflective labels for storage containers - International Name Plate U.S., Inc. dba INPS, lowest responsible bidder of four - Not to exceed \$331,793 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2051

Item 9: Authorize settlement of the lawsuit styled Sharon Harris v. City of Dallas, et al., Cause No. 08-07527-E - Not to exceed \$13,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2052

Item 10: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Booth Akin of approximately 18 acres of land located in Kaufman County for the Lake Tawakoni Balancing Reservoir - Not to exceed \$122,000 (\$120,000 plus closing costs not to exceed \$2,000) - Financing: Water Utilities Capital Construction Funds

Councilmember Margolin requested that consent agenda item 10 be considered as an individual item. Mayor Leppert stated that consent agenda item 10 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 10 was brought up for consideration.

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Davis and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2053

Item 11: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lon Akin, Jr. of approximately 53 acres of land located in Kaufman County for the Lake Tawakoni Balancing Reservoir - Not to exceed \$355,000 (\$350,000 plus closing costs not to exceed \$5,000) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2054

Item 12: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Barbara Ann Jackson, of approximately 83,491 square feet of improved land located in Dallas County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$253,000 (\$248,243 plus closing costs not to exceed \$4,757) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2055

Item 13: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Main Capital Partners, L.P., of approximately 9 acres of land located in Dallas County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$11,000 (\$9,217 plus closing costs not to exceed \$1,783) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2056

Item 14: Authorize the quitclaim of 29 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$333,368

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2057

Item 15: An ordinance granting renewal of a private license to South Side Plaza, L.P. for the use of approximately 145 square feet of land to maintain and use the existing overhead pedestrian bridge in Belleview Street right-of-way located near the intersection of Belleview and Lamar Streets - Revenue: \$1,000 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27624

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2058

Item 16: An ordinance granting renewal of a private license to Pflaster Antiques, LTD for the use of approximately 1,279 square feet of land to maintain the existing surface parking lot in Hi Line Drive right-of-way located near the intersection of Hi Line Drive and Edison Street - Revenue: \$3,914 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27625

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2059

Item 17: An ordinance abandoning portions of Doric and Century Streets and Abernathy Avenue to Dallas Area Rapid Transit, the abutting owner, containing approximately 155,191 square feet of land located near the intersection of Abernathy Avenue and Lombardy Lane and authorizing the quitclaim - Revenue: \$527,650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27626

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2060

Item 18: An ordinance amending Ordinance No. 27302 to change the dedication requirements, transpose Tract I and II of Exhibit A and add an Exhibit C showing the dedication areas - Revenue: \$5,400 plus the \$20 ordinance publication fee Corrected on the addendum.

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27627



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2061

Item 19: Authorize one special economic development grant agreement and two community-based nonprofit economic development grant agreements, benefiting residents in the South Dallas/Fair Park Trust Fund target area to provide funding as follows: **(1)** The Plan Fund in an amount not to exceed \$33,000; **(2)** Cornerstone Crossroads Academy in an amount not to exceed \$35,000; and **(3)** Jubilee Park Community Center in an amount not to exceed \$35,000 - Not to exceed \$103,000 - Financing: South Dallas/Fair Park Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2062

Item 20: Authorize **(1)** a public hearing to be held on September 23, 2009 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: **(a)** increase the total budget by \$9,131,822, an increase from \$18,418,663 to \$27,550,485 (in 2006 dollars); **(b)** expand the Economic Development Grant Program to allow for grants or loans supporting higher density development and job creation; **(c)** correct the 2008 base value for the expanded boundary by \$1,651,102, an increase from \$44,823,262 to \$46,474,364 for the final certified roll; and **(d)** make corresponding modifications to the budget and Southwestern Medical TIF District Project Plan; and at the close of the public hearing, **(2)** consideration of an ordinance amending Ordinance Nos. 25965, 26204 and 27433 to reflect these changes - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2063

Item 21: Authorize **(1)** a public hearing to be held on September 23, 2009, to receive comments on a boundary amendment to Tax Increment Financing Reinvestment Zone Number Eighteen (Maple/Mockingbird TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) to increase the geographic area of the TIF District by including three adjacent properties; and at the close of the hearing, **(2)** consideration of an ordinance amending Ordinance No. 27435 to increase the geographic area of the TIF District to include three adjacent properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2064

Item 22: Authorize **(1)** the acceptance of a Homeless Prevention and Rapid Re-Housing Program Grant from the U.S. Department of Housing and Urban Development passed through the Texas Department of Housing and Community Affairs to provide temporary financial assistance and housing relocation and stabilization services to individuals and families who are homeless or would be at risk of homelessness for the period September 1, 2009 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$790,316 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2065

Item 23: Authorize contracts with child care providers for the Child Care Services Program for the period October 1, 2009 through September 30, 2010 (list attached) - Not to exceed \$128,709 - Financing: 2009-10 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2066

Item 24: Authorize the first twelve-month renewal option to the contract with Vogel Alcove Childcare Center for the Homeless for the provision of child care for homeless families for the period October 1, 2009 through September 30, 2010 - Not to exceed \$74,985 - Financing: 2009-10 Community Development Block Grant Funds (\$43,985) and Current Funds (\$31,000) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2067

Item 25: Authorize a thirty-six-month contract with Catholic Charities of Dallas, Inc. to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$528,987 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Councilmember Margolin 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 Margolin's request.

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

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2068

Item 26: Authorize a thirty-six-month contract with Central Dallas Food Pantry dba Central Dallas Ministries in collaboration with First United Methodist Church to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$403,172 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Councilmember Neumann requested that consent agenda item 26 be considered as an individual item. Mayor Leppert stated that consent agenda item 26 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 26 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2069

Item 27: Authorize a thirty-six-month contract with Family Gateway, Inc. to provide temporary housing assistance and supportive services to persons who are homeless through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$788,912 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2070

Item 28: Authorize a thirty-six-month contract with Housing Crisis Center, Inc. to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$184,788 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2071

Item 29: Authorize a thirty-six-month contract with Interfaith Housing Coalition to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$229,877 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2072

Item 30: Authorize a thirty-six-month contract with Legal Aid of NorthWest Texas, Inc. to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$207,025 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2073

Item 31: Authorize a thirty-six-month contract with Dallas Metrocare Services to provide temporary housing assistance and supportive services to persons who are homeless through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$601,841 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2074

Item 32: Authorize a thirty-six-month contract with New Beginning Center to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$97,030 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2075

Item 33: Authorize a thirty-six-month contract with Nexus Recovery Center to provide temporary housing assistance and supportive services to persons who are homeless through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$358,519 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2076

Item 34: Authorize a thirty-six-month contract with Operation Relief Center, Inc. to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$120,000 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2077

Item 35: Authorize a thirty-six-month contract with Shared Housing Center, Inc. to provide temporary housing assistance and supportive services to persons who are homeless through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$532,887 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2078

Item 36: Authorize a thirty-six-month contract with The Family Place to provide temporary housing assistance and supportive services to persons who are homeless through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$409,037 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2079

Item 37: Authorize a thirty-six-month contract with The Salvation Army, A Georgia Corporation, for The Carr P. Collins Social Service Center to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$311,080 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2080

Item 38: Authorize a thirty-six-month contract with Wilkinson Center, Inc. to provide temporary housing assistance and supportive services to persons at-risk of homelessness through the American Recovery and Reinvestment Act of 2009 Homeless Prevention and Rapid Re-Housing Program for the period October 1, 2009 through September 30, 2012 - Not to exceed \$533,465 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2081

Item 39: Ratify an emergency rental of a 100 ton chiller for the galleries and administration offices at the Science Place 1 IMAX Theater located at 1318 South Second Avenue - Entech Sales and Service, Inc. - Not to exceed \$37,616  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2082

Item 40: Authorize **(1)** rescinding the contract with HVAC Building Services Inc., previously approved on February 25, 2009, by Resolution No. 09-0527, for an upgrade of the existing air conditioning system and controls for the Marcus Annex Senior Center located at 2910 Modella Avenue; and **(2)** award of a contract for an upgrade of the existing air conditioning system and controls with Mechanical and Engineering Technologies, Inc., second lowest responsible bidder of three - Not to exceed \$114,600 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2083

Item 41: Authorize a contract for roof replacement at Fair Park Band Shell located at 1465 First Avenue - Paragon Roofing, Inc., lowest responsible bidder of four - Not to exceed \$68,650 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2084

Item 42: Ratify an emergency rental of a chiller for the Municipal Courts Building Annex located at 2014 Main Street - Entech Sales and Service, Inc. - Not to exceed \$82,820 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2085

Item 43: Authorize an amendment to Resolution No. 08-0595, previously approved on February 20, 2008, to increase the loan amount by \$500,000 on an existing economic development loan with South Dallas/Fair Park Innerscity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties, located within the 4700-4900 blocks of Spring Avenue, including associated relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area - Not to exceed \$500,000, from \$500,000 to \$1,000,000 - Financing: 2006 Bond Funds

Councilmember Neumann requested that consent agenda item 43 be considered as an individual item. Mayor Leppert stated that consent agenda item 43 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 43 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2086

Item 44: An ordinance approving Dallas/Fort Worth International Airport Board Resolution No. 2009-06-116 which amends Chapter 6 and repeals Appendix II, III, and IV of the Code of Rules and Regulations of the Dallas/Fort Worth International Airport Board, as amended, to provide amended wastewater pretreatment and discharge regulations for the airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27628

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2087

Item 45: Approval of the Forty-Third Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2009A, subject to certain parameters - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2088

Item 46: Approval of the Forty-Fourth Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2009B, subject to certain parameters, and the taking of necessary actions in connection with a voluntary tender program regarding Dallas/Fort Worth International Airport Joint Revenue Improvement Bonds, Series 2004B and Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2007 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2089

Item 47: Authorize a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period of September 1, 2009 through August 31, 2010 - Total not to exceed \$220,656 - Financing: Current Funds (\$165,360) (subject to appropriations); and 2009-10 Community Development Block Grant Funds (\$55,296)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2090

Item 48: Authorize a contract for erosion control improvements along the creek, including modifications to the existing pedestrian bridge; construction of a new maintenance bridge; connecting walks between the bridges and the existing playground; and site furnishings at Westhaven Park located at 4600 Lynnacre Drive - Ark Contracting Services, LLC, best value proposer of nine - \$417,657 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2091

Item 49: Authorize a professional services contract with Pacheco Koch Consulting Engineers for schematic design through construction administration services for the extension of the White Rock Creek Greenbelt trail from Valley View Park to Hillcrest Park - \$102,395 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2092

Item 50: Authorize a professional services contract with Quimby McCoy Preservation Architecture, LLP for schematic design through construction administration services for the interpretation program for the Esplanade and the Parry Avenue entry gate at Fair Park - \$141,085 - Financing: Preserve America Grant Funds (\$70,543) and 2003 Bond Funds (\$70,543)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2093

Item 51: Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/17 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of \$517,847 to provide a specialized proactive automobile theft program, for the period September 1, 2009 through August 31, 2010; **(2)** a local match in an amount not to exceed \$114,054; **(3)** In-Kind contributions in the amount of \$534,620; and **(4)** execution of the grant agreement - Total not to exceed \$1,166,521 - Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds (\$517,847), In-Kind Contributions (\$534,620) and Current Funds (\$114,054) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2094

Item 52: Authorize a Local Agreement with the Denton County Criminal District Attorney to share a eighty/twenty percent split of the proceeds received by the Denton County Criminal District Attorney for cash, negotiable instruments, or income from the sale of all contraband forfeited under Chapter 59 of the Texas Code of Criminal Procedure for the period beginning September 1, 2009 through August 31, 2010, and will automatically renew on an annual basis, unless terminated by either the District Attorney or the City of Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2095

Item 53: Authorize a Local Agreement with the Tarrant County Criminal District Attorney for the City to share equally in proceeds received by the Tarrant County Criminal District Attorney for asset seizures and forfeitures under Chapter 59 of the Texas Code of Criminal Procedure for the period beginning September 1, 2009 through August 31, 2010, and will automatically renew on an annual basis, unless terminated by either the District Attorney or the City of Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2096

Item 54: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on IH 30 at Peak Street, IH 30 at Ferguson Road, IH 45 at Lamar Street, US 75 at Martin Luther King, Jr. Boulevard and US 175 at Hatcher Street - Not to exceed \$121,686 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2097

Item 55: Authorize a Multiple Use Agreement with the Texas Department of Transportation for the use of right-of-way for the Cottonwood Trail from the existing Cottonwood trailhead on Maham Road near Spring Valley Road to the existing White Rock Trail near Northhaven Road and US 75 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2098

Item 56: Authorize **(1)** a contract for the reconstruction of Taxiway "C"; Taxiway D1; Taxiway "C" Connectors with runway 13R/31L and reconstruction and extension of Taxiway "L" at Dallas Love Field, with Texas Sterling Construction Company, lowest responsible bidder of six, in an amount not to exceed \$13,858,047; and **(2)** an increase in appropriations in the amount of \$15,520,654 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Not to exceed \$13,858,047 - Financing: Aviation Passenger Facility Charge Funds (\$3,464,512) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$10,393,535)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2099

Item 57: Authorize a professional services contract with Criado & Associates, Inc. for the engineering design of sidewalks and barrier free ramps on 12 safe routes to school improvement projects (list attached) - Not to exceed \$291,495 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2100

Item 58: Authorize professional services contracts with 3 consulting firms for the engineering design of 3 street reconstruction projects, and 3 target neighborhood projects (list attached) - \$1,013,433 - Financing: 2003 Bond Funds (\$774,579), Water Utilities Capital Construction Funds (\$83,139) and Water Utilities Capital Improvement Funds (\$155,715)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2101

Item 59: Ratify the emergency rental of five portable water pumps to temporarily replace inoperative pumping equipment damaged by lightning strikes located at the Delta Pump Station - BARCO Pump - \$34,335 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2102

Item 60: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Zelma J. Malone and The Estate of Ardella S. Penny of a property containing approximately 7,000 square feet of land improved with a single family residence located near the intersection of Colonial Avenue and Starks Avenue for the Trinity Parkway; potential relocation assistance may be warranted - Not to exceed \$64,000 (\$59,000 plus closing costs not to exceed \$5,000) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2103

Item 61: Authorize a contract for the installation of water and wastewater mains at 20 locations (list attached) - Omega Contracting, Inc., lowest responsible bidder of ten - \$3,947,615 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2104

Item 62: Authorize a professional services contract with Kimley-Horn and Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 51 locations (list attached) - \$1,859,650 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2105

Item 63: Authorize a professional services contract with Lim & Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 17 locations (list attached) - \$641,281 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2106

Item 64: Authorize Supplemental Agreement No. 2 to the professional services contract with Arredondo, Zepeda & Brunz, LLC to provide additional engineering services for the renewal of water and wastewater mains to include the study, design, surveying, and construction administration at two locations (list attached) - Not to exceed \$371,951, from \$1,075,081 to \$1,447,032 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2107

Item 65: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2108

Item 66: An ordinance adding Chapter 48C to the Dallas City Code to: (1) provide procedures, qualifications, requirements, and fees for vehicle immobilization service licenses and vehicle immobilization operator's permits; (2) provide for denial, suspension, revocation, and non-renewal of vehicle immobilization service licenses and vehicle immobilization operator's permits and provide for appeals; (3) provide service, equipment, insurance, record keeping, signage, and notification requirements and standards; (4) restrict financial interests between vehicle immobilization services and parking lot owners; (5) require either a receipt in exchange for payment of a parking fee or use of a video audit system prior to vehicle immobilization; (6) establish apparel requirements for parking lot attendants and vehicle immobilization operators; and (7) set the maximum fee that may be charged for vehicle immobilization service - Financing: No cost consideration to the City

Councilmember Medrano moved to adopt the proposed amendments and further amend Sections 48C-38 and 48C-42 to read as follows:

- Replace Subsection D and add Subsections E through H:
  - (d) Any parking lot issued a certificate of occupancy from the City of Dallas on or after August 26, 2009, must provide a receipt in accordance with Subsections (a)(1) and (b) of this section.
  - (e) After January 1, 2010, any parking lot that is located within the Deep Ellum District bounded by and including the following streets or portions of streets must provide a receipt in accordance with Subsections (a)(1) and (b) of this section:

<b>STREET</b>	<b>EXTENT</b>
Central Expressway (US 75)	Good-Latimer Expressway to Interstate 30
Good-Latimer Expressway	Central Expressway (US 75) to DART Green Line Transit Rail Tracks
DART Green Line Transit Rail Tracks	Good-Latimer Expressway to Interstate 30
Interstate 30	Central Expressway (US 75) to DART Green Line Transit Rail Tracks



- (f) After July 1, 2010, any parking lot that on August 26, 2009, charged any hourly parking rate of \$1 or more or any daytime, nighttime, or special event parking rate of \$5 or more must provide a receipt in accordance with Subsections (a)(1) and (b) of this section.
- (g) After January 1, 2011, all parking lots must provide a receipt in accordance with Subsections (a)(1) and (b) of this section.
- (h) Subsections (a)(2) and (c) of this section expire on January 1, 2011, unless sooner terminated or extended by city council ordinance.

2. Amend Sections 48C-42:

SEC. 48C-42. REQUIREMENTS FOR INSTALLATION AND REMOVAL OF A BOOT.

A license or permittee commits an offense if he, either personally or through an employee or agent:

- (1) .... and fails to install at least one boot on a tire located on the driver's side of the vehicle.

3. Delete SECTION 2 of the proposed ordinance and renumber accordingly.

Motion seconded by Councilmember Hunt.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Margolin voting "No."

Later in the meeting, Councilmember Medrano moved to reconsider the previous vote on the item to allow a further amendment to Section 48C-38(d).

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted. (Margolin absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
09-2108  
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Councilmember Medrano moved to pass the item with the amendments read into the record earlier, except as follows:

Replace Section 48C-38(d) with the following language:

- (d) any parking lot constructed and issued a certificate of occupancy from the City of Dallas on or after August 26, 2009, must provide a receipts in accordance with Subsections (a)(1) and (b) of this section.

Motion seconded by Councilmember Hunt and unanimously adopted. (Margolin absent when vote taken)

Assigned ORDINANCE NO. 27629

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2109

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

Agenda items 68, 69 and 72 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 67 Zoning Case Z089-146 (OTH)

~~Agenda item 68 Zoning Case Z089-172 (RB)~~ **[considered individually]**

~~Agenda item 69 Zoning Case Z089-180 (OTH)~~ **[considered individually]**

Agenda item 70 Zoning Case Z089-188 (MAW)

Agenda item 71 Zoning Case Z089-214 (WE)

~~Agenda item 72 Zoning Case Z089-218 (MAW)~~ **[considered individually]**

Addendum Agenda item 14 Zoning Case Z089-160 (RB)

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

Mayor Pro Tem Caraway moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning case and pass the ordinances.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2110

Item 67: Zoning Case Z089-146(OTH)

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

A public hearing was called on zoning case Z089-146 (OTH), an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1450 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District on the southwest corner of West Illinois Avenue and Chalmers Street

(The staff and city plan commission recommended approval subject to a site 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. 27630

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2111

Item 68: Zoning Case Z089-172 (RB)

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

Mayor Pro Tem Caraway requested that zoning consent item 68 be considered as an individual item. Mayor Leppert stated that zoning consent item 68 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway's request.

A public hearing was called on zoning case Z089-1726 (RB), an ordinance granting an amendment to and expansion of Specific Use Permit No. 1602 for a Vehicle storage lot on property zoned a CS Commercial Service District with a Dry Liquor Control Overlay on a portion at the southeast corner of South Central Expressway and Bateman Avenue

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

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

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

Dallas Cothrum, 900 Jackson St., representing the applicant

Mayor Pro Tem Caraway moved to close the public hearing, follow the city plan commission's recommendation of approval for a four-year period with a two-year additional period and two-year automatic renewal.

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

Assigned ORDINANCE NO. 27631

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2112

Item 69: Zoning Case Z089-180 (OTH)

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

Councilmember Kadane requested that zoning consent item 69 be considered as an individual item. Mayor Leppert stated that zoning consent item 69 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

A public hearing was called on zoning case Z089-180 (OTH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1676 for an alcoholic beverage establishment for a private-club bar and a commercial amusement (inside) for a dance hall on property zoned a CR Community Retail District on the east side of Ferguson Road, south of Gus Thomasson Road

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

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

Neely Kerr, 2306 Millmar Dr.

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

Jerry Robertson, 10341 Plummer Rd., the applicant

Councilmember Kadane moved to close the public hearing, accept the recommendation of the city plan commission subject to the following change and conditions:

- Condition #7: To read, "Outside speakers are prohibited" deleting outside seating and tables are prohibited.

and pass the ordinance.

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

Assigned ORDINANCE NO. 27632

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2113

Item 70: Zoning Case Z089-188 (MAW)

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

A public hearing was called on zoning case Z089-188 (MAW), an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District on the north side of Mountain Creek Parkway, west of Clark Road

(The staff and city plan commission recommended approval for a two-year period with eligibility for automatic renewal for one three-year period, subject to a site plan and conditions)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27633

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2114

Item 71: Zoning Case Z089-214 (WE)

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

A public hearing was called on zoning case Z089-214 (WE), an application for and a resolution terminating deed restrictions on property zoned a NS(A) Neighborhood Service District on the southwest corner of South Loop 12 and Cranfill Drive

(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

AUGUST 26, 2009

09-2115

Item 72: Zoning Case Z089-218 (MAW)

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

Councilmember Atkins 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 Atkins' request.

A public hearing was called on zoning case Z089-218 (MAW), an application for and an ordinance granting a Specific Use Permit for an extended stay hotel or motel use on property zoned an IR Industrial Research District with deed restrictions on the northeast corner of Beckleymeade Avenue and Stoneview Drive

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

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

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

Kevin Patel, 1503 Astoria Dr., **Allen, TX**, representing Candlewood Suites

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

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

Assigned ORDINANCE NO. 27634

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2116

Item 73: Zoning Case Z089-195 (WE) INDIVIDUAL

A public hearing was called on zoning case Z089-195 (WE), an application for and an ordinance granting an amendment to, and an expansion of, Planned Development District No. 597 for a private school on property zoned Planned Development District No. 597, an MF-2(A) Multifamily Subdistrict, a CC Community Commercial Subdistrict and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, and generally located on both sides of Pennsylvania Avenue, between Holmes Street and Colonial Avenue, Panama Place and south of Martin Luther King Jr. Boulevard

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

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.

By general consensus, the city council agreed to allow those individuals speaking in favor of the city plan commission's recommendation to speak first followed by those individuals speaking in opposition of the city plan commission's recommendation.

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

Bennett Ratcliff, 8929 Sterling St., **Irving, TX**, representing the applicant  
Terry Flowers, 401 Royal Crest Dr., **DeSoto, TX**, the applicant  
Ron Pleasant, 11106 Listi Dr.  
Donna Jenkins, 1620 Thomas Ln.  
Pennie Pitre, 2310 Bonnieview Rd.

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

Anthony Garrett, 217 Abby Ln.  
Glenn Bragg, 3307 Colonial  
Audric G. Gibson, 1826 Somerset Ave.  
William Hopkins, 2011 Leath  
Meenaxi Patel, 3103 Colonial Ave., representing Jay Ma Corporation  
Gwain Wooten, 1000 Grisby Ave.  
Gloria Walls, 1628 Panama Place  
Elwin Johnson, 3412 Holmes

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

09-2116

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Councilmember Davis moved to close the public hearing, follow the city plan commission's recommendation for approval with the following change:

- Require landscaping and tree mitigation for property south of Pennsylvania Avenue to be completed before issuance of a final certificate of occupancy for any new construction.

and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted. (Leppert abstain)

Assigned ORDINANCE NO. 27635

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2117

Item 74: Zoning Case Z089-202 (WE) INDIVIDUAL

A public hearing was called on zoning case Z089-202 (WE), an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District, an IR Industrial Research District with Specific Use Permit No. 107 for a radio tower, Specific Use Permit No. 108 for a radio tower, Specific Use Permit No. 220 for a doctor's clinic or nursing home, and Specific Use Permit No. 98 for quarry on a portion, an MF-1(A) Multifamily District, and an MF-2(A) Multifamily District, and an ordinance repealing a portion of Specific Use Permit No. 98, an ordinance repealing Specific Use Permit No. 107, an ordinance repealing Specific Use Permit No. 108, and an ordinance repealing Specific Use Permit No. 220 and a resolution terminating the deed restrictions on property generally bounded by Interstate 30, Westmoreland Road, Fort Worth Avenue and Pinnacle Park Boulevard

(The staff and city plan commission recommended approval, subject to a conceptual plan, and conditions and approval of the termination of Specific Use Permit No. 107, Specific Use Permit No. 108, Specific Use Permit No. 220 and a portion of Specific Use Permit No. 98 and approval of the termination of the deed restrictions)

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

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

Lauren Odell, 300 Crescent Ct., representing the applicant  
Evan Beattie, 1808 Fairmount, representing the applicant  
Suzan Kedron, 901 Main Street, representing the applicant  
Michael Swaldi, 5506 Druid Lane, representing the applicant  
Corey Spengler, 1235 Haines Ave., representing Kidd Springs Central  
Bob Stimson, 707 Tenna Loma Ct., representing Oak Cliff Chambers  
David Spence, 1941 Old Orchard Dr.

Councilmember Neumann moved to close the public hearing, repealing a portion of Specific Use Permit No. 98, Specific Use Permit No. 107, Specific Use Permit No. 108, and Specific Use Permit No. 220; a resolution terminating the deed restrictions; and approve Planned Development No. 811 with the Planned Development ordinance and plans to come back on September 9, 2009 with the following changes:

1. For lots fronting on Westmoreland Road in Subarea A, minimum front yard is six feet.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

09-2117

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2. Delete the street alignment requirements in Subsection 51P-811.124(e).
3. Require the developer to provide signalization at the following intersections:
  - 1) Westmoreland Road at Access No. 4;
  - 2) Westmoreland Road at Access No. 9; and
  - 3) Pinnacle Park Boulevard and Ft. Worth Avenue if the city determines that signalization is warranted by traffic generated and the cost is proportionate in accordance with Section 51A-1.109.

and pass the ordinances.

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

Assigned ORDINANCE NO'S. 27636, 26737, 27638 AND 27639

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2118

Item 75: Zoning Case Z089-210 (WE) INDIVIDUAL

A public hearing was called on zoning case Z089-210 (WE), an application for and an ordinance granting a Planned Development Subdistrict for CA-2 Central Area Subdistrict uses on property zoned a CA-2 Central Area Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and a resolution terminating deed restrictions on the northwest corner of Field Street and Woodall Rodgers Freeway

(The staff and city plan commission recommended approval, subject to a conceptual plan and conditions and approval of the termination of the deed restrictions)

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

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

Duncan Fulton, 3524 Rankin, representing the applicant

Deputy Mayor Pro Tem Medrano moved to close the public hearing, follow the city plan commission's recommendation of approval subject to adding the following provision regarding landscaping:

- The city plan commission may approve an alternative landscape plan for a library, art gallery, or museum use if the plan is part of an overall concept consistent with the mission of the library, art gallery, or museum use. An alternative landscape plan may include placement of landscaping materials in alternative locations, reduction in landscape area, and alternative tree species and plant materials.

and pass the ordinance.

Motion seconded by Councilmember Koop and unanimously adopted.

Assigned ORDINANCE NO. 27640

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2119

Item 76: Zoning Case Z089-159 (RB) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z089-159 (RB), an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1344 for an Open-enrollment Charter School or Private school on property zoned an MF-1(A) Multifamily District, on the northeast corner of Frankford Road and Marsh Lane

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

Note: This item was considered by the City Council at public hearings on June 10 and June 24, 2009, and was taken under advisement until August 26, 2009, with the public hearing open.

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

Councilmember Natinsky moved to close the public hearing, follow the city plan commission's recommendation of approval subject to the following:

1. The specific use permit shall automatically terminate on May 25, 2011.
2. Except as provided in paragraph 13, the only sign allowed is one ground monument sign located at the corner of Marsh Lane and Frankford Road. The sign may not include LED technology or similar electronic changeable message technology.

and pass the ordinance.

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

Assigned ORDINANCE NO. 27641

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2120

Item 77: Zoning Case Z078-248 (WE) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z078-248 (WE), an application for and an ordinance granting the creation of a new Subdistrict within Subdistrict B in the North Zone within Planned Development District No. 521 for mixed uses and an ordinance granting a Specific Use Permit for gas drilling and a resolution accepting deed restrictions volunteered by the applicant, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway)

(The staff recommended approval, of a new Subdistrict within Subdistrict B, subject to a conceptual plan and conditions and approval of a Specific Use Permit for gas drilling for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production and conditions subject to deed restriction volunteered by the applicant and city plan commission recommended approval, of a new Subdistrict within Subdistrict B, subject to a conceptual plan and conditions and approval of a Specific Use Permit for gas drilling for a twenty-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production and conditions subject to deed restriction volunteered by the applicant)

Note: This item was considered by the City Council at public hearings on May 13, June 10 and June 24, 2009, and was taken under advisement until August 26, 2009, with the public hearing open.

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

Councilmember Neumann moved to continue the public hearing and hold under advisement until the September 23, 2009 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2121

Item 78: Zoning Case Z078-313 (WE) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z078-313 (WE), an application for and an ordinance granting a Specific Use Permit for gas drilling within Subdistrict B in the North Zone within Planned Development District No. 521 for mixed uses and a resolution accepting deed restrictions volunteered by the applicant, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway)

(The staff recommended Approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production, and conditions and deed restrictions volunteered by the applicant and city plan commission recommended Approval for a twenty-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production, and conditions and deed restrictions volunteered by the applicant)

Note: This item was considered by the City Council at public hearings on May 13, June 10 and June 24, 2009, and was taken under advisement until August 26, 2009, with the public hearing open.

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

Councilmember Neumann moved to continue the public hearing and hold under advisement until the September 23, 2009 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2122

Item 79: A benefit assessment hearing to receive comments on street paving and storm drainage for Street Group 06-448; and at the close of the hearing, authorize an ordinance levying assessments (list attached) - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Medrano and unanimously adopted.

Assigned ORDINANCE NO. 27642

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2123

Item 80: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by HD Supply Construction Supply, Ltd. located near the intersection of Northwest Highway and California Crossing Road and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to HD Supply Construction Supply, Ltd. 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 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:

Greg Roger, 750 N. St. Paul, representing the applicant  
Kenneth Trapp, professional geoscientist

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

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

Assigned ORDINANCE NO. 27643

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2124

Item 81: A public hearing to receive comments on the proposed 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:

Laura Pietzsch, 7105 Meadow Creek, representing Dental Health Pro  
Paul Hoffman, 1420 W. Mockingbird Ln., representing Community Health Pro  
Beverly Tobian, 6335 W. Northwest Hwy., representing Health & Human Services Coalition  
Burt Holmes, 4515 Lawther Dr., representing Senior Affairs Commission  
Jearldine McDaniel, 2515 Sylvan Ave., representing Senior Affairs Commission  
Sydney Kay, 5718 Harvest Hill Rd., representing Senior Affairs Commission  
Victoria Barbour, 1635 W. Pentagon Pkwy., representing Senior Affairs Commission  
Beth Hooey, 2621 Exline St., representing Senior Affairs Commission  
Michael King, 2433 E. Kiest Blvd., representing Cedar Crest Country Club Estates  
Phyllis Guest, 7640 W. Greenway, representing Stonewall Young Democrats  
Michael Rodgers, Sr., 6245 Balcony Ln.  
Travis Gasper, 4606 Cedar Springs Rd., representing Stonewall Young Democrats  
Ed Palmer, 6020 Tremont St., representing Municipal Library Branch  
Jeanne Miller, 4 Castle Creek Ct., representing Municipal Library Branch  
Phil Crone, 6805 Lebanon Rd., **Frisco, TX**, representing Homebuilders Association of Greater Dallas  
Michael LoVuolo, 6161 Cristler Ave.  
Gloria Johnson, 4910 Clear Creek Rd.  
Frank Ward, P. O. Box 50694  
Charles Taylor, 2707 Palo Alto Dr.  
Yolanda Williams, 1012 Pindor Ave.  
William Hopkins, 2011 Leath  
Keller W. Webster, 6931 Colfax  
Mark Rupe, 7319 Toland St., representing Urbandale Area of Dallas

Mayor Pro Tem Caraway moved to close the public hearing.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2125

Addendum addition 1: Authorize the sale of self-contained breathing apparatus harnesses and masks sold at public auction, on August 19, 2009, to Lucas Ivan Tapia - Revenue: \$25,075

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2126

Addendum addition 2: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P. for additional legal services necessary in the lawsuit styled Thomas Hannon v. David L. Nevitt, et al., Civil Action No. 3:09-CV-0066-N - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2127

Addendum addition 3: Authorize Supplemental Agreement No. 4 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, LLP for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed \$88,000, from \$318,000 to \$406,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2128

Addendum addition 4: A resolution amending Section 4 of the City Council Rules of Procedure to revise rules relating to city council attendance - Financing: No cost consideration to the City (via Mayor Leppert)

Councilmember Hill requested that addendum addition consent agenda item 4 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Later in the meeting, addendum addition consent agenda item 4 was brought up for consideration.

Councilmember Hill moved the city council meet in executive session to confer with the city attorney.

Motion seconded by Councilmember Atkins and unanimously adopted.

Mayor Leppert called a recess of the city council meeting at 10:31 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the City Attorney.

Mayor Leppert reconvened the city council meeting after the executive session at 11:11 a.m.

No other matters were discussed during the executive session.

Councilmember Salazar moved to schedule the item for a briefing meeting or full council meeting, to make suggestions or comments.

Motion seconded by Councilmember Atkins.

After discussion, Councilmember Koop moved to substitute for Councilmember Salazar's motion to schedule the item for a briefing meeting or full council meeting, to make suggestions or comments, to approve the item with the following amendment:

- If a committee meeting is scheduled to last for a designated length of time, then a Councilmember who is present during half or more of the scheduled length of the meeting shall be counted as having attended the meeting even if the meeting runs past it's scheduled length.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

09-2128

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Motion seconded by Councilmember Neumann.

After further discussion, Mayor Leppert called the vote on Councilmember Koop's substitute motion to approve the item with an amendment, "if a committee meeting is scheduled to last for a designated length of time, then a Councilmember who is present during half or more of the scheduled length of the meeting shall be counted as having attended the meeting even if the meeting runs past it's scheduled length."

Voting Yes: [11] Leppert, Caraway, Medrano, Jasso, Neumann, Atkins, Kadane, Allen,  
Koop, Natinsky, Hunt

Voting No: [4] Hill, Salazar, Davis, Margolin

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2129

Addendum addition 5: Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Michael L. Minzer, et al, Cause No. CC-08-10877-B, pending in the County Court at Law No. 2, for acquisition from Michael L. Minzer and Richard Plumb of approximately 4,015 square feet of land located near the intersection of Commerce and Griffin Streets for the Belo Gardens Park Project - \$342,275 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2130

Addendum addition 6: Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Rosemary Dearing, et al, Cause No. CC-08-10878-C, pending in the County Court at Law No. 3, for acquisition from Rosemary Dearing, James Earl Shoemaker, Roger Tom Shoemaker, and the Browning Family Trust (Joe Jack Browning and Lila Jean Browning, Trustees) of approximately 4,109 square feet of land located near the intersection of Commerce and Griffin Streets for the Belo Gardens Park Project - \$400,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2131

Addendum addition 7: Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Dallas Main L.P., et al, Cause No. CC-08-10879-D, pending in the County Court at Law No. 4, for acquisition from Dallas Main, L.P. of two tracts of land containing a total of approximately 55,540 square feet of land located near the intersection of Commerce and Griffin Streets for the Belo Gardens Park Project - \$5,276,304 - Financing: 2006 Bond Funds Approved as part of the consent agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2132

Addendum addition 8: A resolution authorizing the dedication of two easements containing a total of approximately 55,195 square feet of City-owned land for the purpose of retention and drainage of stormwater and establishing special conditions controlling the construction, use and maintenance of the retention and drainage area facilities for Gramercy on the Park development located near State Highway 190 also known as President George Bush Turnpike - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2133

Addendum addition 9: An ordinance abandoning portions of Worth and Walton (formerly Oak) Streets near the intersection of Worth and Hall Streets to Dallas Area Rapid Transit, the abutting owner, containing approximately 9,045 square feet of land, and authorizing the quitclaim - Revenue: \$199,750 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2134

Addendum addition 10: Authorize a construction contract for interior renovations and additions to the existing Aquarium, including replacement of the life support systems, renovation of the public areas with new aquatic exhibits, and a new addition for the shark and sting ray tanks at Fair Park located at 1462 First Avenue - Phoenix I Restoration and Construction, Ltd., best value proposer of five - \$7,901,000 - Financing: 2003 Bond Funds (\$371,935) and 2006 Bond Funds (\$7,529,065)

Councilmember Neumann requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 10 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 10 was brought up for consideration.

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 Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2135

Addendum addition 11: Authorize a service contract with Ford Audio-Video Systems, Inc., through the Texas Multiple Award Schedule for the purchase and installation of the audio, video and control system to Juanita J. Craft Recreation Center located at 4500 Spring Avenue - Not to exceed \$169,578 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2136

Addendum addition 12: Authorize **(1)** rescinding the contract with Bauhaus Interiors Group, previously approved on May 27, 2009, by Resolution No. 09-1370, for interior furnishings for the Lochwood Branch Library located at 11221 Lochwood Boulevard; and **(2)** an increase in the contract with J.C. Commercial, Inc. for interior furnishings and additional work requested to revise the building entry approach and provide a transition between the existing building and the new construction of the Lochwood Branch Library - Not to exceed \$187,235, from \$4,075,556 to \$4,262,791 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2137

Addendum addition 13: Authorize **(1)** a contract with CORE Construction Services of Texas, Inc., best value proposer of four, in the amount of \$3,260,000, for the renovation and an addition to the Juanita J. Craft Recreation Center located at 4500 Spring Avenue; **(2)** assignment of the contract with CORE Construction Service of Texas, Inc. to Southern Sector Health Initiative and Baylor Health Care System to manage; **(3)** the receipt and deposit of funds in the amount of \$1,625,000 from Southern Sector Health Initiative/Baylor for the renovation and an addition to the Juanita J. Craft Recreation Center; and **(4)** an increase in appropriations in the Juanita J. Craft Wellness Fund in the amount of \$1,625,000 - Not to exceed \$3,260,000 - Financing: 2006 Bond Funds (\$1,635,000) and Juanita J. Craft Wellness Funds (\$1,625,000)

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 Davis moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Leppert abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2138

Addendum addition 14: Zoning Case Z089-160 (RB)

The consent zoning docket, consisting of agenda items 67–72 and addendum consent zoning agenda item 14, was presented for consideration.

A public hearing was called on zoning case Z089-160 (RB), an application for and an ordinance granting a Planned Development District for Retirement housing, Single family, and certain nonresidential uses on property zoned an MF-2(A) Multifamily District and an MU-1 Mixed Use District on property at the northwest corner of Compton Street and Fran Way

(The staff and city plan commission recommended approval subject to a Tract I and Tract II development plan/Tract III conceptual 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. 27645

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 26, 2009

09-2139

The 38<sup>th</sup> Anniversary Celebration of Women's Equality Day

Celebrating 89 years of Women's suffrage

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 26, 2009

EXHIBIT C