

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 27, 2010

10-0302

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

PRESENT: [14] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar (\*9:01 a.m.), Davis, Atkins, Kadane, Koop, Natinsky, Margolin, Hunt

ABSENT: [1] Allen (absent on city business)

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

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

The invocation was given by Shawn Zell, Rabbi, Tiferat Israel Congregation.

Councilmember Margolin 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 2:14 p.m.

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Mayor

ATTEST:

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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, JANUARY 27, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 27, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0303

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: William McMurry, 7800 N. Stemmons Fwy.  
REPRESENTING: US Postal Service  
SUBJECT: New post office development for Dallas

SPEAKER: Richard Sheridan, 3022 Forest Ln.  
REPRESENTING: Some Citizens  
SUBJECT: District 13 - Our health care crisis

SPEAKER: Carole Brown, 923 Foxboro Ln.  
REPRESENTING: Dallas Area Interfaith  
SUBJECT: Funding for "Quest: Dallas/Collin" training

**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: Gwain Wooten, 1000 Grigsby Ave.  
SUBJECT: "How will Dallas celebrate Black History Month"

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0304

Item 1: Approval of Minutes of the January 13, 2010 City Council Meeting

Deputy Mayor Pro Tem Medrano moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0305

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-42 and addendum addition consent agenda items 1-11, was presented for consideration.

Mayor Pro Tem Caraway requested that consent agenda item 24 be considered as an individual item. Mayor Leppert stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway's request.

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

Councilmember Neumann requested that addendum addition consent agenda items 2, 3 and 4 be considered as individual items. Mayor Leppert stated that addendum addition consent agenda items 2, 3 and 4 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Davis requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

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

Councilmember Koop 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 Koop's request.

Councilmember Margolin requested that consent agenda items 6, 34, 35 and addendum addition consent agenda item 4 be considered as individual items. Mayor Leppert stated the consent agenda items 6, 34, 35 and addendum addition consent agenda item 4 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Margolin's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-0305

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Councilmember Kadane moved to approve all items on the consent agenda with the exception of consent agenda items 6, 20, 24, 34, 35 and addendum addition consent agenda items 2, 3, and 4 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0306

Item 2: Authorize a two-year master agreement for sodium hypochlorite - FSTI, Inc., lowest responsible bidder of four - Not to exceed \$172,500 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0307

Item 3: Authorize a two-year master agreement for mobile concrete - Custom Crete/Custom Stone in the amount of \$2,704,982, Southern Star Concrete, Inc. in the amount of \$2,016,080 and Ashley Concrete, LLC in the amount of \$600,870, lowest responsible bidders of four - Total not to exceed \$5,321,932 - Financing: Current Funds (\$2,955,075) and Water Utilities Current Funds (\$2,366,857)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0308

Item 4: Authorize a three-year master agreement for reflective and non-reflective sheeting - 3M Company, lowest responsible bidder of three - Not to exceed \$689,799 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0309

Item 5: Authorize a three-year master agreement for high density polyethylene pipe and fittings for the completion of the Enhanced Leachate Recirculation system at the McCommas Bluff Landfill - Ferguson Enterprises, Inc., lowest responsible bidder of six - Not to exceed \$200,538 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0310

Item 6: Authorize a service contract for the purchase and installation of furniture to complete the renovation of the Children's Center and shipping and receiving area for the inter-library loan at the J. Erik Jonsson Central Library – Intelligent Interiors, Inc. in the amount of \$106,262, Putsi, Inc. dba Cultural Surroundings in the amount of \$47,691, BKM Total Office of Texas, LLC. in the amount of \$24,177 and Wilson Project Management in the amount of \$7,519, lowest responsible bidders of ten - Total not to exceed \$185,649 - Financing: 2003 Bond Funds (~~\$137,958~~ \$138,814) and 2006 Bond Funds (~~\$47,691~~ \$46,835)

Corrected on the addendum to the agenda.

Councilmember Margolin 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 Margolin's request.

Later in the meeting, consent agenda item 6 was brought up for consideration.

Councilmember Margolin moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0311

Item 7: Authorize a one-year service contract, with a one-year renewal option, to provide contractor labor for minor home repairs for the People Helping People Program - Torres Construction, lowest responsible bidder of four - Not to exceed \$123,640 - Financing: 2008-09 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0312

Item 8: Authorize the purchase of three specialized trucks to support the canine search and rescue and swift water rescue teams for Dallas Fire-Rescue - Chastang's Bayou City Ford in the amount \$99,913 and Philpott Motors, Inc. in the amount of \$83,328 through the Houston-Galveston Area Council of Governments - Total not to exceed \$183,241 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0313

Item 9: Authorize settlement of a claim filed by Maria Cardenas, Claim No. 08208894 -  
Not to exceed \$9,700 - Financing: Current Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0314

Item 10: Authorize a two-year lease agreement with City Wide Community Development Corporation for approximately 2,058 square feet of office space located at 3730 South Lancaster Road, Suite 100 to be used by the City Attorney's Office for the South Oak Cliff Community Court office for the period March 1, 2010 through February 29, 2012 - Total not to exceed \$49,392 - Financing: 2008-09 Community Development Block Grant - Recovery Funds (subject to annual appropriations)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0315

**Urban Search and Rescue Task Force**

**Note:** Item Nos. 11 and 12  
must be considered collectively

Item 11: Authorize acceptance of a grant from the Governor's Division of Emergency Management to be used for expenses associated with the purchase of equipment and training of personnel needed to enhance the Urban Search and Rescue Task Force response capabilities for the period September 1, 2009 through August 31, 2011 - Not to exceed \$1,400,000 - Financing: 2009-10 Governor's Division of Emergency Management Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0316

**Urban Search and Rescue Task Force**

**Note:** Item Nos. 11 and 12  
must be considered collectively

Item 12: Authorize (1) a Memorandum of Agreement to provide guidelines, policies, procedures, and responsibilities for participating members of the Dallas sponsored Urban Search and Rescue Task Force; and (2) payment and reimbursement of expenses related to travel, training, and personnel costs incurred by participating task force members and agencies - Not to exceed \$340,000 - Financing: 2009-10 Governor's Division of Emergency Management Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0317

Item 13: Authorize **(1)** a public hearing to be held on February 10, 2010 to receive comments on the proposed private sale by quitclaim deed of two unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Builders of Hope Community Development Corporation, a qualified non-profit organization; and at the close of the public hearing, **(2)** consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0318

Item 14: Authorize **(1)** the acceptance of a grant from the Texas Department of Housing and Community Affairs to provide services to the homeless through the Homeless Housing and Services Program for the period December 16, 2009 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$3,361,364 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0319

Item 15: Authorize an amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2009 through September 30, 2010 - Not to exceed \$393,173, from \$14,081,565 to \$14,474,738 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0320

Item 16: Authorize a three-year agreement with the American National Red Cross for the use of a vacant lot located at Fair Park for a staging and/or shelter site for placement of up to fifteen storage units stocked with disaster relief supplies, vehicles or other assets to respond to a mass disaster for the period January 28, 2010 through January 28, 2013 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0321

Item 17: Authorize a contract for construction of a new pavilion, erosion control improvements and a parking lot at Lakewood Park located at 7000 Williamson Road - Hasen Design Build and Development dba Hasen Construction Services, best value proposer of five - Not to exceed \$674,057 - Financing: 2003 Bond Funds (\$484,792), 2006 Bond Funds (\$159,172) and Capital Gifts, Donation and Development Funds (\$30,093)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0322

Item 18: Authorize **(1)** a contract with C. Green Scaping, LP, lowest responsible bidder of five, in the amount of \$1,966,182 for athletic field improvements, including a baseball field, concession and rest room building, playground improvements, parking lot, trail connection and covered grandstand structures at Randall Park located at 100 South Glasgow Drive; **(2)** the receipt and deposit of funds in the amount of \$1,040,000 from the Dallas Independent School District in the Capital Gifts, Donation and Development Fund; and **(3)** an increase in appropriations in the amount of \$1,040,000 in the Capital Gifts, Donation and Development Fund - Not to exceed \$1,966,182 - Financing: 2003 Bond Funds (\$500,000), 2006 Bond Funds (\$483,091) and Capital Gifts, Donation and Development Funds (\$983,091)

Approved as part of the consent agenda



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0323

Item 19: Authorize a professional services contract with Berkenbile Landscape Architects, Inc. for schematic design through construction administration services for playground replacements at Apache Park located at 701 Apache Lane, Lake Highlands Park located at 9500 Lake Highlands Drive and Sand Springs Park located at 10243 Hillhouse Lane - Not to exceed \$45,822 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0324

Item 20: Authorize a professional services contract with Dan Shipley Architect, Inc. for schematic design through construction administration services for the design of new pavilions at McCree Park located at 9016 Plano Road and at Moss Park located at 2600 Sunset Street - Not to exceed \$61,020 - Financing: 2006 Bond Funds

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

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

Councilmember Jasso moved to approve the item with the following changes:

- That the location for the pavilions proposed for Moss Park in Council District 1 be changed to the Kidd Springs Park located at 700 Canty St. also in Council District 1.

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0325

Item 21: Authorize rescinding the award of Supplemental Agreement No. 1 to the professional services contract with Salcedo Group, Inc., previously approved on October 14, 2009, by Resolution No. 09-2526, for platting services at Oak Cliff Founders Park located at 1300 North Zang Boulevard - Financing: No cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0326

Item 22: Authorize an amendment to the Interlocal Agreement with the Texas Department of Transportation to increase the total allowable project cost for traffic signal improvements at the intersections of Inwood Road and the entrance of St. Paul Hospital, Medical Center Drive, IH 35E Northbound Frontage Road, IH 35E Southbound Frontage Road, Irving Boulevard, Lupo Drive and Conveyor Lane - Not to exceed \$67,232, from \$195,819 to \$263,051 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0327

Item 23: Authorize a contract for the construction of sidewalk improvements and water adjustments for Preston Road (east side) from Royal Lane to Forest Lane - Admiral Concrete Paving Corp., d/b/a Admiral Construction Company, lowest responsible bidder of eleven - Not to exceed \$155,593 - Financing: 2006 Bond Funds (\$148,468) and Water Utilities Capital Construction Funds (\$7,125)

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0328

Item 24: Authorize a professional services contract with HKS, Inc. for architectural and engineering design services to include the finish out of the Upper Level "D" Meeting Rooms and assessment for operational improvements and renovation of existing spaces for the Dallas Convention Center Capital Improvement Program - Not to exceed \$2,616,466 - Financing: 2009 Convention Center Revenue Bonds

Mayor Pro Tem Caraway requested that consent agenda item 24 be considered as an individual item. Mayor Leppert stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway's request.

Later in the meeting, consent agenda item 24 was brought up for consideration.

Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0329

Item 25: Authorize Supplemental Agreement No. 1 to the professional services contract with Brochette, Davis, Drake, Inc. for additional engineering and survey services for Project Petition Group I (list attached) - Not to exceed \$56,328, from \$330,532 to \$386,860 - Financing: 2003 Bond Funds (\$42,093) and 2006 Bond Funds (\$14,235)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0330

Item 26: Authorize Supplemental Agreement No. 1 to the professional services contract with Lina T. Ramey & Associates, Inc. for additional engineering and survey services for Goodnight Lane from Joe Field Road to Royal Lane - Not to exceed \$53,730, from \$216,075 to \$269,805 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0331

Item 27: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Wayne Bynoe and Eva Watkis-Bynoe of approximately 32,187 square feet of land located in Dallas County for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project - Not to exceed \$18,638 (\$16,995 plus closing costs not to exceed \$1,643) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0332

Item 28: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Fausto Martinez and Maria Martinez of approximately 7 acres of land located in Dallas County for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project - Not to exceed \$67,882 (\$64,640 plus closing costs not to exceed \$3,242) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0333

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from RJC Theatres, LLC of approximately 15,761 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$45,126 (\$43,343 plus closing costs not to exceed \$1,783) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0334

Item 30: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Matthew Millard of approximately 122,789 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$72,444 (\$70,470 plus closing costs not to exceed \$1,974) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0335

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Michael Ruibal and Linda Ruibal of seven tracts of land containing a total of approximately 465,546 square feet located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$1,115,000 (\$1,100,000 plus closing costs not to exceed \$15,000) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0336

Item 32: A resolution authorizing the conveyance of a total of approximately 126,368~~9~~ square feet of land to the State of Texas located at Dallas/Fort Worth International Airport near the intersections of State Highway 183 and Valley View Lane and State Highway Business 114 and Dallas Road in exchange for the dedication of a total of approximately ~~126,368~~129,156 square feet of land located near the intersections of North Belt Line ~~Beltline~~ Road and State Highway 161 and State Highway 360 and FAA Boulevard from the State of Texas - Financing: No cost consideration to the City

Corrected on the addendum.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0337

Item 33: A resolution authorizing the City to execute and file deed restrictions on behalf of Dallas/Fort Worth International Airport at the Northwest Cargo area as required by Texas Commission on Environmental Quality Voluntary Clean-up Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0338

Item 34: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 3,520 square feet from Star Productions, Inc. located near the intersection of Live Oak and St. Paul Streets for the Pacific Plaza Park Project - Not to exceed \$392,200 (\$387,200 plus closing cost not to exceed \$5,000) - Financing: 2006 Bond Funds

Councilmember Margolin requested that consent agenda item 34 be considered as an individual item. Mayor Leppert stated that consent agenda item 34 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 34 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0339

Item 35: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 22,801 square feet located near the intersection of Live Oak and St. Paul Streets for the Pacific Plaza Park Project (list attached) - Not to exceed \$2,528,110 (\$2,508,110, plus closing cost not to exceed \$20,000) - Financing: 2006 Bond Funds

Councilmember Margolin requested that consent agenda item 35 be considered as an individual item. Mayor Leppert stated that consent agenda item 35 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 34 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0340

Item 36: An ordinance abandoning a portion of a floodway easement to Prescott Interests, Ltd., the abutting owner, containing approximately 20,608 square feet of land located near the intersection of Preston and Arapaho Roads - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

ORDINANCE NO. 27796

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0341

Item 37: Authorize **(1)** the acceptance of a grant from the Trinity Trust foundation for the design and construction of the Continental Avenue Pedestrian Bridge to be placed in the Continental Avenue Bridge Donation Fund in an amount not to exceed \$10,000,000; **(2)** the City Manager to execute a grant agreement with the Trinity Trust Foundation for reimbursement of costs associated with the design and construction of the Continental Avenue Pedestrian Bridge; **(3)** establishment of appropriations in the amount of \$10,000,000 in the Continental Avenue Bridge Donation Fund; and **(4)** Supplemental Agreement No. 4 in the amount of \$1,335,158 for additional design and project management services for design of the Continental Avenue Pedestrian Bridge to extend the Trinity lakes design for the Trinity River Corridor Project - Total not to exceed \$1,335,158, from \$20,110,860 to \$21,446,018 - Financing: Private Funds (\$1,127,000) and 1998 Bond Funds (\$208,158)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0342

Item 38: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 18,449 square feet of improved land from Brian Famkar and Seyed Moosavi located at the intersection of Lamar Street and Starks Avenue for the Trinity Parkway - Not to exceed \$295,000 (\$290,000 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

JANUARY 27, 2010

10-0343

Item 39: Authorize settlement in lieu of proceeding with condemnation in the lawsuit styled City of Dallas v. Okon Family Partnership, et al, Cause No. cc-08-04118-c, pending in the County Court at Law No. 3, for the acquisition of two tracts of land containing a total of approximately 14.5 acres from the Okon Family Partnership located near the intersection of I.H. 45 and Lamar Street for the Dallas Floodway Extension portion of the Trinity River Corridor Project - Not to exceed \$63,000 (\$60,000 plus closing costs not to exceed \$3,000) - Financing: U. S. Army Corps of Engineers Project Cooperation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0344

Item 40: Authorize settlement in lieu of proceeding with condemnation of an unimproved tract of land containing approximately 18,729 square feet from Shelly R. Borin and Linda K. Garonzik located near the intersection of Lamar Street and I.H. 45 for the Dallas Floodway Extension portion of the Trinity River Corridor Project - Not to exceed \$12,300 (\$10,500 plus closing costs not to exceed \$1,800) - Financing: U.S. Army Corps of Engineers Project Cooperation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0345

Item 41: Authorize a professional services contract with CP&Y, Inc. to provide engineering services for improvements to Transfer Pump Stations 1 and 2 at the East Side Water Treatment Plant - \$949,766 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0346

Item 42: Ratify an emergency purchase of approximately 180 linear feet of 90-inch pipe and twelve repair clamps to repair a raw water transmission pipeline from Lake Ray Hubbard Reservoir to the Eastside Water Treatment Plant - Hanson Pipe Products, Inc.  
- Not to exceed \$276,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0347

10-0348

Item 43: 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 2009-2010 board term updated through JANUARY 27, 2010.

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

Councilmember Koop moved to appoint Robert Asberry, Historian, to the Landmark Commission; J. B. Jones, Registered Voter, to the Reinvestment Zone Fifteen Board (Fort Worth Avenue); and Eric Blue, to the Southern Dallas Development Corporation Board.

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)

Councilmember Koop moved to appoint Brett Ferguson, Vice-Chair, Automated Red Light Enforcement Commission; Mattia James Flabiano, III, Vice-Chair, Landmark Commission; Kenneth Martin, Vice Chair, Reinvestment Zone Four Board (Cedars); and Beverly Tobian, Vice Chair, Reinvestment Zone Nine Board (Vickery Meadows).

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)

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

- 10-5125      LMC   LANDMARK COMMISSION**
- 10-5126      RZ15   REINVESTMENT ZONE FIFTEEN BOARD (FORT WORTH AVENUE)**
- 10-5127      SDD   SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD**
- 10-5128      BOARD OFFICERS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0349

Item 44: Authorize a contract for facility pavement repairs to the Northeast Transfer Station located at 7677 Fair Oaks Avenue, Southwest Transfer Station located at 4610 Westmoreland Road and the McCommas Bluff Landfill located at 5100 Youngblood Road - Master Construction and Engineering, Inc., lowest responsible bidder of three - Not to exceed \$315,832 - Financing: 2006 Bond Funds

Councilmember Neumann moved to defer the item until the August 11, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0350

Item 45: Authorize a Special Economic Development Loan Agreement, and two Commercial Loan Agreements to enhance the quality of life for the residents in the South Dallas/Fair Park Trust Fund target area to provide funding as follows: **(1)** Richard Knight d/b/a the MLK/175 Gateway Project in an amount not to exceed \$92,800; **(2)** Freedom Fashions in an amount not to exceed \$50,000; and **(3)** Namamai Services, LLC in an amount not to exceed \$50,000 - Total not to exceed \$192,800 - Financing: South Dallas/Fair Park Trust Funds

Deleted on the addendum to the agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0351

Item 46: Authorize acquisition of one parcel improved with an occupied residential structure located at 2435 Hooper Street from Aleez Simpson for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program - Not to exceed \$23,500 (\$21,500 plus closing costs not to exceed \$2,000) - Financing: 2002-03 Community Development Block Grant Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

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

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Hill and Councilmember Atkins and unanimously adopted. (Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0352

Item 47: Authorize moving expense and replacement housing payments for Alvie and Birdie White as a result of an official written offer of just compensation to purchase real property at 2414 Hooper Street to be used in conjunction with the Bexar Street Redevelopment Project as part of the Neighborhood Investment Program - Not to exceed \$56,700 - Financing: 2002-03 Community Development Block Grant Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

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

Councilmember Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0353

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda item 48, was presented for consideration.

Agenda item 48 was removed from the consent zoning docket, to be considered as an individual hearing.

~~Agenda item 48: Zoning Case Z090-102 (WE)~~ [**considered individually**]

There were no other zoning consent dockets to be heard.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0354

Item 48: Zoning Case Z090-102 (WE)

The consent zoning docket, consisting of agenda item 48, was presented for consideration.

Councilmember Atkins requested that zoning consent item 48 be considered as an individual item. Mayor Leppert stated that zoning consent item 48 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 Z090-102 (WE), an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-5(A) Single Family District uses on property zoned an R-5(A) Single Family District and a CH Clustered Housing District on the south line of Camp Wisdom Road, between Houston School Road and Lancaster Road

(The staff and city plan commission recommended approval subject to a development plan and conditions

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

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

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

- The minimum side yard for all uses other than single-family is 15 feet

and pass the ordinance.

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

Assigned ORDINANCE NO 27797.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0355

Item 49: Zoning Case Z089-279 (RB) UNDER ADVISEMENT- INDIVIDUAL

A public hearing was called on zoning case Z089-279 (RB), an application for and an ordinance granting a renewal of Specific Use Permit No. 1691 for a Bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest line of Exposition Avenue, east of Ash Lane

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

Note: This item was considered by the City Council at a public hearing on January 13, 2010, and was taken under advisement until January 27, 2010, with the public hearing open.

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

David Gibson, 820 Exposition Ave.  
Gene Dennis, 820 Exposition Ave.

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

Timothy Austin, 2951 N. Camino Lagos, **Grand Prairie, TX**, representing Minc Lounge  
Ulisses Rusher, 839 Exposition Ave., representing (Minc) Tim Austin  
Elease Isom, 21 Misty Pond Dr., **Frisco, TX**, representing Tim Austin (Minc Lounge)  
Woody Rosen, 3809 Parry Ave., representing Minc Lounge  
Selvin DeLeon, 101 S. Walton St., representing Tim Austin  
Christian Ward, representing Trinity Broadcasting Network  
Daniel Prescott, 6540 Victoria Ave., representing Tim Austin  
John Roberts, 4717 Vera Cruz Dr., **Garland, TX**, representing 811-813 Exposition (Landlord)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-0355

Page 2

Councilmember Davis moved to close the public hearing, and approve the Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern with the following conditions:

- The Specific Use Permit terminates one year from April 1, 2010 and the hours of operation will be 12:00 p.m. to 1:00 a.m., Monday through Wednesday, and 8:00 p.m. to 2:00 a.m., Thursday through Sunday.

Motion seconded by Councilmember Atkins and unanimously adopted. (Allen absent on city business)

Assigned ORDINANCE NO 27798.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0356

Item 50: Zoning Case Z089-196 (WE) UNDER ADVISEMENT- INDIVIDUAL

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

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

Note: This item was considered by the City Council at public hearings on August 12, October 14, and December 9, 2009, and was held under advisement until January 27, 2010, with the public hearing open

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

Councilmember Atkins moved to close the public hearing, follow the city plan commission's recommendation for approval and pass the ordinance.

Motion seconded by Councilmember Davis and unanimously adopted. (Allen absent on city business)

Assigned ORDINANCE NOS. 27799 AND 27800

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0357

Item 51: Zoning Case Z090-113 (WE) DESIGNATED ZONING CASES INDIVIDUAL

A public hearing was called on zoning case Z090-113 (WE), an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR industrial Research District located on the east side of Duncanville Road, south of Kiest Boulevard

(The staff recommended denial and the City Plan Commission recommended approval)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

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

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

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

Mark Housewright, 2511 Wedglea Dr., representing J.A.M. Interests, Ltd.

Councilmember Neumann moved to close the public hearing, follow the city plan commission's recommendation for approval and pass the ordinance.

Motion seconded by Mayor Pro Tem Caraway and Councilmember Atkins and unanimously adopted. (Allen absent on city business)

Assigned ORDINANCE NO. 27801

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0358

Item 52: 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 318 Cadiz, L.P., 1817 South Industrial, L.P., Misty Doan, Brian Famkar, Nicole Famkar, Mohammad Pomorooz, Michael Uhrick, Jean Louise Uhrick, Sportatorium Associates, Inc., and JSA Sportatorium, Inc. located near the intersection of Cadiz Street and South Riverfront Boulevard and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to 318 Cadiz, L.P. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

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

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

The following individual addressed the city council regarding the item:

Susan Rainey, 219 Classen Dr., representing 318 Cadiz LP  
Sam Johnson, Professional Geoscientist

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

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

Assigned ORDINANCE NO. 27802

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

Closed Session [**10-0359; HELD**]

6ES

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

- Beverly Davis v. City of Dallas, Civil Action No. 3:08-CV-1123-B
- Roosevelt Holiday v. City of Dallas, et al., Civil Action No. 3:08-CV-2110-D
- City of Dallas v. Thos. S. Byrne Ltd., f/k/a Thos. S. Byrne, Inc. and Halff Associates, Inc. v. Steel Lite Roofing, Inc.; Redland Ins. Co.; J & J Roofing Co.; and Travelers Casualty and Surety Co.; Cause No. 08-01181-1

At 10:38 a.m., Mayor Leppert announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Beverly Davis v. City of Dallas, Civil Action No. 3:08-CV-1123-B
- Roosevelt Holiday v. City of Dallas, et al., Civil Action No. 3:08-CV-2110-D
- City of Dallas v. Thos. S. Byrne Ltd., f/k/a Thos. S. Byrne, Inc. and Halff Associates, Inc. v. Steel Lite Roofing, Inc.; Redland Ins. Co.; J & J Roofing Co.; and Travelers Casualty and Surety Co.; Cause No. 08-01181-1

Mayor Leppert reconvened the city council meeting after the closed session at 1:00 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0360

Addendum addition 1: Authorize (1) the issuance, sale, and delivery of Love Field Airport Modernization Corporation (“LFAMC” or “Issuer”) special facilities revenue bonds in one or more series, guaranteed by Southwest Airlines Co. (“Southwest”), subject to certain parameters; (2) the LFAMC to enter into all agreements and instruments to which the Issuer is a party in connection with the issuance of its bonds, including, but not limited to, a special facility agreement, a trust indenture, and a bond purchase agreement; (3) the LFAMC and its consultants to take all other actions deemed necessary in connection with the issuance of the LFAMC special facilities revenue bonds including the engagement of the bond underwriters, trustee, co-bond counsel, and co-financial advisors; (4) the City Manager to enter into a special facility agreement and a revenue credit agreement; and (5) other actions by the LFAMC and the City Manager deemed necessary in connection with the foregoing - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0361

Addendum addition 2: Authorize **(1)** an acquisition contract for the purchase and implementation of software and hardware for a records management system for Police, Court & Detention Services and Dallas-Fire Rescue to replace the legacy mainframe system in the amount of \$4,910,627; and **(2)** a five-year service contract for maintenance and support for a records management system in the amount of \$2,484,902 - Unisys Corporation, most advantageous proposer of five - Total not to exceed \$7,395,529 - Financing: Current Funds (\$3,153,903) (subject to annual appropriations), Urban Area Security Initiative Grant Funds (\$3,602,385) and 2008 Equipment Acquisition Contractual Obligation Notes (\$639,241)

Councilmember Neumann and Councilmember Atkins requested that addendum addition consent agenda item 2 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 2 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, addendum addition consent agenda item 2 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0362

Addendum addition 3: Authorize the preparation of plans for the issuance of the Combination Tax and Revenue Certificates of Obligation, Series 2010 in an amount not to exceed \$23,000,000; and enacting other provisions in connection therewith - Financing: No cost consideration to the City

Councilmember Neumann and Councilmember Davis requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Davis' request.

Later in the meeting, addendum addition consent agenda item 3 was brought up for consideration.

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

Councilmember Davis moved to approve the item with an amendment to Exhibit A to add the following wording to item (i):

- Of the certificates of obligation notice attached to the resolution to include in item (i) “and including the acquisition of land therefor located at 2610 Anderson Street and 2611 Anderson Street.”

Motion seconded by Councilmember Hill and unanimously adopted. (Neumann abstain; Allen absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0363

Addendum addition 4: Authorize the preparation of plans for the issuance of General Obligation Refunding and Improvement Bonds, Series 2010 in an amount not to exceed \$164,500,000 - Financing: No cost consideration to the City

Councilmember Neumann, Councilmember Koop and Councilmember Margolin 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 Neumann, Councilmember Koop and Councilmember Margolin's request.

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

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

Councilmember Margolin moved to approve the item with the following amendment:

That the City Manager is hereby directed to brief the Budget, Finance and Audit Committee every six months on:

- The savings realized on completed projects of the 2006 Bond Program,
- That the savings be accrued to a separate account, and
- The report include the amount of commercial paper used.

Motion seconded by Councilmember Natinsky.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Hunt voting "No." (Neumann abstain; Allen absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0364

Addendum addition 5:            Authorize a contract with Dallas Area Rapid Transit for the purchase of 450 annual passes in support of the City's 2008 clean air initiative - Not to exceed \$147,951 - Financing: Current Funds (to be reimbursed by participating employees)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0365

**Fiji-Compton Project**

**Note:** Addendum Item Nos. 6 and 7  
must be considered collectively.

Addendum addition 6:

Authorize **(1)** a contract for the construction of paving and drainage improvements for Avenue A, Avenue B, Avenue C, Compton Street, Fran Way, Fiji Street, Sphinx Street, Tonga Street, and associated alleys with Alta Construction Services, Inc., lowest responsible bidder of six; and **(2)** assignment of the construction contract to Sphinx Development Corporation for construction administration and material testing - Not to exceed \$1,818,799 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0366

**Note:** Addendum Item Nos. 6 and 7  
must be considered collectively.

**Fiji-Compton Project**

Addendum addition 7: Authorize Amendment No. 2 to the Development Agreement with Sphinx Development Corporation to revise the payment method of the construction contract - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0367

**Note:** Addendum Item Nos. 8, 9 and 10  
must be considered collectively.

**Katy Trail, Phase III**

Addendum addition 8: Authorize **(1)** a contract with JRJ Paving, L.P., lowest responsible bidder of eleven, for construction of Katy Trail, Phase III from McCommas Street to Sandhurst Street in an amount not to exceed \$809,298; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$647,438; and **(3)** an increase in appropriations in the amount of \$647,438 in the Capital Projects Reimbursement Fund - Total not to exceed \$809,298 - Financing: 1998 Bond Funds (\$161,860) and Capital Projects Reimbursement Funds (\$647,438)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0368

**Note:** Addendum Item Nos. 8, 9 and 10  
must be considered collectively.

**Katy Trail, Phase III**

Addendum addition 9: Authorize a license agreement with Dallas Area Rapid Transit for the use of DART right-of-way to construct and maintain the proposed Katy Trail, Phase III from Worcola Street to Skillman Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0369

**Note:** Addendum Item Nos. 8, 9 and 10  
must be considered collectively.

**Katy Trail, Phase III**

Addendum addition 10: Authorize a license agreement with ONCOR for the use of ONCOR right-of-way to construct and maintain the proposed Katy Trail, Phase III from Worcola Street to Skillman Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0370

Addendum addition 11:        A resolution declaring an un-developable City-owned tract of land containing approximately 780 square feet located near the intersection of Shady Trail and Southwell Road as unwanted and unneeded and authorize its sale to William B. Jordan, the abutting owner - Revenue: \$5,800

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0371

Addendum addition 12: Authorize **(1)** amendments to the Dallas Development Fund's certificate of formation and bylaws; and **(2)** the City Manager to file the amended certificate of formation with the Secretary of State - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

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

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 27, 2010

10-0372

Addendum addition 13: Authorize a loan in the amount of \$2,000,000 at 2% interest to FC Continental Complex, L.P. for the acquisition of property located at 1810 Commerce Street and for conversion of the vacant commercial building into 199 residential rental units and 5,000 square feet of retail space, in accordance with the Downtown Connection Tax Increment Financing District Project Plan & Reinvestment Zone Financing Plan - Not to exceed \$2,000,000 - Financing: Downtown Connection Tax Increment Financing District Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

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

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Hill and Councilmember Atkins.

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 27, 2010

EXHIBIT C