

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 9, 2009

09-2742
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Caraway (*9:05 a.m.), Medrano, Jasso, Neumann, Hill, Salazar (*9:35 a.m.), Davis, Atkins (*9:05 a.m.), Kadane, Allen, Koop, Natinsky, Margolin, Hunt (*9:24 a.m.)

ABSENT: [0]

The meeting was called to order at 9:02 a.m.

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

The invocation was given by Elsie Birdwell, Minister of the New Creation Ministries in Dallas.

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 4:16 p.m.

Mayor

ATTEST:

Assistant City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the City Secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

*** Indicates arrival time after meeting called to order.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 9, 2009

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 9, 2009

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2743

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: David Gipson, 7030 Fair Oaks Ave.
SUBJECT: Ethics & death by omission

SPEAKER: Ramiro Lopez, 1512 S. Barnett Ave.
SUBJECT: Lack of leadership & accountability

SPEAKER: Rick Gonzales, 4283 S. Cresthaven
SUBJECT: Property at 4227 Aero & DPD

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: EPA

SPEAKER: Macey Davis, 8322 Ridgelea St.
SUBJECT: Addendum item 13

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
REPRESENTING: The Alpha & Omega "God"
SUBJECT: Arrogant, racist and unjust with greed

SPEAKER: B.M. Randolph, P. O. Box 210315
REPRESENTING: Making a difference FJC (For Jesus Christ)
SUBJECT: Helping people, prayer, thanksgiving

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J.B. Jackson, Jr., Institute
SUBJECT: Corruption

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2744

Item 1: Approval of Minutes of the October 28, 2009 City Council Meeting

Mayor Pro Tem Caraway moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2745

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-59 and addendum addition consent agenda items 1-12, was presented for consideration.

The Assistant City Secretary requested that consent agenda item 26 and addendum addition consent agenda item 12 be considered as individual items to allow citizens to speak. Mayor Leppert stated that consent agenda item 26 and addendum addition consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to the City Secretary's request.

Mayor Leppert requested that consent agenda item 57 be considered as an individual item. Mayor Leppert stated that consent agenda item 57 would be considered as an individual item later in the meeting, there being no objection voiced to his request.

Mayor Pro Tem Caraway requested that consent agenda item 5 be considered as an individual item. Mayor Leppert stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway's request.

Councilmember Neumann requested that consent agenda items 6, 20, 21, 22 and 23 be considered as individual items. Mayor Leppert stated that consent agenda items 6, 20, 21, 22 and 23 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 5, 6 and 58 be considered as individual items. Mayor Leppert stated that consent agenda items 5, 6 and 58 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Margolin requested that addendum addition consent agenda items 8 and 11 be considered as individual items. Mayor Leppert stated the addendum addition consent agenda item 8 and 11 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 items 5, 6, 20, 21, 22, 23, 26, 57, 58 and addendum addition consent agenda items 8, 11 and 12 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2746

Item 2: Authorize a purchase of four temporary storage containers to be used by Sanitation Services - VE Enterprises, lowest responsible bidder of two - Not to exceed \$100,160 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2747

Item 3:

Authorize a three-year service contract for application hosting services, integration support, training and ongoing technical support of an electronic information notification system - GovDelivery, Inc., only proposer - Not to exceed \$126,425 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2748

Item 4: Authorize a one-time service contact for maintenance and acid wash of the emergency vapor scrubber system for Water Utilities - Festac Building Constructors, Inc., lowest responsible bidder of two - Not to exceed \$85,800 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2749

Item 5: Authorize a one-year service contract for an ex-offender re-entry program - Safer Dallas Better Dallas in the amount of \$489,993 and Southwest Behavioral Systems, Inc., in the amount of \$59,000, most advantageous proposers of two - Total not to exceed \$548,993 - Financing: Edward Byrne Memorial Justice Assistance Grant Funds (\$385,971), Bureau of Justice Assistance Grant Funds (\$104,022), 2008-09 Community Development Block Grant - Recovery Funds (\$59,000)

Mayor Pro Tem Caraway and Councilmember Atkins requested that consent agenda item 5 be considered as an individual item. Mayor Leppert stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway and Councilmember Atkins' request.

Later in the meeting, consent agenda item 5 was brought up for consideration.

Mayor Pro Tem Caraway 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

NOVEMBER 9, 2009

09-2750

Item 6: Authorize a two-year master agreement for trees, bedding plants, seed and sod - Southwest Wholesale Nursery in the amount of \$229,976, John Deere Landscapes in the amount of \$203,354, Baham Nursery & Landscape Co. LLC in the amount of \$103,951, Cheyenne Construction Group, Inc. in the amount of \$67,684, Robert Lee Edison dba Combination Plus Brokers in the amount of \$27,415, Justin Seed Company, Inc. in the amount of \$22,172 and Harry's Greenhouse, Inc. in the amount of \$18,280, lowest responsible bidders of seven - Total not to exceed \$672,832 - Financing: Current Funds (\$438,035), Urban Reforestation Funds (\$204,100) and Aviation Current Funds (\$30,697)

Councilmember Neumann and Councilmember Atkins requested that consent agenda item 6 be considered as an individual item. Mayor Leppert stated that consent agenda item 6 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 6 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2751

Item 7: Authorize a three-year service contract for database access to download audio books, music, videos, e-books and other digital content for the Dallas Public Libraries - OverDrive, Inc., most advantageous proposer of three - Not to exceed \$509,200 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2752

Item 8: Authorize a three-year service contract for lift repair and equipment parts - DARR Equipment, Co. in the amount of \$165,285 and Equipment Depot, Ltd. in the amount of \$158,270, lowest responsible bidders of four - Total not to exceed \$323,555 - Financing: Current Funds (\$262,931), and Water Utilities Current Funds (\$60,624) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2753

Item 9: Authorize a three-year service contract for overhead and gantry crane inspection, maintenance and repair - C & C Professional Services, Inc., lowest responsible bidder of six - Not to exceed \$85,415 - Financing: Current Funds (\$3,870), Water Utilities Current Funds (\$81,545) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2754

Item 10: Authorize **(1)** an increase in funding to the lease agreement with Nortex Modular Space in the amount of \$48,222; and **(2)** an extension to the lease agreement with Nortex Modular Space, through the Texas Multiple Award Schedule, for two modular buildings to be used as Code Compliance district offices at 8789 Adlora Lane and 2502 Shorecrest Drive for the period May 1, 2010 through May 1, 2011 in the amount of \$76,602 - Total not to exceed \$124,824, from \$166,118 to \$290,942 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2755

Item 11: Authorize settlement of a claim filed by Diane Inmon, Claim No. 08223175 -
Not to exceed \$6,900 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2756

Item 12: Authorize settlement of a claim filed by Onesimo Espinoza-Facundo, Claim No. 08225215 - Not to exceed \$8,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2757

Item 13: Authorize settlement of a claim filed by Bobby Lee Williams, Claim No. 07179727 - Not to exceed \$15,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2758

Item 14: Authorize the execution of the Texas Local Government Investment Pool Participation Agreement between the City and Texas Short Term Asset Reserve Program (TexStar) and the investment of City funds in TexStar - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2759

Item 15: Authorize the annual adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2760

Item 16: Authorize **(1)** a multi-year Interlocal Agreement with Dallas County and the Texas Department of Transportation in accordance with the Texas Transportation Code to deny registration or re-registration of vehicles if the registered owner has a warrant for delinquent Class C misdemeanor traffic offenses for failure to appear or resolve cases as provided in Chapter 702 - Refusal to Register Vehicle; **(2)** vehicle registration denial for offenders who fail to pay delinquent civil violations as provided in the Transportation Code, Chapter 707 - Enforcement; **(3)** payment to Dallas County and/or Department of Transportation appropriate fees charged to recover costs as billed for scofflaw registration denial services; and **(4)** future agreements with other Texas counties for denial of vehicle registration for eligible Class C misdemeanor and civil cases as authorized in the Transportation Code - Estimated Net Revenue: \$223,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2761

Item 17: Authorize a resolution amending the City of Dallas Tax Increment Financing (TIF) Policy that established the criteria for evaluating proposed TIF Districts in accordance with the provisions of Chapter 311 of the Texas Tax Code, as amended, adopted by Resolution No. 05-0745 on February 23, 2005 to: **(1)** include the ability to extend the term of existing TIF Districts and establish the criteria under which term extension requests will be evaluated; and **(2)** clarify the minimum new investment criteria for the creation of new TIF Districts - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2762-01

09-2762-02

Davis Garden TIF District

Note: Item Nos. 18 and 19
must be considered collectively.

Item 18: Authorize **(1)** a development agreement with the Kessler Theater, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, historical façade, and infrastructure improvements located at 1214 West Davis Street and 1215 West 7th Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and **(2)** the Davis Garden TIF District Board of Directors to dedicate up to \$199,643 from future Davis Garden TIF District revenues in accordance with the development agreement - Not to exceed \$199,643 - Financing: Davis Garden TIF District Funds

Item 19: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse the Kessler Theater, LLC up to \$199,643 for certain TIF-eligible project costs related to park, open space, and streetscape improvements at 1212 West Davis Street and 1215 West 7th Street in the Davis Garden TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2763-01

09-2763-02

Davis Garden TIF District

Note: Item Nos. 20 and 21
must be considered collectively.

Item 20: Authorize **(1)** a development agreement with the SLF III/INCAP, LP to dedicate future TIF revenues for eligible project costs related to engineering and design (design services) for Phase 1 of a new eastbound frontage road for I-30 located between Cockrell Hill Road and Westmoreland Road in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and **(2)** the Davis Garden TIF District Board of Directors to dedicate up to \$436,919 from future Davis Garden TIF District revenues in accordance with the development agreement - Not to exceed \$436,919 - Financing: Davis Garden TIF District Funds

Item 21: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse the SLF III/INCAP, LP up to \$436,919 for certain TIF-eligible project costs related to engineering and design (design services) for Phase 1 of a new eastbound frontage road for I-30 located between Cockrell Hill Road and Westmoreland Road in the Davis Garden TIF District - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda items 20 and 21 be considered as individual items. Mayor Leppert stated that consent agenda items 20 and 21 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, consent agenda items 20 and 21 were brought up for consideration.

Councilmember Neumann moved to approve the items.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2764-01

09-2764-02

Davis Garden TIF District

Note: Item Nos. 22 and 23
must be considered collectively.

Item 22: Authorize **(1)** a development agreement with TF Development, LP to dedicate future TIF revenues for eligible project costs related to environmental remediation, infrastructure and public right-away improvements located at 32 Pinnacle Park Boulevard in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and **(2)** the Davis Garden TIF District Board of Directors to dedicate up to \$2,071,197 from future Davis Garden TIF District revenues in accordance with the development agreement - Not to exceed \$2,071,197 - Financing: Davis Garden TIF District Funds

Item 23: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse TF Development, LP up to \$2,071,197 for certain TIF-eligible project costs related to environmental remediation, infrastructure and public right-away improvements at 32 Pinnacle Park Boulevard in the Davis Garden TIF District - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda items 22 and 23 be considered as individual items. Mayor Leppert stated that consent agenda items 22 and 23 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, consent agenda items 22 and 23 were brought up for consideration.

Councilmember Neumann moved to approve the items.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2765

Item 24: Authorize a contract with Community Dental Care, Inc. for the continuation of dental health services to low-income seniors over age 60 for the period October 1, 2009 through September 30, 2010 - Not to exceed \$96,090 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2766

Item 25: Authorize a twelve-month contract with Phoenix Houses of Texas, Inc. for residential substance abuse services for low-income medically indigent adolescents for the period October 1, 2009 through September 30, 2010 - Not to exceed \$65,000 - Financing: 2009-10 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2767

Item 26: Authorize a loan in the amount of \$2,000,000 at 0% interest to South Dallas/Fair Park Innercity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties including associated closing costs, relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of an adopted Economic Development and Transit Oriented Development Plan - Not to exceed \$2,000,000 - Financing: 2006 Bond Funds (subject to the future sale of bonds)

The Assistant City Secretary requested that consent agenda item 26 be considered as an individual item to allow citizens to speak. 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 the Assistant City Secretary's request.

Later in the meeting, consent agenda item 26 was brought up for consideration.

Councilmember Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2768

Item 27: Authorize a loan in the amount of \$2,500,000 at θ 4% interest to Dallas Housing Authority for infrastructure improvements for a 206-unit apartment project located at 6601 Bexar Street - Turner Courts within the Bexar Street Redevelopment Corridor - Not to exceed \$2,500,000 - Financing: 2006 Bond Funds (subject to appropriation and the future sale of bonds)

Corrected on the addendum to the agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2769

Item 28: Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$380,000 to Shared Housing Center, Inc. for acquisition and related acquisition costs of unimproved property located at 4611 East Side Avenue for the development of a 20-unit facility for transitional housing for homeless single-parents - Not to exceed \$380,000 - Financing: 2007-08 Community Development Block Grant Funds (\$82,951) and 2008-09 Community Development Block Grant Funds (\$297,049)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2770

Item 29: Authorize the Dallas Housing Acquisition and Development Corporation (the “Land Bank”) to enter into a one-year contract, with five one-year renewal options, with Consolidated Consulting Group, LLC to provide environmental land analysis including a transaction screen analysis and other environmental services, if needed, on lots scheduled to be purchased by the Land Bank - Not to exceed \$287,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2771

Item 30: Authorize the Dallas Housing Acquisition and Development Corporation (the “Land Bank”) to enter into a one-year contract, with five one-year renewal options, with TJD Lawn Care & Cleaning Services to provide maintenance on lots acquired by the Land Bank - Not to exceed \$225,000 - Financing: Dallas Urban Land Bank Demonstration Program Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2772

Item 31: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas City Homes for the construction of an affordable house; and **(2)** the exchange of the deed restrictions from 1 vacant lot previously purchased from the Dallas Housing Acquisition and Development Corporation located at 4538 Gurley Avenue to a comparable lot owned by Dallas City Homes located at 4826 Parry Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2773

Item 32: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses, **(2)** the sale of 4 vacant lots located in the Exeter/Lancaster Corridor from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; 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

NOVEMBER 9, 2009

09-2774

Item 33: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses; **(2)** the sale of 13 vacant lots located in the Rochester Park/Bexar Street area from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; 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

NOVEMBER 9, 2009

09-2775

Item 34: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses; **(2)** the sale of 22 vacant lots located in the Ideal/Bexar Street Area from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; 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

NOVEMBER 9, 2009

09-2776

Item 35: Authorize **(1)** the acceptance of a Loan Star Libraries Grant from the Texas State Library and Archives Commission for improving public access to library resources and services at the Dallas Public Library for the period September 1, 2009 through August 31, 2010; and **(2)** execution of the grant agreement - \$340,333 - Financing: Loan Star Libraries Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2777

Item 36: Authorize **(1)** the acceptance of the 2009 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, the State Homeland Security Program and the Metropolitan Medical Response System to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period August 1, 2009 through April 15, 2012; and **(2)** execution of the grant agreement - Not to exceed \$7,420,551 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2778

Item 37: Authorize **(1)** the acceptance of the 2009 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, the State Homeland Security Program and the Metropolitan Medical Response System to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period August 1, 2009 through April 15, 2012; and **(2)** execution of the grant agreement - Not to exceed \$7,420,551 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2779

Item 38: Authorize an Interlocal Agreement between the Dallas Independent School District (DISD) and the City for Provision of Enhanced Enrichment Program at thirty-six DISD sites from December 1, 2009 through August 31, 2012 - Estimated Annual Revenue: \$252,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2780

Item 39: Authorize a contract for the construction of a playground replacement at Wheatley Park located at 3700 Meyers Street and an expansion of the existing playground at Opportunity Park located at 3105 Pine Street - Primestar Development Corporation dba Primestar Construction, lowest responsible bidder of eight - \$169,394 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2781

Item 40: Authorize **(1)** a contract for the installation of standing wave structures, kayak launch, access trails, parking and access road for the Trinity Standing Wave located at 1900 East Eighth Street with Ark Contracting Services, LLC, best value proposer of two; and **(2)** execution of a Municipal Corridor Use License Agreement with DART for the Santa Fe Trestle Trail and the Trinity Standing Wave - \$3,376,359 - Financing: 1998 Bond Funds (\$200,000) and 2006 Bond Funds (\$3,176,359)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2782

Item 41: Authorize Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. for revisions to electrical plans for emergency generators; revisions to water and wastewater plans; and research, writing, and graphic production for exhibits and interpretive signage for the Children's Aquarium and Sting Ray Bay Exhibit at Fair Park, located at 1462 First Avenue - Not to exceed \$176,900, from \$746,025 to \$922,925 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2783

Item 42: Authorize **(1)** an application for and acceptance of the 2009 Internet Crimes Against Children Continuation Grant supplement from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period July 1, 2008 through June 30, 2010; and **(2)** execution of the grant agreement - Not to exceed \$392,624, from \$60,681 to \$453,305 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2784

Item 43: Authorize Cooperative Working Agreements with Arlington Police Department in the amount of \$12,000, Garland Police Department in the amount of \$4,500, Longview Police Department in the amount of \$13,000, Dallas County District Attorney's Office in the amount of \$13,125, Potter County District Attorney's Office in the amount of \$4,500, Tarrant County District Attorney's Office in the amount of \$12,500, Collin County Sheriff's Office in the amount of \$6,000, Taylor County Sheriff's Office in the amount of \$4,500, the Dallas Children's Advocacy Center in the amount of \$12,000, and the Fox Valley Technical College sponsor of the Internet Crimes Against Children training sessions in the amount of \$93,845, for the period July 1, 2008 through June 30, 2010 - Total not to exceed \$175,970 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2785

Item 44: An ordinance amending Chapter 48A of the Dallas City Code to adjust the maximum fees that may be charged for vehicle tow service - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27721

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2786

Item 45: Authorize approval of the recommended plan for the proposed alignment of Westmoreland Road from Ninth Street to Sheldon Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2787

Item 46: Authorize an increase in the construction contract with Tiseo Paving Company for the reconstruction of two existing railroad track crossings on Pipestone Road and French Settlement Road and additional soil handling associated with water main construction in a contaminated zone for Street Reconstruction Group 03-610 (list attached) - Not to exceed \$145,634, from \$3,259,813 to \$3,405,447 - Financing: 2003 Bond Funds (\$95,634) and Water Utilities Capital Improvement Funds (\$50,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2788

Item 47: Authorize Supplemental Agreement No. 1 to the professional services contract with Lim & Associates, Inc. for additional engineering and surveying services for Sidewalk Improvement Group 03-134 (list attached) - Not to exceed \$100,000, from \$316,400 to \$416,400 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2789

Item 48: Authorize ordinances granting six franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$3,500

Approved as part of the consent agenda.

Assigned ORDINANCE NOS. 27722, 27723, 27724, 27725, 27726 AND 27727

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2790

Item 49: Authorize a twenty-year parking sublease agreement, with two ten-year renewal options, with the Museum of Nature & Science, Inc. for approximately 139,333 square feet of parking space bounded by Field Street, McKinney Avenue, Laws and Broom Streets for the initial period of January 1, 2012 through December 31, 2031 - Annual Revenue: \$388,500 (guaranteed minimum)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2791

Item 50: A resolution authorizing the dedication of a street easement containing approximately 200 square feet of City-owned land to the public, for the purpose of sidewalk and street improvements on Beall Street from Dolphin Road to Herald Alley - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2792

Item 51: Authorize amendments to the City Plan Commission's Rules of Procedure relating to various non-substantive changes, revised rules regarding appointment of Committees, revised names and responsibilities for standing committees, creating a new standing committee, the Trinity River Committee, and revising how items are placed on the agenda - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2793

Item 52: An ordinance amending Chapter 53, Dallas Building Code, and Chapter 57, Dallas One- and Two-Family Dwelling Code; expanding the water conservation requirements for one and two-family dwellings, and the cool roof requirements for commercial buildings less than 50,000 square feet of floor area to include the installation of vegetated roofs in roofs with slopes of 2:12 or less - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2794

Item 53: An ordinance granting a private license to Ben E. Keith Company for a total of approximately 1,399 square feet of land to construct, install, use and maintain subsurface conduits for fiber optic data connectivity under portions of Wyche Boulevard and Record Crossing Street rights-of-way - Revenue: \$1,000 annually plus the \$20

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27728

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2795

Item 54: An ordinance granting a revocable license to Dallas Area Rapid Transit for the use of approximately 1,578 square feet of land to construct, install and maintain a metal sculpture, bench, landscaping, irrigation, lighting and a sidewalk on portions of Good-Latimer Expressway right-of-way located near its intersection with Elm Street - Revenue: \$2,414 one-time fee plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27729

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2796

Item 55: An ordinance abandoning portions of three sanitary sewer easements to Neighbors United for Quality Education, Inc., the abutting owner, containing a total of approximately 2,902 square feet of land located near the intersection of Lindsley Avenue and Tenison Memorial Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27730

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2797

Item 56: An ordinance abandoning a portion of a utility easement to Amy A. Zicarelli and Thomas Michael Zicarelli, the abutting owners, containing approximately 1,180 square feet of land located near the intersection of Park and Wedgewood Lanes - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27731

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2798

Item 57: An ordinance abandoning certain air rights over a portion of Worth Street to Baylor Health Care System, the abutting owner, containing approximately 2,212 square feet of air space located near its intersection with Hall Street and authorizing the quitclaim - Revenue: \$119,448 plus the \$20 ordinance publication fee

Mayor Leppert requested that consent agenda item 57 be considered as an individual item. Mayor Leppert stated that consent agenda item 57 would be considered as an individual item later in the meeting, there being no objection voiced to his request.

Later in the meeting, consent agenda item 57 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 Atkins moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27732

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2799

Item 58: Authorize Supplemental Agreement No. 1 to the contract with Dannenbaum Engineering Company for additional design services related to the design of erosion control improvements for 6707 Cliffwood Drive and 2617 Blackstone Drive - Not to exceed \$43,817, from \$134,971 to \$178,788 - Financing: 2003 Bond Funds

Councilmember Atkins requested that consent agenda item 58 be considered as an individual item. Mayor Leppert stated that consent agenda item 58 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 58 was brought up for consideration.

Councilmember Akins moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2800

Item 59: Authorize a contract for the installation of a 20-inch recycled water main extension, Phase 1 - John Burns Construction Company of Texas, Inc., lowest responsible bidder of thirteen - Not to exceed \$2,792,409 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2801

Item 60: 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)

The Assistant City Secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2009-2011 board term updated through NOVEMBER 9, 2009.

The Assistant City Secretary noted the report indicated nominees and re-nominees for individual appointments cleared for council action met all qualifications for service.

Councilmember Kadane moved to appoint Leonard Graivier, 55 years of age or older, to the Senior Affairs Commission.

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

Councilmember Kadane moved to appoint all nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending September 30, 2011.

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

[Information on each newly-appointed member is located in the file shown next to the name of the board.]

09-5303 CPC CITY PLAN AND ZONING COMMISSION

09-5304 PAR PARK AND RECREATION BOARD

09-5305 SAC SENIOR AFFAIRS COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2802

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 61-65 and addendum addition consent item 18, was presented for consideration.

Agenda item 64 was removed from the consent zoning docket, to be considered as an individual hearing.

Agenda item 61: Zoning Case-Z089-191 (RB)

Agenda item 62: Zoning Case-Z089-249 (MAW)

Agenda item 63: Zoning Case Z089-255 (WE)

~~Agenda item 64: Zoning Case Z089-256 (WE)~~ **[considered individually]**

Agenda item 65: Zoning Case-Z089-258 (WE)

Addendum Agenda item 18 Zoning Case Z089-241 (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 cases and pass the ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2803

Item 61: Zoning Case Z089-191 (RB)

The consent zoning docket, consisting of agenda items 61-65 and addendum addition consent agenda item 18, was presented for consideration.

A public hearing was called on zoning case Z089-191 (KS), an application for and an ordinance granting a Specific Use Permit for a Commercial parking lot or garage on property within the Tract IIf Subdistrict of Planned Development District No. 225, H/25, the State Thomas Historic District, on the east corner of Allen Street and Thomas Avenue

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27733

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2804

Item 62: Zoning Case Z089-249 (MAW)

The consent zoning docket, consisting of agenda items 61-65 and addendum addition consent agenda item 18, was presented for consideration.

A public hearing was called on zoning case Z089-249 (MAW), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an A(A) Agricultural District on the east side of Prater Road, south of LBJ Freeway

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27734

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2805

Item 63: Zoning Case Z089-255 (WE)

The consent zoning docket, consisting of agenda items 61-65 and addendum addition consent agenda item 18, was presented for consideration.

A public hearing was called on zoning case Z089-255 (WE), an application for and an ordinance granting a Specific Use Permit for a private school on property zoned an R-7.5(A) Single Family District located on the southwest corner of Gus Thomasson Road and Shiloh Road

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27735

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2806

Item 64: Zoning Case Z089-256 (WE)

The consent zoning docket, consisting of agenda items 61-65 and addendum addition consent agenda item 18, was presented for consideration.

Councilmember Allen requested that zoning consent item 64 be considered as an individual item. Mayor Leppert stated that zoning consent item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Allen's request.

A public hearing was called on zoning case Z089-256 (WE), an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an NO(A) Neighborhood Office District on the west line of White Rock Trail, north of Walnut Hill Lane

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

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

Councilmember Allen moved to close the public hearing, approve Specific Use Permit No. 1779 with the following amendment:

- Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

and pass the ordinance.

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

Assigned ORDINANCE NO. 27736

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2807

Item 65: Zoning Case Z089-258 (WE)

The consent zoning docket, consisting of agenda items 61-65 and addendum addition consent agenda item 18, was presented for consideration.

A public hearing was called on zoning case Z089-258 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 781 for MF-2(A) Multifamily District uses and an ordinance granting a Specific Use Permit for office/medical clinic uses located on the northeast line of Emerald Isle, north of Garland Road

(The staff and city plan commission recommended approval subject to 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 NOS. 27737 AND 27738

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2808

Item 66: Zoning Case Z089-227 (RB) INDIVIDUAL

A public hearing was called on zoning case Z089-227 (RB), an application for and an ordinance granting a Planned Development District for a General merchandise or food store greater than 3,500 square feet, limited to a food store, Surface parking, and R-7.5(A) Single Family District Uses on property zoned as Planned Development District No. 129, a P(A) Parking District, and an R-7.5(A) Single Family District on property generally bounded by University Boulevard, Inwood Road, Wateka Drive, both sides of Robin Road, and the northwest corner of University Boulevard and Inwood Road

(The staff recommended approval, subject to a development plan, landscape plan, and conditions and the city plan commission recommended Denial)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2809

Item 67: Zoning Case Z089-244 (WE) INDIVIDUAL

A public hearing was called on zoning case Z089-244 (WE), an application for and an ordinance granting a Specific Use Permit for gas drilling and production within Tract 1 of Planned Development District No. 741 for MU-3 Mixed Use District uses and an A(A) Agricultural District and deed restrictions volunteered by the applicant on east of Belt Line Road, north of Hackberry Road

(The staff recommended approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to a site/operation plan for drilling, a site/operation plan for production, and staff's recommended conditions and approval of the deed restrictions volunteered by the applicant.

(The city plan commission recommended approval for a twenty-year period with eligibility for automatic renewal of additional ten-year periods, subject to a site/operation plan for drilling, a site/operation plan for production, 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 Salazar moved to continue the public hearing and hold under advisement until the December 9, 2009 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2810

Item 68: Zoning Case Z089-119 (WE) INDIVIDUAL

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

A public hearing was called on zoning case Z089-119 (WE), an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property within Subarea A of Planned Development District No. 749 for mixed uses, the Baylor University Medical Special Purpose District, located on Worth Street between Hall Street and Washington Street

(The staff and city plan commission recommended approval for a 40-year time period, subject to a site plan, elevation 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.

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

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

Motion seconded by Councilmember Hill.

After discussion, Mayor Pro Tem Caraway called the vote on the motion.

Mayor Pro Tem Caraway declared the motion adopted on a divided vote, with Councilmember Koop voting "No." (Leppert abstain; Medrano absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

09-2810

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Later in the meeting, Councilmember Koop requested to reconsider the vote on the item to record her vote in favor of the item.

Councilmember Atkins moved to reconsider the previous vote on the item to allow Councilmember Koop to record her vote in favor of the item.

Motion seconded by Councilmember Hill.

Mayor Pro Tem Caraway called the vote on Councilmember Atkins' motion to reconsider the item to allow Councilmember Koop to record her vote in favor of the item.

Mayor Pro Tem Caraway declared the motion to reconsider the item was adopted and that Item 68 was before the council for reconsideration. (Leppert abstain; Medrano absent when vote taken)

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

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

Assigned ORDINANCE NO. 27739

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2811

Item 69: Zoning Case Z089-267 (RB) INDIVIDUAL

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

A public hearing was called on zoning case Z089-267 (RB), an application for and an ordinance granting a Specific Use Permit for a Medical clinic on property within the Tract 1a portion of Planned Development District No. 225, H/25, the State Thomas Special Purpose District, on the northwest line of Thomas Avenue, north of Fairmount Street

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

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

Judy Smith-Hearst, 2512 Thomas Ave., representing Friends of State Thomas
Newt Walker, 2519 Thomas Ave., representing Friends of State Thomas
Tom McBride, 2500 State St., representing State Thomas Historic District
Jim Bailey, 2512 State St.

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

Myron E. Mims, 3129 Ross Ave., representing the applicant
Yolanda Lawson, 2600 Thomas Ave., the applicant
Reginald Hurd, 511 N. Greenstone Ln., representing Holloway Estate
Daron Tapscott, 5230 Goodwin Ave., representing the applicant
Joseph White, 1540 Russell Glen Ln., representing the applicant

Councilmember Hunt 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.

Assigned ORDINANCE NO. 27740

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2812

Item 70: Zoning Case Z067-147 (SA) UNDER ADVISEMENT - INDIVIDUAL

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

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

Note: This item was considered by the City Council at public hearings on December 10, 2008, and February 25 and May 27, 2009, and was held under advisement until November 9, 2009, with the public hearing open.

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

Art Anderson, 1210 Elm St., representing Buckley Oil
Louis Okon, 2001 S. Industrial Blvd., representing Okon Metals and Cedars West
John Hargrove, 1903 Rock Island, representing Orr Reed
Paul Hardie, 1119 S. Industrial Blvd., representing Industrial Electric Equipment, Inc.
and Hurt and Hardie, Inc.
Jason Bishop, 133 Meadow Glen, representing International, Inc.
Marcus Wood, 5335 Ridgelawn Dr., representing 318 Cadiz, LP, potential purchaser

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
09-2812
Page 2

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

Dan Thomas, 6008 Oakcrest, representing Bank of the Ozarks

Deputy Mayor Pro Tem Medrano moved to continue the public hearing and hold under advisement until the April 14, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2813

Item 71: A benefit assessment hearing to receive comments on street paving and storm drainage for Stedman Drive from existing concrete pavement north of Stedman Circle to Davenport Road, and at the close of the hearing, authorize an ordinance levying assessments - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Leppert absent when vote taken)

Assigned ORDINANCE NO. 27741

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2814-01

09-2814-02

Item 72: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements for Street Group 03-445, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with SYB Construction Company, Inc., lowest responsible bidder of fifteen (list attached) - Not to exceed \$1,832,758 - Financing: 2003 Bond Funds (\$1,145,247) Water Utilities Capital Improvement Funds (\$674,855) and Water Utilities Capital Construction Funds (\$12,656)

The following individual addressed the city council regarding the item:

Marvin Crenshaw, 5134 Malcolm X Blvd., representing J.B. Jackson, Jr., Institute

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

Motion seconded by Councilmember Neumann and unanimously adopted. (Leppert, Davis, Allen absent when vote taken)

Assigned ORDINANCE NO. 27742

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2815

Oak Cliff Gateway TIF District

Note: Item Nos. 73 and 74
must be considered collectively.

Item 73: A public hearing to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) and the Project Plan and Reinvestment Zone Financing Plan for the Oak Cliff Gateway TIF District to: **(1)** extend the term of the TIF District for a 10 year period from December 31, 2012 to December 31, 2022, effective January 1, 2013; **(2)** decrease taxing jurisdictions participation rate in the 10-year extended term; **(3)** increase the geographic area of the TIF District to include two adjacent properties totaling approximately 30 acres; **(4)** increase the total Oak Cliff Gateway TIF budget from \$5,285,263 NPV (approximately \$13,001,357 total dollars) to \$10,066,977 NPV (approximately \$33,432,572 total dollars), an increase of \$4,781,714, NPV (\$20,431,215 total dollars); **(5)** create a TIF Grant Program within the District; and **(6)** make corresponding modifications to the Oak Cliff Gateway TIF District map and Project Plan - Financing: No cost consideration to the City

Item 74: An ordinance amending Ordinance No. 21466, previously approved on November 11, 1992, as amended, Ordinance No. 23033, previously approved on February 12, 1997 and Ordinance No. 25841, previously approved on January 12, 2005, to reflect these amendments - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 27743

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2816

Oak Cliff Gateway TIF District

Note: Item Nos. 75 and 76
must be considered collectively.

Item 75: Authorize **(1)** a development agreement with Lang Partners, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, and public infrastructure improvements to be located at 1335 North Zang Boulevard in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and **(2)** the Oak Cliff Gateway TIF District Board of Directors to dedicate up to \$5,500,000 from future Oak Cliff Gateway TIF District revenues in accordance with the development agreement - Not to exceed \$5,500,000 - Financing: Oak Cliff Gateway TIF District Funds

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2817

Oak Cliff Gateway TIF District

Note: Item Nos. 75 and 76
must be considered collectively.

Item 76: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to reimburse Lang Partners, LLC up to \$5,500,000 for certain TIF-eligible project costs related to 1335 North Zang Boulevard in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2818

Item 77: 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 Lyda Hunt - Caroline Trusts and GT 94 LP located near the intersection of Willowbrook Lane and Northwest Highway and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Lyda Hunt - Caroline Trusts 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 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 individuals addressed the city council regarding the item:

Elizabeth Mack, 2200 Ross Ave., representing the applicant
Sam Johnson, 3508 Seltzer Dr., **Plano, TX**, professional geoscientist

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

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

Assigned ORDINANCE NO. 27744

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2819

Item 78: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Toluca Avenue (also known as South R.L. Thornton Service Road West) between Granger Street and Louisiana Avenue to Goyens Drive - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Marvin Crenshaw, 5134 Malcolm X Blvd., representing J.B. Jackson, Jr., Institute
B.M. Randolph, P. O. Box 210315

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

Motion seconded by Councilmember Koop and unanimously adopted. (Leppert absent when vote taken)

Assigned ORDINANCE NO. 27745

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2820

Addendum addition 1: Authorize **(1)** the purchase of Virtual Viewer software to conduct research and analysis of police offense records; and **(2)** a three-year service contract for ongoing maintenance and support - Orion Communications, Inc., only proposer - Not to exceed \$202,400 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2821

Addendum addition 2: Authorize **(1)** a Memorandum of Understanding among participating local governments for law enforcement incident data sharing via Dallas County Incident Management Software; and **(2)** Supplemental Agreement No. 1 to the Memorandum of Understanding with Dallas County for Dallas Police Department's access to the Dallas County Incident Management database - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2822

Addendum addition 3: Authorize **(1)** an Interlocal Agreement with Dallas County for the provision of homeless assistance services at the Homeless Assistance Center through Metro Dallas Homeless Alliance through September 30, 2010; **(2)** the receipt and deposit of monthly payments from Dallas County in the amount of \$75,000 for the period October 1, 2009 through September 30, 2010, total amount not to exceed \$900,000; and **(3)** the counting of Dallas County's monthly payments toward Metro Dallas Homeless Alliance's required financial contribution for the management and operation of the Homeless Assistance Center, as provided for in the Management Services Contract, Phase II with Metro Dallas Homeless Alliance - Not to exceed \$900,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2823

Addendum addition 4: A resolution authorizing support of a pre-application waiver for a Texas Department of Housing and Community Affairs' 4% low-income housing tax credit financing for the new construction of the proposed Turner Courts, a 206-unit multifamily development located at 6601 Bexar Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2824

Addendum addition 5: Authorize **(1)** preliminary adoption of Substantial Amendment No. 4 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program to reduce the required acquisition discount from 15% to 1%, to allow for foreclosed unimproved property to be acquired, and to add MAPSCO pages 53, 69, and 69A to the defined Areas of Greatest Need; and **(2)** a public hearing to be held on December 9, 2009 to receive comments on Substantial Amendment No. 4 to the Consolidated Plan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2825

Addendum addition 6: Authorize **(1)** a public hearing to be held on December 9, 2009, to receive comments on amendments to the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan to increase the loan amount from \$5,100,000 to \$5,300,000 to fund a loan for Courtyards at La Reunion, LLC for the acquisition of land located at 2201 Fort Worth Avenue, change project scope of work from rehabilitation to demolition and construction of new apartment units, and increase number of apartment units from 64 to 95 with a decrease from 64 to 59 apartment units deed restricted for 15 years for affordability to families with incomes at 80% or less of Area Median Family Income as established by HUD; and at the close of the public hearing, **(2)** consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan to Courtyards at La Reunion, LLC in an amount not to exceed \$5,300,000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2826

Addendum addition 7: Authorize **(1)** a public hearing to be held on December 9, 2009 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$10,350,000 to fund a loan for Orleans at La Reunion, LLC for the acquisition of property at 2300 Fort Worth Avenue and to fund an interest reserve, tenant relocation costs and site improvements for mixed-use development of 220 apartment units with 44 apartment units deed restricted for 15 years for affordability to families with incomes at 80% or less of Area Median Family Income as established by HUD and retail space; and at the close of the public hearing, **(2)** consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Orleans at La Reunion, LLC in an amount not to exceed \$10,350,000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2827

Addendum addition 8: Authorize **(1)** an application for and acceptance of a American Recovery and Reinvestment Act (ARRA) grant in the amount of \$510,000 from Workforce Solutions of Greater Dallas to be used for environmental quality ongoing city projects for the period November 2009 through February 2010; **(2)** execution of the Fiscal Agency Agreement between the City of Dallas and Workforce Solutions of Greater Dallas; and **(3)** execution of the grant agreement - Not to exceed \$510,000 - Financing: Adult Development Program Grant Funds

Councilmember Margolin requested that addendum addition consent agenda item 8 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 8 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, addendum addition consent agenda item 8 was brought up for consideration.

Councilmember Margolin moved to approve the item.

Motion seconded by Councilmember Jasso and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2828

Addendum addition 9: An ordinance extending the term of Ordinance No. 16240, as amended, which granted a franchise to Lone Star Gas Company, a division of ENSERCH, now known as Atmos Energy Corporation, to extend the contract term for an additional four months - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27746

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2829

Addendum addition 10: Authorize **(1)** the application for and acceptance of a grant from the Office of the Governor, Criminal Justice Division (CJD) under the Justice Assistance Grant (JAG) American Recovery and Reinvestment Act (ARRA) funding for law enforcement technology and camera monitoring staff in an amount not to exceed \$694,672; and **(2)** execution of the grant agreement - Not to exceed \$694,672 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2830

Addendum addition 11: Authorize a month-to-month Residential Property Management Agreement for a period of up to six-months with Devonshire Real Estate and Asset Management, L.P. and DRE Management, Inc. for the operation and management of the Acacia Village Apartments, a 179-unit multi-family complex situated on approximately 178,792 square feet of land near the intersection of Park Lane and Ridgecrest Road to be acquired for the construction of the Vickery Meadows Branch Library, for the period November 9, 2009 through May 8, 2010 - Not to exceed \$400,000 - Financing: 2006 Bond Funds

Councilmember Margolin requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 11 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, addendum addition consent agenda item 11 was brought up for consideration.

Councilmember Margolin moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2831

Addendum addition 12: An ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code, establishing authority and procedures for City Council to grant an application for a variance to the spacing requirements for an alcohol business from a public or private school pursuant to Texas Alcoholic Beverage Code Section 109.33(e) - Financing: No cost consideration to the City

The Assistant City Secretary requested that addendum addition consent agenda item 12 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that addendum addition consent agenda item 12 would be considered as an individual item later in the meeting there being no objection voiced to the Assistant City Secretary's request.

Later in the meeting, addendum addition consent agenda item 12 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Claudia Huerta, 4001 Cathedrol Dr., representing Spence PTA
Jerry Barker, 2741 Larkspur Ln.
Robert A. Martinez, 1024 Oak Meadow Ln., **DeSoto, TX**

Councilmember Natinsky moved to pass the ordinance.

Motion seconded by Councilmember Margolin.

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

Voting Yes: [10] Leppert, Caraway, Jasso, Medrano, Neumann, Atkins, Kadane, Allen, Natinsky, Margolin
Voting No: [5] Hill, Salazar, Davis, Koop, Hunt

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27747

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2832

Chapter 12A of the Dallas City Code

Note: Addendum Item Nos. 13 and 14 must be considered collectively.

Addendum addition 13: An ordinance amending Chapter 12A of the Dallas City Code to: **(1)** provide registration, reporting, recordkeeping, and other requirements for lobbyists appearing before the city; **(2)** establish lobbyist registration fees; and **(3)** provide non-registrant disclosure statement requirements for applicants, property owners, and property purchasers who lobby on designated zoning cases and designated public subsidy matters - Financing: No cost consideration to the City

Councilmember Natinsky moved to amend proposed Section 12A-15.5(c) of Chapter 12A of the Dallas City Code to read:

1. Section 12A-15.5(c)(2)(A) to read “has lobbied for the client in the calendar quarter in which the registration is filed, including the name of each city official contacted by the registrant on behalf of the client with regard to each municipal question and the type of contact made with the city official (in person, telephone call, letter , or electronic mail).”
2. Section 12A-15.5(c)(2)(B) to read “will foreseeably lobby for the client in the calendar quarter in which the registration is filed.”
3. Section 12A-15.5(c)(5) to read “A statement that, by filing the registration, the registrant swears or affirms under penalty of perjury that, to the best of the registrant’s knowledge, ...”
4. Section 12A-15.5(c)(6) to read “If the registrant is a former city official or employee, a statement that, by filing the registration, the registrant swears or affirms that, to the best of the registrant’s knowledge, ...”

In addition, Councilmember Natinsky moved to amend proposed Section 12A-15.6(a) (10) of Chapter 12A of the Dallas City Code to read:

5. Section 12A-15.6(a)(10) to read “A statement that, by filing the non-registrant disclosure statement, the filer swears or affirms under penalty of perjury that, to the best of the filer’s knowledge, ...”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

09-2832

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Further, Councilmember Natinsky moved to amend proposed Section 12A-15.7(b) (6) of Chapter 12A of the Dallas City Code to read:

6. Section 12A-15.7(b)(6) to read “A statement that, by filing the non-registrant disclosure statement, the filer swears or affirms under penalty that, to the best of the filer’s knowledge, ...”

Motion seconded by Mayor Pro Tem Caraway.

By general consensus of the City Council, at the request Mayor Leppert, Section 6.3 of the City Council Rules of Procedures was suspended to allow the following individuals to address the city council:

Bill Dahlstrom, 901 Main St., representing Jackson Walker
Frank Ward III, P. O. Box 50694, representing The Community at Large
Kirk Williams, 5400 Renaissance Tower
Robert Reeves, 900 Jackson St.
William Cothrum, 900 Jackson St.

After discussion, Councilmember Margolin moved to amend the proposed ordinance as follows:

1. Delete reference to Council Assistants and Council Secretaries under the list of city officials.
2. Change registration requirements from five days after the start of lobbying, to read, “five days after the time the application with the city is filed.”

Motion seconded by Councilmember Neumann.

Councilmember Neumann, who seconded Councilmember Margolin’s motion, withdrew his motion.

Councilmember Hunt seconded Councilmember Margolin’s motion to amend the proposed ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

09-2832

Page 3

Councilmember Neumann moved to amend a portion of Councilmember Margolin's motion that required changing registration requirement from five day after the start of lobbying, to read "five days after the time the application with the city is filed," to read "five days after the application is filed, not retroactive."

Motion seconded by Councilmember Salazar.

Councilmember Margolin moved to amend the definition of Municipal Question of the proposed ordinance and delete reference to nominations and appointments.

Motion seconded by Councilmember Neumann.

After further discussion, Councilmember Margolin withdrew her motion to amend the definition of Municipal Question of the proposed ordinance to delete reference to nominations and appointments.

Councilmember Neumann, who seconded the motion, also withdrew his motion.

Mayor Leppert requested by a show of hands whether to accept the motion by Councilmember Margolin to amend the proposed ordinance to delete reference to Council Assistants and Council Secretaries under the list of city officials.

By a show of hands, Councilmember Margolin's motion to amend the proposed ordinance to delete reference to Council Assistants and Council Secretaries under the list of city officials passed.

Mayor Leppert requested by a show of hands whether to accept the motion by Councilmember Margolin to amend the proposed ordinance to change registration requirements from five days after the start of lobbying, to read "five days after the time the application with the city is filed" or Councilmember Neumann's amendment to the proposed ordinance to change registration requirement from five days from the start of lobbying to read "five days after the application is filed, not retroactive."

By a show of hands, Councilmember Margolin's motion to amend the proposed ordinance to change registration from five days after the start of lobbying, to read, 'five days after the time the application with the city is filed passed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

09-2832

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Mayor Leppert called the vote on Councilmember Natinsky motion to amend proposed Section 12A-15.5(c), Section 12A-15.6(a) (10), and Section 12A-15.7(b) (6) of Chapter 12A of the Dallas City Code with Councilmember's Margolin amendments to delete reference to Council Assistants and Council Secretaries under the list of city officials and change registration from five days after the start of lobbying, to read, "five days after the time the application with the city is filed."

Voting Yes: [13] Jasso, Neumann, Caraway, Salazar, Davis, Atkins, Kadane, Allen,
Koop, Natinsky, Margolin, Hunt, Leppert

Voting No: [2] Medrano, Hill

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27748

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2833

Chapter 12A of the Dallas City Code

Note: Addendum Item Nos. 13 and 14 must be considered collectively.

Addendum addition 14: A resolution authorizing an increase in appropriations in the amount of \$134,769, from \$1,381,142 to \$1,515,911 in the City Secretary's Office budget for the implementation of the lobbyist registration program - Not to exceed \$134,769 - Financing: Contingency Reserve Funds

Councilmember Natinsky moved to approve the item.

Motion seconded by Mayor Pro Tem Caraway.

After discussion, Mayor Leppert called the vote on Councilmember Natinsky's motion.

Voting Yes: [13] Jasso, Neumann, Caraway, Salazar, Davis, Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt, Leppert

Voting No: [2] Medrano, Hill

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2834

Addendum addition 15: An ordinance amending Chapter 15A of the Dallas City Code to restrict the time in which campaign contributions may be made to city council members by applicants in designated zoning cases and designated public subsidy matters and by bidders and proposers on city contracts - Financing: No cost consideration to the City

Mayor Pro Tem Caraway moved to approve the ordinance.

Motion seconded by Councilmember Allen.

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

Voting Yes: [14] Jasso, Medrano, Neumann, Caraway, Salazar, Davis, Atkins, Kadane,
Allen, Koop, Natinsky, Margolin, Hunt, Leppert

Voting No: [1] Hill

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27749

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2835

Addendum addition 16: A resolution amending Section 7 of the City Council Rules of Procedure to require certain main motions on designated zoning cases and designated public subsidy matters to be seconded two times, with each second made by a different council member - Financing: No cost consideration to the City

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Caraway.

Later in the meeting, Councilmember Atkins moved to amend proposed Section 7 of the City Council Rules of Procedure, definition of a Designated Public Subsidy matter as follows:

- (a) A tax abatement of \$500,000 or more
- (b) A housing tax credit of \$5,000,000 or more
- (c) A historic development tax abatement of \$500,000 or more
- (d) Federal grant money administered by the city in the amount of \$200,000 or more
- (e) Tax increment financing of \$1,000,000 or more
- (f) An economic development grant or Loan of \$250,000 or more

Mayor Leppert requested by show of hands whether to accept the motion by Councilmember Atkins to amend the definition of a Designated Public Subsidy matter.

By a show of hands, Councilmember Atkins' motion to amend the definition of a Designated Public Subsidy matter failed.

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

Voting Yes: [12] Leppert, Caraway, Jasso, Medrano, Neumann, Davis, Kadane, Allen,
Koop, Natinsky, Margolin, Hunt

Voting No: [3] Hill, Salazar, Atkins

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2836

Addendum addition 17: A resolution revising the policy guidelines for council members and city officials who are board and commission members concerning the solicitation and acceptance of gifts, tickets, meals, travel, lodging, entertainment, and honoraria to include additional reporting requirements - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 9, 2009

09-2837

Addendum addition 18: Zoning Case Z089-241 (RB)

The consent zoning docket, consisting of agenda items 61-65 and addendum addition consent agenda item 18, was presented for consideration.

A public hearing was called on zoning case Z089-241 (RB), an application for and an ordinance granting a Specific Use Permit for a Transit passenger station or transfer center on property zoned an MF-1(A) Multifamily District an NO(A) Neighborhood Office District and the Subarea B portion of Planned Development District No. 758 on the north line of Walnut Hill Lane, west of White Rock Trail

(The staff and city plan commission recommended approval for a permanent time 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. 27750

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 9, 2009

EXHIBIT C