

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 24, 2010

10-0518

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

PRESENT: [13] Leppert, Caraway, Medrano, Neumann, Hill, Salazar, Davis, Atkins,
Kadane, Allen, Natinsky, Margolin, Hunt

ABSENT: [2] Jasso (absent on city business), Koop (absent on city business)

The meeting was called to order at 9:03 a.m.

The assistant city secretary announced that a quorum of the city council was present.

The invocation was given by Bernard Lamarche, Bishop, Church of Jesus Christ of Latter Day Saints.

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 2:06 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, FEBRUARY 24, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 24, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0519

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

SPEAKER: Eddie Propes, 2639 Exeter
SUBJECT: Juveniles working with property

SPEAKER: Don Gilbreath, 11435 Kleberg Rd.
SUBJECT: Cotton Bowl's Parking

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: William Hopkins, 2011 Leath St.
SUBJECT: The worlds best kept secret

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0520

Item 1: Approval of Minutes of the February 10, 2010 City Council Meeting

Mayor Pro Tem Caraway moved to approve the minutes.

Motion seconded by Councilmember Neumann and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0521

CONSENT AGENDA

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

Councilmember Neumann requested that consent agenda items 3, 4, 45 and addendum addition consent agenda item 2 be considered as individual items. Mayor Leppert stated that consent agenda items 3, 4, 45 and addendum addition consent agenda item 2 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Salazar requested that consent agenda item 10 be considered as an individual item. Mayor Leppert stated that consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

Councilmember Atkins requested that consent agenda item 6 and addendum addition consent agenda item 1 be considered as individual items. Mayor Leppert stated the consent agenda item 6 and addendum addition consent agenda item 1 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Margolin requested that consent agenda item 14 and 44 be considered as individual items. Mayor Leppert stated the consent agenda item 14 and 44 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Atkins moved to approve all items on the consent agenda with the exception of consent agenda items 3, 4, 6, 10, 14, 44, 45 and addendum addition consent agenda items 1 and 2 which would be considered later in the meeting.

Motion seconded by Councilmember Neumann and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0522

Item 2: Authorize a one-year master agreement for body armor vests, alterations and accessories for the Dallas Police Department - GST Public Safety Supply, LLC in the amount of \$581,753, Safariland, LLC in the amount of \$234,690 and GT Distributors, Inc. in the amount of \$3,338, lowest responsible bidders of eight - Total not to exceed \$819,781 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0523

Item 3: Authorize a three-year service contract for maintenance of vacant and residential lots, medians and right-of-ways - Good Earth Corporation, lowest responsible bidder of six - Not to exceed \$6,884,572 - Financing: Current Funds (subject to annual appropriations)

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

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

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0524

Item 4: Authorize a three-year service contract for janitorial services at the Morton H. Meyerson Symphony Center, the Latino Cultural Center, the South Dallas Cultural Center, the Bath House Cultural Center, the Oak Cliff Cultural Center and WRR Radio - TIBH Industries, Incorporated - Not to exceed \$1,430,071 - Financing: Current Funds (\$1,393,642) and WRR Current Funds (\$36,429) (subject to annual appropriations)

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

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

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0525

Item 5: Authorize the purchase of one regenerative air type street sweeper for Aviation - Tymco, Inc. through the Houston-Galveston Area Council of Governments - Not to exceed \$160,924 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0526

Item 6: Authorize Supplemental Agreement No. 1 to increase the service contract with CTJ Maintenance, Inc. for temporary industrial labor for Sanitation Services - Not to exceed \$2,198,816, from \$8,795,266 to \$10,994,082 - Financing: Current Funds

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 Atkins' request.

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

Councilmember Allen moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0527

Item 7: Authorize settlement of the lawsuit styled Tanika Wilkins, as next friend of John Williams, a minor, and Relinda Marcelin-Brown, as next friend of Antonio Marcelin, a minor v. City of Dallas, Cause No. 08-02477-B - Not to exceed \$16,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0528

Item 8: Authorize settlement of a claim filed by the Texas Department of Transportation, Claim No. 09248864, seeking compensation for property damages - Not to exceed \$32,249 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0529

Item 9: Authorize a three-year contract for on-line legal research and associated services utilizing Westlaw for the City Attorney's Office - West, a Thomson Reuters business - Not to exceed \$370,855 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0530

Item 10: Authorize an amendment to the contracts for co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, Inc. (Team A) and Vinson & Elkins, L.L.P. and West and Associates, L.L.P. (Team B) to extend the term of the contracts for a two-year period from February 28, 2010 through February 28, 2012 - Financing: Bond and co-bond counsel fees to be paid from bond proceeds and Water Utilities Current Funds (contingent upon completion of each bond sale)

Councilmember Salazar requested that consent agenda item 10 be considered as an individual item. Mayor Leppert stated that consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

Later in the meeting, consent agenda item 10 was brought up for consideration.

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0531

Item 11: Authorize Supplemental Agreement No. 1 to the consultant contract with the engineering firm of Nelson Architectural Engineers, Inc. for additional expert witness and litigation support services necessary in the lawsuit styled K. Hovnanian Homes, et al. v. VRV Development LP, et al., Cause No. 07-03526-H - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0532

Item 12: Authorize **(1)** a construction contract for Security Enhancements at City Hall with Mart, Inc., lowest responsible bidder of two; and **(2)** an increase in appropriations in the amount of \$331,000, from \$27,788,828 to \$28,119,828 in Equipment and Building Services' budget - Not to exceed \$331,000 - Financing: Contingency Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0533

Item 13: Authorize **(1)** a public hearing to be held on March 10, 2010 to receive comments on the proposed private sale by quitclaim deed of five 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

FEBRUARY 24, 2010

10-0534

Item 14: Authorize (1) recognition of the 2010 police and fire meet and confer team; and (2) establishment of a management meet and confer team - Financing: No cost consideration to the City

Councilmember Margolin requested that consent agenda item 14 be considered as an individual item. Mayor Leppert stated that consent agenda item 14 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 14 was brought up for consideration.

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Salazar.

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

Voting Yes:	[12]	Leppert, Medrano, Neumann, Caraway, Hill, Salazar, Davis, Atkins, Kadane, Allen, Natinsky, Hunt
Voting No:	[1]	Margolin
Absent on city business:	[2]	Jasso, Koop

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0535

Item 15: Authorize an extension through September 30, 2010 for Community Development Block Grant funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0536

Item 16: Authorize a public hearing to be held on March 10, 2010 to receive comments in preparation of the FY 2010-11 Operating, Capital, Grant, and Trust budgets -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0537

Item 17: Authorize **(1)** conveyance to the City of Fort Worth, Texas of a reclaimed waterline easement containing approximately 2,963 square feet of land and a temporary construction easement containing approximately 9,285 square feet of land on property located on the D/FW Airport for the construction and maintenance of reclaimed water and salt water main facilities; and **(2)** the Chief Executive Officer to execute an agreement with American Airlines to permit the easement encroachments upon the leasehold estate - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0538

Item 18: Authorize **(1)** the conveyance to the State of Texas of tracts of land owned by the Cities of Dallas and Fort Worth, containing approximately 137.743 acres, in aggregate, located within the boundaries of the Dallas/Fort Worth International Airport and the conveyance of 0.50 acres of perpetual easements to the State of Texas for the purpose of constructing highway and related improvements to IH 635, SH 114, SH 121, SH 26, International Parkway and surrounding roadways in connection with the “DFW Connector Project”; and **(2)** the approval and execution of an Escrow Agreement between DFW Airport Board and the Cities of Dallas and Fort Worth, Texas providing for deposit of funds for such conveyances into an escrow account pending determination of proper distribution - Financing: No cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0539

Item 19: Authorize a professional services contract with GGO Architects Corporation for schematic design through construction administration services for interior renovations at Campbell Green Recreation Center located at 6900 Campbell Road and a new pavilion at Preston Green Park located at 6900 Duffield Drive - Not to exceed \$89,911 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0540

Item 20: Authorize a professional services contract with JBI Partners, Inc. for schematic design through construction administration services for a security barrier and a foot bridge replacement at Tommie M. Allen Park located at 7071 Bonnie View Road - Not to exceed \$58,295 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0541

Item 21: Authorize a professional services contract with Johnson/McKibben Architects, Inc. for schematic design through construction administration services for replacement of the existing pavilion at Westmoreland Park located at 2523 West Illinois Avenue - Not to exceed \$28,475 - Financing: 2006 Bond Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0542

Item 22: Authorize a professional services contract with Johnson/McKibben Architects, Inc. for schematic design through construction administration services for a new pavilion and parking lot at Lakeland Hills Park located at 2600 St. Francis Avenue - Not to exceed \$58,865 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0543

Item 23: Authorize a professional services contract with La Terra Studio, Inc. for schematic design through construction administration services for the Northaven multipurpose trail - Not to exceed \$458,650 - Financing: 2006 Bond Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0544

Item 24: Authorize Supplemental Agreement No. 1 to the professional services contract with CEI Engineering Associates, Inc. for design of the Five Mile Creek multipurpose trail - Not to exceed \$277,040, from \$82,650 to \$359,690 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0545

Item 25: Authorize a Memorandum of Understanding with the University of Texas Southwestern Medical Center, by and through its Police Department, to define duties and obligations involved with the coordination of law enforcement efforts within jurisdiction boundaries - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0546

Item 26: Authorize a Management Agreement with the Vickery Meadow Management Corporation for the Police Department to monitor a video surveillance camera system located within the Vickery Meadow Improvement District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0547

Item 27: Authorize a professional services contract between the City of Dallas Police Department and Michael K. Winograd and Associates, L.L.C. for the development of a training regimen consistent with the Dallas Police Department's Fusion Center Standard Operating Procedures for the period October 1, 2009 through December 31, 2010 - Not to exceed \$86,940 - Financing: Urban Area Security Initiative 2008 Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0548

Item 28: Authorize a contract for the construction of street paving, storm drainage and water main improvements for Sudbury Drive from Skillman Avenue to Norris Street, Bremen Street from McCommas Boulevard to alley, and alley paving improvements between Kingsbury Street and Winchester Street from Freemont Street to Berryhill Street - SYB Construction Company, Inc., lowest responsible bidder of nine - Not to exceed \$426,219 - Financing: 2003 Bond Funds (\$355,905), Water Utilities Capital Construction Funds (\$1,950), and Water Utilities Capital Improvement Funds (\$68,364)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0549

Item 29: Authorize a design-build contract for the design and pre-construction service phases for Fire Station No. 50, located at 703 West Walton Walker Boulevard - CORE Construction Services of Texas, Inc., best value proposer of four - Not to exceed \$447,200 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0550

Item 30: Authorize Supplemental Agreement No. 1 to the professional services contract with Dannenbaum Engineering Company - Dallas, LLC for additional engineering and survey services necessary for the reconstruction of Fordham Road from Bonnie View Road to Hale Street - Not to exceed \$44,360, from \$307,020 to \$351,380 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0551

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Geneva Sewell Parrish of approximately 3,615 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$7,000 (\$5,132 plus closing costs not to exceed \$1,868) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0552

Item 32: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Colonial Hills Baptist Church of approximately 19,847 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$47,000 (\$44,656 plus closing costs not to exceed \$2,344) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0553

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Colonial Hills Baptist Church of approximately 56,963 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$84,000 (\$81,163 plus closing costs not to exceed \$2,837) - Financing: Water Utilities Capital Improvement Funds (\$10,133)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0554

Item 34: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John Martin Davis, Jr. of approximately 126,723 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$227,852 (\$222,852 plus closing costs not to exceed \$5,000) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0555

Item 35: Authorize settlement in lieu of proceeding with condemnation of approximately 47,497 square feet of land from Kenneth Ray White located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$292,567 (\$288,567 plus closing costs not to exceed \$4,000) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0556

Item 36: Authorize settlement in lieu of proceeding with condemnation for a total of approximately 258,694 square feet of land from Joseph A. Scott and Tina R. Scott located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$131,341 (\$127,841 plus closing costs not to exceed \$3,500) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0557

Item 37: A resolution authorizing the conveyance of an easement and right-of-way containing approximately 536 square feet of land to Oncor Electric Delivery Company, LLC for the construction and maintenance of electric facilities across City-owned land located near the intersection of Teague Drive and Simpson Stuart Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0558

Item 38: A resolution authorizing the conveyance of an easement and right-of-way containing approximately 807 square feet of land to Oncor Electric Delivery Company, LLC for the construction and maintenance of electric facilities across City-owned land located near the intersection of American Way and Camp Wisdom Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0559

Item 39: A resolution authorizing the conveyance of an easement and right-of-way containing approximately 5,736 square feet of land to Oncor Electric Delivery Company, LLC for the construction and maintenance of electric transformer facilities across City-owned land located near the intersection of Alden and Chalmers Avenues - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0560

Item 40: A resolution authorizing the conveyance of storm drainage easements containing a total of approximately 4,244 square feet of land to the City of Rowlett for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Point Royal and Pecan Drives - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0561

Item 41: An ordinance granting a private license to Garland Independent School District for the use of approximately 4,000 square feet of land to install and maintain fiber optic conduits along the Miller Road and Rowlett Road Bridges - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27813

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0562

Item 42: An ordinance abandoning a portion of a storm sewer easement to John Morrow and Julie Morrow, the abutting owners, containing approximately 2,594 square feet of land located near the intersection of Estate Lane and Larchcrest Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27814

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0563

Item 43: An ordinance abandoning a portion of a drainage easement to QuikTrip Corporation, the abutting owner, containing approximately 7,876 square feet of land located near the intersection of Skillman Street and Eastridge Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27815

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0564

Item 44: Authorize payment to the North Central Texas Council of Governments for the City's participation in the FY 09-10 Regional Public Works Program - Not to exceed \$40,955 - Financing: Current Funds (to be reimbursed by Stormwater Drainage Management Funds)

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

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

Councilmember Margolin moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0565

Item 45: Authorize a contract for the installation of water and wastewater mains at 24 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of nine - \$3,977,853 - Financing: Water Utilities Capital Improvement Funds (\$3,939,243) and 2003 Bond Funds (\$38,610)

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

Later in the meeting, consent agenda item 45 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 Allen moved to approve the item.

Motion seconded by Councilmember Akins and unanimously adopted. (Neumann abstain; Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0566

Item 46: Authorize an increase in the contract with Rebcon, Inc. for additional work associated with the drill shaft depth for the foundation of the retaining walls at the White Rock Dam and spillway - Not to exceed \$176,330, from \$16,748,070 to \$16,924,400 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0567

10-0568

Item 47: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

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 FEBRUARY 24, 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 Salazar moved to appoint Lucy Billingsley, Joel Overton Jr., Henry Billingsley, Owns Property in the District; Mario Canizares, Sid Grant, Initial Director; Lucilo Pena, Interest in Property in District, to the Cypress Waters Municipal Management District; and Phil Romano, Stuart Fitts, Owns Property in District; and Larry MacGregor, Agent of Person Covered by Sub-Section, to the Trinity River West Municipal Management District.

Motion seconded by Councilmember Atkins and unanimously adopted. (Jasso, Koop absent on city business)

Councilmember Salazar 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 Atkins and unanimously adopted. (Jasso, Koop absent on city business)

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

10-5148	CPC	CITY PLAN AND ZONING COMMISSION
10-5149	CYP	CYPRESS WATERS MUNICIPAL MANAGEMENT DISTRICT
10-5150	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
10-5151	TRW	TRINITY RIVER WEST MUNICIPAL MANAGEMENT DISTRICT

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0569

Item 48: Authorize the reconstruction on-site of three homes in accordance with the Reconstruction/SHARE Program Statement requirements for properties located at 2029 East Illinois Avenue in the amount of \$93,400, 3322 Alaska Avenue in the amount of \$93,400 and 2612 Harston Street in the amount of \$93,400 - Total not to exceed \$280,200 - Financing: 2008-09 Home Funds (\$238,076) and 2008-09 Community Development Block Grant Funds (\$42,124)

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.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0570

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 49-50, was presented for consideration.

Agenda item 49: Zoning Case Z089-280 (MD)

Agenda item 50: Zoning Case Z089-286 (DC)

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

Councilmember Salazar 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 Hunt and unanimously adopted. (Davis absent when vote taken; Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0571

Item 49: Zoning Case Z089-280 (MD)

The consent zoning docket, consisting of agenda items 49-50, was presented for consideration.

A public hearing was called on zoning case Z089-280 (MD), an application for and an ordinance granting an Historic District Overlay on property zoned R-7.5(A) Single Family District on the east side of Nonesuch Road between Hillside Drive and Westlake Avenue

(The staff and city plan commission recommended approval, subject to preservation criteria)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27816

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0572

Item 50: Zoning Case Z089-286 (DC)

The consent zoning docket, consisting of agenda items 49-50, was presented for consideration.

A public hearing was called on zoning case Z089-286 (DC), a City Council authorized hearing on property zoned IM Industrial Manufacturing with consideration being given to a TH-3(A) Townhouse District or an R-5(A) Single Family District on the north and south sides of Amos Street, west of Crossman Avenue and an ordinance granting an R-5(A) Single Family District

(The staff and city plan commission recommended approval, of an R-5(A) Single Family District)

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. 27817

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0573

Item 51: Zoning Case Z090-111(KB) INDIVIDUAL

A public hearing was called on zoning case Z090-111(KB), an application for and an ordinance granting a Specific Use Permit for installation of a non-premise district activity video board on a property that is zoned Planned Development District No. 619 within the Downtown Special Provision Sign District in an area bound by Akard Street, Main Street, Commerce Street and Ervay Street

(The staff and city plan commission recommended approval, for a six-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.

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

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

Assigned ORDINANCE NO. 27818

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0574

Item 52: A public hearing to receive comments regarding the application for and approval of a fill permit and removal of the floodplain (FP) prefix from 1.98 acres of 8.92 acres of land located at 903 Shadyside Lane, within the floodplain of Stream 5B9, a tributary of White Rock Creek - Fill Permit 08-03 - Financing: No cost consideration to the City

Councilmember Hunt moved to close the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0575

Item 53: A public hearing to receive comments on Substantial Amendment No. 2 to the FY 2009-10 Consolidated Plan for the Reprogramming of (1) 2006-07 Community Development Block Grant Reprogramming Funds from Downtown Mortgage Assistance program to Bexar Street Mixed-Use Project in the amount of \$475,800 and Reconstruction/SHARE Program in the amount of \$1,474,200; and (2) 2009-10 HOME Investment Partnership Program Grant Funds from Reconstruction/SHARE program to Bexar Street Mixed-Use Project \$1,346,200; and at the close of the hearing, authorize final adoption of Substantial Amendment No. 2 to the FY 2009-10 Consolidated Plan - Total not to exceed \$3,296,200 - Financing: 2006-07 Community Development Block Grant Reprogramming Funds (\$1,950,000) and 2009-10 HOME Investment Partnership Program Grant Funds (\$1,346,200)

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."

The following individual addressed the council regarding the item:

Marvin Crenshaw, 5134 Malcolm X Blvd.

Councilmember Davis moved to close the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0576

Item 54: Authorize **(1)** an amendment to Resolution No. 07-3305, previously approved on November 12, 2007, to increase the economic development loan amount from \$300,000 to \$550,000 with Kaminski Holdings, Inc. and change the terms to allow \$150,000 to be forgivable over a five year period and \$400,000 to be repaid over 20 years with 3% interest for construction development financing for the commercial portion of a mixed-use building at 5208 Bexar Street; and **(2)** a housing development loan agreement with Kaminski Holdings, Inc. in the amount of \$550,000 for construction of six affordable rental housing units at 5208 Bexar Street as part of a mixed-use building - Not to exceed \$800,000 - Financing: 2006-07 Community Development Block Grant Reprogramming Funds (\$250,000) and 2009-10 HOME Investment Partnership Program Grant Funds (\$550,000)

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 Salazar and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0577

Item 55: Authorize (1) an amendment to Resolution No. 09-1924, previously approved on August 12, 2009, to increase the economic development loan amount from \$455,000 to \$530,800 and change the terms to a five-year forgivable loan with Hai Tak Enterprises, Inc. for predevelopment costs and development financing for the construction of the retail component of a mixed-use building at 5203 Bexar Street; and (2) a housing development loan agreement with Hai Tak Enterprises, Inc. in the amount of \$796,200 for the construction of nine affordable rental housing units at 5203 Bexar Street as part of a mixed-use building - Not to exceed \$872,000 - Financing: 2006-07 Community Development Block Grant Reprogramming Funds (\$75,800) and 2009-10 HOME Investment Partnership Program Grant Funds (\$796,200)

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 Salazar and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

Closed Session [**10-0578; HELD**]

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

- City of Dallas v. Museum of the American Railroad, Cause No. 10-00957-C

At 11:47 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:

Closed Session

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

Councilmember Hill announced she had a conflict of interest and would abstain from participating in any discussion. Councilmember Hill left the closed session.

- City of Dallas v. Museum of the American Railroad, Cause No. 10-00957-C

Mayor Leppert reconvened the city council meeting after the closed session at 1:20 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0579

Addendum addition 1: Authorize **(1)** an increase in the master agreement for roll carts with Toter, Inc. in the amount of \$2,744,875; and **(2)** a change in the assignment by Toter, Inc. of financing of future purchases under contract from Chase Leasing to Capital One Public Funding, LLC - Total not to exceed \$2,744,875, from \$10,979,500 to \$13,724,375 - Financing: Current Funds

Councilmember Atkins requested that addendum addition consent agenda item 1 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 1 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, addendum addition consent agenda item 1 was brought up for consideration.

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0580

Addendum addition 2: An ordinance amending Chapter 12A of the Dallas City Code to: **(1)** exempt members of municipal management district (MMD) boards from certain provisions of the city's code of ethics to facilitate the operation of the MMDs under state law; and **(2)** require members of MMD boards to comply with the city's financial disclosure requirements - Financing: No cost consideration to the City

Councilmember Neumann 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's request.

Later in the meeting, addendum addition consent agenda item 2 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Jasso, Koop absent on city business)

Assigned ORDINANCE NO. 27819

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0581

Addendum addition 3: Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Places 6 and 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Councilmember Kadane moved to appoint the following individuals to the Dallas/Fort Worth Airport Board, with the term to expire January 31, 2012:

- Place 06, Robert Hsueh
- Place 09, Bernice Washington

Motion seconded by Councilmember Hill and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0582

Addendum addition 4: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Akard Plaza located at 1011 South Akard Street for the acquisition and rehabilitation of the proposed 203-unit multifamily residential development for low income housing - 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 Atkins moved to approve the item.

Motion seconded by Councilmember Hill and Councilmember Davis.

After discussion, Councilmember Natinsky moved to substitute for Councilmember Atkins' motion to deny the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Neumann.

Later in the meeting, Councilmember Atkins moved to withdraw his motion to approve the item.

Councilmember Hill and Councilmember Davis, who seconded the motion, also withdrew their second to the motion.

After further discussion, Councilmember Natinsky moved to amend his previous substitute motion to deny and approve the item contingent upon, among other things, future City Council approval of zoning and substantial community support as determined by the Housing Community Service Director.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-0582

Page 2

Deputy Mayor Pro Tem Medrano and Councilmember Neumann, who seconded motion to deny, accepted to approve the item contingent upon, among other things, future City Council approval of zoning and substantial community support as determined by the Housing Community Service Director.

Mayor Leppert declared the amended motion, unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0583

Addendum addition 5: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Atmos Lofts located at 1900 Jackson Street for the acquisition and rehabilitation of the proposed 107-unit multifamily residential development for low income families - 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."

City Attorney Tom Perkins announced he had a conflict of interest and would abstain from participating in any discussion. City Attorney Tom Perkins left the city council chamber.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Hill and Councilmember Davis and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0584

Addendum addition 6: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Champion Homes at Copperridge located at 5542 Maple Avenue for the acquisition and new construction of the proposed 107-unit multifamily residential development for low income families - 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."

Deputy Mayor Pro Tem Medrano moved to approve the item with the following change:

- Correction of address from 5542 Maple Ave. to 5602 Maple Ave. Block A lot 7 over 5708

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0585

Addendum addition 7: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Evergreen Residences-Jackson located at 2012 Jackson Street for the acquisition and new construction of the proposed 100-unit multifamily residential development for low income housing - 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 Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0586

Addendum addition 8: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Evergreen Residences-Willow located at 3800 Willow Street for the acquisition and new construction of the proposed 100-unit multifamily residential development for low income housing - 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."

Deputy Mayor Pro Tem Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0587

Addendum addition 9: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Greenhaus at East Side Apartments located at 4611 East Side Avenue for the acquisition and new construction of the proposed 24-unit multifamily residential development for low income housing - 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."

Deputy Mayor Pro Tem Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0588

Addendum addition 10: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Greenhaus at East Side Apartments located at 4611 East Side Avenue for the acquisition and new construction of the proposed 24-unit multifamily residential development for low income housing - 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 Davis moved to approve the item.

Motion seconded by Councilmember Hill and Councilmember Salazar and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0589

Addendum addition 11: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Hillside West Seniors located at 32 Pinnacle Park Boulevard for the acquisition and new construction of the proposed 130-unit multifamily residential development - 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 Salazar and Councilmember Davis and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0590

Addendum addition 12: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Jackson Square Apartments located at 1701 Jackson Street for the acquisition and new construction of the proposed 100-unit multifamily residential development for low income families - 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 Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0591

Addendum addition 13: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Kleberg Commons located at 12700 Kleberg Road for the acquisition and new construction of the proposed 200-unit multifamily residential development for low income senior housing - 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 Atkins moved to approve the item.

Motion seconded by Councilmember Hill and Councilmember Salazar and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0592

Addendum addition 14: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Prince of Wales SRO Residential Hotel located at 4515 Live Oak Street for the rehabilitation of the proposed 63-unit multifamily residential development for low income housing - 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."

Deputy Mayor Pro Tem Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0593

Addendum addition 15: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Sphinx at Lawnview located at 4120 Lawnview Avenue for the acquisition and new construction of the proposed 130-unit multifamily residential development for low income senior housing - 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 Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0594

Addendum addition 16: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Wynnewood Seniors Housing located at 1500 South Zang Boulevard for the acquisition and new construction of the proposed 140-unit multifamily residential development for low income senior housing - 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 Mayor Pro Tem Caraway and Councilmember Salazar and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0595

Addendum addition 17: Authorize a resolution in support of the Texas Department of Housing and Community Affairs's (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Terrace at Founders Square located at 1400 Englewood Drive and East Tilden Street for the acquisition and new construction of the proposed 172-unit multifamily residential development for low income senior housing - 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."

The following individual addressed the council regarding the item:

John Barr, 203 E. Colorado Blvd.

Councilmember Neumann moved to deny the item.

Motion seconded by Councilmember Allen and Councilmember Natinsky.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0596

Addendum addition 18: Authorize an historic preservation tax exemption for the Stanley Marcus House located at 10 Nonesuch Road for a ten-year period on 100% of the land and structure value - Revenue: First year tax revenue foregone estimated at \$9,468 (Estimated revenue foregone for ten years is \$94,684)

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 Kadane moved to approve the item.

Motion seconded by Councilmember Neumann and Councilmember Atkins and unanimously adopted. (Jasso, Koop absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 24, 2010

10-0597

Zoning Case Z089-254 (RB) DESIGNATED ZONING CASES INDIVIDUAL

Addendum addition 19: A public hearing was called on zoning case Z089-254 (RB), an application for and an ordinance granting an amendment to the conditions for the Subdistrict 4A and 4B portions of Planned Development District No. 714, the West Commerce Street/Ft. Worth Avenue Special Purpose District, in an area generally bounded by both sides of Ft. Worth Avenue between Bahama Drive and Colorado Boulevard

(The staff recommended approval, subject to staff's recommended conditions and the City Plan Commission recommended approval subject to revised conditions)

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 or in favor of the city plan commission's recommendation.

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

- In Subdistricts 4A and 4B, a business school; commercial amusement (inside); furniture store; nursery, garden shop, or plant sales; and theater must be parked in accordance with use regulations in Division 51A-4.200.
- In Subdistrict 4A, a least one parking space per residential unit must be located on the same building site as the residential unit. Any additional required parking spaces must be located on a building site in Subdistrict 4A and within 20 feet of the building site that contains the residential use.
- In Subdistrict 4A, all required parking for a retirement housing use must be located on the same building site as the retirement housing use.

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-0597

Page 2

Motion seconded by Councilmember Kadane and Councilmember Allen and unanimously adopted. (Jasso, Koop absent on city business)

Assigned ORDINANCE NO. 27820

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 24, 2010

EXHIBIT C