

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 12, 2010

10-1182

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

PRESENT: [13] Leppert, Caraway, Medrano, Neumann, Hill (*9:20 a.m.), Salazar (*9:06 a.m.), Davis, Atkins, Kadane, Allen (*9:15 a.m.), Koop, Natinsky, Margolin

ABSENT: [2] Jasso, Hunt

The meeting was called to order at 9:05 a.m.

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

The invocation was given by Councilmember Kadane.

Councilmember Atkins led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered, the city council adjourned at 1:56 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, MAY 12, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 12, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1183

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:

NONE

OPEN MICROPHONE – END OF MEETING

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

SPEAKER: Michael King, 2433 E. Kiest Blvd.
REPRESENTING: Community
SUBJECT: Economic disparities, swimming pools, etc.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1184

Item 1: Approval of Minutes of the April 28, 2010 City Council Meeting.

Councilmember Neumann moved to approve the minutes.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1185

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-50, and addendum addition consent agenda items 1-5, was presented for consideration.

The assistant city secretary announced the following speakers had requested to speak on all items.

Trina Triche, 1818 Corsicana St., concerning consent agenda items 6, 7, 8, 9, 24, 25 and 26

Tim Simpson, 2863 Marjorie Ave., representing United Labor Unions; Local 100, concerning consent agenda item 8

Peter Johnson, 7310 Blackwillow Dr., representing Peter Johnson Institute for non-violence, concerning consent agenda item 8

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

Councilmember Kadane moved to approve all items on the consent agenda with the exception of consent agenda item 9, which would be considered later in the meeting.

Motion seconded by Councilmember Neumann and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1186

Item 2: Authorize a two-year master agreement for the purchase of smoke detectors for homeowners to be installed by Dallas Fire-Rescue - Asset Lighting & Electric, Inc., lowest responsible bidder of eight - Not to exceed \$123,530 - Financing: Centers for Disease Control and Prevention Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1187

Item 3: Authorize a three-year master agreement for after-market automotive parts and light truck parts - Midway Auto Supply, Inc. in the amount of \$1,229,046, Installer Sales & Service in the amount of \$569,000, Stuart Hose & Pipe Co. in the amount of \$330,000, TruckPro, Inc. in the amount of \$287,000, Alterstart Systems, Inc. in the amount of \$189,000, Southwestern International Trucks, Inc. in the amount of \$188,000, Genuine Parts Company dba NAPA Auto Parts in the amount of \$71,700 and Applied Industrial Technologies, TX, L.P. in the amount of \$1,000, lowest responsible bidders of ten - Total not to exceed \$2,864,746 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1188

Item 4: Authorize a five-year service contract for internet database services to assist the Police Department in locating individuals involved in criminal activities - West Government Service in the amount of \$464,154 and LexisNexis Risk & Information Analytics Group, Inc. in the amount of \$356,774, most advantageous proposers of three - Total not to exceed \$820,928 - Financing: Current Funds (\$753,728) (subject to annual appropriations) and Urban Area Security Initiative Grant Funds (\$67,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1189

Item 5: Authorize **(1)** the ratification of eight months of maintenance and technical support services in the amount of \$128,233 with BMC Software, Inc.; and **(2)** a one-year service contract for maintenance and support of the BMC software used to automatically run computer programs and reporting of system failures for mainframe and enterprise applications in the amount of \$153,852 - AttivaSoft, LLC, lowest responsible bidder of two - Total not to exceed \$282,085 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1190

Item 6: Authorize settlement of a claim filed by Allstate Insurance Co., as subrogee of Maria Rojas, Claim No. 09261887, seeking compensation for property damages
- Not to exceed \$18,000 - Financing: Current Funds

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1191

Item 7: Authorize settlement of the lawsuit styled Sheronda Daniels, L.V. Daniels, Sr., and Lillie Rue Daniels each Individually and on Behalf of the Estate of L.V. Daniels, Jr., Deceased v. City of Dallas, Cause No. 07-10340-I - Not to exceed \$200,000 - Financing: Current Funds

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1192

Item 8: Authorize a professional services contract with the law firm of Munck Carter, LLP for legal services necessary to represent the City in the lawsuit styled Leroy White, et al. v. City of Dallas, Civil Action No. 3:09-CV-02395-F - Not to exceed \$250,000 - Financing: Water Utilities Current Funds

The following individuals addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Tim Simpson, 2863 Marjorie Ave., representing United Labor Unions; Local 100

Peter Johnson, 7310 Blackwillow Dr., representing Peter Johnson Institute for non-violence

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1193

Item 9: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Munck Carter, LLP for additional legal services necessary in the lawsuit styled Yi Yin v. City of Dallas, et al., Civil Action No. 3:09-CV-00295-G - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Water Utilities Current Funds

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

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

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Councilmember Hill moved to defer the item until the June 9, 2010 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1194

Item 10: Authorize a construction contract for facility improvements to the McCommas Bluff Landfill located at 5100 Youngblood Road and the Northwest Transfer Station located at 9500 Harry Hines Boulevard - Hasen Design Build and Development, Inc., dba Hasen Construction Services, lowest responsible bidder of five - Not to exceed \$2,602,705 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1195

Item 11: Authorize a professional services contract with IDA Engineering, Inc. to provide independent engineering services for control and comprehensive design/construction projects at 124 City owned facilities (list attached) - Not to exceed \$415,000 - Financing: U. S. Department of Energy Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1196

Item 12: Authorize a design-build contract with MYCON General Contractors, Inc. to provide design-build services for improvements to the Martin Luther King Community Center located at 2922 Martin Luther King, Jr. Boulevard and the West Dallas Multipurpose Center located at 2828 Fish Trap Road - \$344,322 - Financing: 2008-09 Community Development Block Grant Recovery Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1197

- Item 13: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses; **(2)** the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached)
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1198

Item 14: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Frazier Revitalization, Inc. for the construction of affordable houses; **(2)** the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to Frazier Revitalization, Inc.; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1199

Item 15: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Builders of Hope Community Development Corporation for the construction of affordable houses; **(2)** the sale of 7 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1200

Item 16: Authorize renewal of the contract with the Museum of African American Life and Culture to provide an Educational Enrichment Program for low-to moderate-income youth in the southern Dallas area for the period June 7, 2010 through July 23, 2010 - Not to exceed \$46,000 - Financing: 2009-10 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1201

Item 17: Authorize a public hearing to be held on May 26, 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

MAY 12, 2010

10-1202

Item 18: Authorize **(1)** the use of Contingency Reserve Funds for existing contracts with Sigma Environmental Solutions, Inc. and Terracon Consultants, Inc. to conduct corrective actions at five remaining City of Dallas Leaking Petroleum Storage Tank sites as mandated by the Texas Commission on Environmental Quality; and **(2)** an increase in appropriations in the Office of Management Services' budget in the amount of \$250,000, from \$3,249,731 to \$3,499,731 - Not to exceed \$250,000 - Financing: Contingency Reserve Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1203

Item 19: Authorize a contract for the construction of a new playground and connecting walkways at Lawnview Park located at 5500 Scyene Road - Parkscape Construction, Inc., lowest responsible bidder of eight - \$121,543 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1204

Item 20: Authorize a contract for greens and fairways sprigging at Grover C. Keeton Golf Course located at 2323 Jim Miller Road - King Ranch Turfgrass, LP, lowest responsible bidder of two - \$51,770 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1205

Item 21: Authorize a contract for replacement of the existing playground and new connecting walkways at Pemberton Hill Park located at 6424 Elam Road - Wall Enterprises, lowest responsible bidder of nine - \$82,640 - Financing: 2006 Bond Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1206

Item 22: Authorize a professional services contract with Sally Johnson Architect, LLC for schematic design through construction administration services for interior and exterior renovations, roof replacement and heating, ventilation and air conditioning upgrades at Walnut Hill Recreation Center located at 10011 Midway Road - Not to exceed \$206,245 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1207

Item 23: Authorize a Memorandum of Understanding with Jubilee Park and Community Center Corporation, a Texas non-profit corporation, for the City of Dallas to provide staffing and community resources for the Jubilee Park Resource Center
- Financing: No cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1208

Item 24: Authorize an application for the tenth-year continuation of the Dallas Police Department Victim Services grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims, for the period September 1, 2010 through August 30, 2011 - Not to exceed \$52,381 (local match in an amount not to exceed \$15,909 will be required if awarded) - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1209

Item 25: Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad/18 grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile burglary and theft program for the period September 1, 2010 through August 31, 2011 - Not to exceed \$643,374 (local match in the amount of \$125,451 will be required if awarded and an in-kind contribution in the amount of \$517,923 will be provided by the Dallas Police Department) - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1210

Item 26: Authorize **(1)** an application and acceptance of the Commercial Auto Theft Interdiction Squad/17 grant supplement from the Texas Automobile Burglary & Theft Prevention Authority for equipment and vehicles associated with the auto theft program for the period February 24, 2010 through August 31, 2010, and **(2)** execution of the grant agreement - Total not to exceed \$111,170, from \$517,847 to \$629,017 - Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds

The following individual addressed the city council regarding the item:

Trina Triche, 1818 Corsicana St.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1211

Item 27: Authorize **(1)** sidewalk paving for Sidewalk Group 06-140; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 23, 2010, to receive comments (list attached) - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1212

Item 28: Authorize a professional services contract with BDS Technologies, Inc. for the engineering design of the Bexar Street Employment Center, Street Group III, consisting of 7 street reconstruction projects (list attached) - Not to exceed \$476,119 - Financing: 2008-09 Community Development Block Grant Funds (\$254,841), 2009-10 Community Development Block Grant Funds (\$128,043) and Water Utilities Capital Improvement Funds (\$93,235)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1213

Item 29: Authorize an increase in the construction contract with J.C. Commercial, Inc. for additional work for the Lochwood Branch Library - Not to exceed \$114,008, from \$4,298,623 to \$4,412,631 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1214

Streetscape Infrastructure
Right-of-Way Improvements
Along Flora & South Jack Evans Streets

Note: Item Nos. 30 and 31
must be considered collectively.

Item 30: Authorize the Third Amendment to the Development Agreement with the Dallas Center for the Performing Arts Foundation, Inc., an independent, nonprofit foundation, transferring responsibility and funding for the construction of the streetscape infrastructure right-of-way improvements along Flora Street and South Jack Evans Street bordering the City Performance Hall and Garage Project from Dallas Center for the Performing Arts Foundation, Inc. to the City - Not to exceed (\$325,000), from \$17,779,070 to \$17,454,070 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1215

Streetscape Infrastructure
Right-of-Way Improvements
Along Flora & South Jack Evans Streets

Note: Item Nos. 30 and 31
must be considered collectively.

Item 31: Authorize Supplemental Agreement No. 3 to increase the contract for the Construction Manager at Risk with McCarthy Building Companies, Inc. to construct streetscape infrastructure right-of-way improvements along Flora Street and South Jack Evans Street bordering the City Performance Hall and Garage Project - Not to exceed \$325,000, from \$31,384,455 to \$31,709,455 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1216

Item 32: Authorize partial release of deed restrictions on an approximately 10 acre tract of land to be conveyed by the University of North Texas System to the Dallas Independent School District located near Camp Wisdom and Houston School Roads for construction and operation of the Kathlyn Joy Gilliam Collegiate Academy - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1217

Item 33: Authorize acquisition of, including the exercise of the right of eminent domain, if such becomes necessary, of 5 tracts of land containing a total of approximately 47,250 square feet located on Pennsylvania Avenue between Edgewood and Kimble Streets for the construction of Fire Station No. 6 - Not to exceed \$111,250 (\$102,750 plus closing costs not to exceed \$8,500) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1218

Item 34: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 11900 Marsh Lane, L.P. of approximately 101,828 square feet of land located near the intersection of Marsh Lane and High Vista Drive for the Park Forest Branch Library Project - Not to exceed \$712,000 (\$700,000 plus closing costs not to exceed \$12,000) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1219

Item 35: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kindred Hospitals, LP of approximately 3 acres of land located near the intersection of Forest Lane and Greenville Avenue for the Forest Green Branch Library Project - Not to exceed \$1,702,000 (\$1,690,000 plus closing costs not to exceed \$12,000) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1220

Item 36: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from The Korean Young NAK Presbyterian Church (P.C.A.) of Dallas, Inc. of approximately 150,702 square feet of land located near the intersection of Forest Lane and Nuestra Drive for the Preston Royal Branch Library Project - \$2,663,650 (\$2,650,000 plus closing costs not to exceed \$13,650) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1221

Item 37: Authorize moving expense and rental assistance payments for Trenton Robinson as a result of an official written offer of just compensation to purchase real property at 2436 Easley Street to be used in conjunction with the Bexar Street Redevelopment Project as part of the Neighborhood Investment Program - Not to exceed \$17,050 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1222

Item 38: Authorize moving expense and replacement housing payments for Ruben Bueno and Maria del Consuelo Bueno in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1006 LaSalle Drive for future City facilities - Not to exceed \$20,428 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1223

Item 39: Authorize moving expense and replacement housing payments for Moises Garcia and Herlinda Garcia in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1004 LaSalle Drive for future City facilities - Not to exceed \$42,500 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1224

Item 40: Authorize moving expense and replacement housing payments for Ramiro Ruiz and Sandra Reyes in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 721 LaSalle Drive for future City facilities - Not to exceed \$47,700 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1225

Item 41: Authorize the quitclaim of 43 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$501,521

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1226

Item 42: An ordinance granting a revocable license to The Swiss Avenue Historic District Association for the use of approximately 1,185 square feet of land to use and maintain the existing decorative gates in and on portions of Swiss and Fitzhugh Avenues rights-of-way located near their intersection - Revenue: \$1,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27867

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1227

Item 43: An ordinance granting a revocable license to Milan Ventures, Inc. for the use of approximately 820 square feet of land, to construct and maintain a subsurface grease trap under a portion of Weldon Howell Parkway right-of-way located near its intersection with Preston Road - Revenue: \$1,624 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27868

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1228

Item 44: An ordinance abandoning a combined service meter vault easement to Randall's Food & Drugs, L.P., the abutting owner, containing approximately 450 square feet of land located near the intersection of Inwood Road and Wateka Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27869

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1229

Item 45: An ordinance abandoning a portion of Mooney Avenue to Loshel Company, the abutting owner, containing approximately 24,141 square feet of land located near its intersection with Lamar Street and authorizing the quitclaim - Revenue: \$26,676 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27870

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1230

Item 46: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Long Huynh and Kimyen T. Huynh of an unimproved tract of land containing approximately 21,759 square feet located near the intersection of Lamar and Emery Streets for the Trinity Parkway portion of the Trinity River Corridor Project - Not to exceed \$60,332 (\$57,332 plus closing costs not to exceed \$3,000) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1231

Item 47: Authorize a Memorandum of Agreement with wholesale treated water customers to define wholesale water rate-setting methodology - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1232

Item 48: Authorize Interlocal Agreements with the Trinity River Authority, the North Texas Municipal Water District, and the Tarrant Regional Water District to update and revise the salinity-zone model for Galveston Bay - \$20,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1233

Item 49: Authorize a professional services contract with HDR Engineering, Inc. to provide engineering services associated with process improvements at the Central Wastewater Treatment Plant - Not to exceed \$792,469 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1234

Item 50: Ratify an emergency purchase for the necessary fittings and labor to facilitate the replacement of a 60" isolation valve on the 72" Tawakoni raw water transmission pipeline - Hanson Pipe Products, Inc. - Not to exceed \$30,980 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1235

Item 51: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1236

Item 52: Authorize an increase in the construction contract with Turner Construction Company, assigned to the Dallas Center for the Performing Arts Foundation, Inc., for construction management, for changes to accessibility, electrical, life safety, mechanical, and structural systems for the Annette Strauss Artist Square Project - Not to exceed \$186,035, from \$5,421,847 to \$5,607,882 - Financing: 2003 Bond Funds

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

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Leppert abstain; Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1237

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 53: Authorize an amendment to the Chapter 380 loan agreement with City Wide Community Development Corporation dated August 1, 2008, previously approved on May 28, 2008 by Resolution No. 08-1583, to extend the deadline to commence construction of multi family housing, mixed-use retail and a skills training facility for the Dallas Urban League on sites located at 4343 Lancaster Road and 4411 Lancaster Road in the Lancaster Corridor from 2 years after the date of the loan agreement to 30 months after the date of the loan agreement - 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 Hill moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Salazar and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1238

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 54: Authorize a Chapter 380 grant agreement with the Southern Dallas Development Corporation in an amount not to exceed \$1,000,000 for the Southern Dallas Small Business Loan Program for the benefit of small businesses located in southern Dallas as recommended by the Small Business Working Team of the Mayor's Southern Dallas Task Force to be paid in two installments: \$500,000 in 2010 and \$500,000 in 2011 in accordance with the conditions of the grant agreement - Not to exceed \$1,000,000 - Financing: Public/Private Partnership 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 Allen moved to approve the item.

Motion seconded by Mayor Pro Tem Caraway and Councilmember Hill and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1239

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 55: Authorize an amendment to Resolution No. 09-1102, previously approved on April 22, 2009, to increase the loan amount by \$700,000 on an existing Chapter 380 economic development forgivable loan with Sapphire Road Development, LLC for the acquisition of improved and unimproved properties, located along the Lancaster Corridor Neighborhood Investment Program Area, including associated closing costs, relocation, environmental remediation, demolition, and/or predevelopment costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the area - Not to exceed \$700,000, from \$2,000,000 to \$2,700,000 - Financing: 2006 Bond 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 Hill moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Atkins and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1240

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

Agenda items 56 and 58 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 56: Zoning Case Z089-238(RB)~~ **[considered individually]**

Agenda item 57 Zoning Case Z090-105(RB)

~~Agenda item 58 Zoning Case Z090-126(RB)~~ **[considered individually]**

Agenda item 59 Zoning Case Z090-136(WE)

Agenda item 60 Zoning Case Z090-137(WE)

Agenda item 61 Zoning Case Z090-138(WE)

Agenda item 62 Zoning Case Z090-139(RB)

Agenda item 63 Zoning Case Z090-150(WE)

Agenda item 64 Zoning Case Z090-152(RB)

Agenda item 65 Zoning Case Z090-161(JA)

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

The following individual addressed the city council regarding item:

Neely Kerr, 2306 Millmar Dr., item 59, in favor

Councilmember Neumann 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 Deputy Mayor Pro Tem Medrano and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1241

Item 56: Zoning Case Z089-238 (RB)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

Councilmember Natinsky requested that zoning consent item 56 be considered as an individual item. Mayor Leppert stated that zoning consent item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

A public hearing was called on zoning case Z089-238 (RB), an application for and an ordinance granting renewal of and amendment to Specific Use Permit No. 1682 for an Alcoholic beverage establishment for a Private club-bar on property zoned a CR Community Retail District at the southeast corner of Midway Road and Frankford Road

(The staff recommended Approval for a three-year period, subject to a site plan and staff's recommended conditions and city plan commission recommended Approval for a period to terminate on November 12, 2011, subject to a site plan and conditions)

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

Councilmember Natinsky moved to continue the public hearing and hold under advisement until the May 26, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1242

Item 57: Zoning Case Z090-105(RB)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-105(RB), regarding an application for and an ordinance granting a Planned Development District for a public school and R-7.5(A) Single Family District Uses on property zoned an R-7.5(A) Single Family District on property generally bounded by both sides of Palisade Drive, Prairie Creek Road, Tonawanda Drive, and Greendale Drive

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27871

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1243

Item 58: Zoning Case Z090-126 (RB)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

Councilmember Natinsky requested that zoning consent item 58 be considered as an individual item. Mayor Leppert stated that zoning consent item 58 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

A public hearing was called on zoning case Z090-126 (RB), an application for and an ordinance granting an amendment to Planned Development District No. 202 for certain nonresidential uses on the east line of Preston Road, north of Crownover Court

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

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

Councilmember Natinsky moved to continue the public hearing and hold under advisement until the June 9, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1244

Item 59: Zoning Case Z090-136 (WE)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-136 (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-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District on the northwest corner of Lingo Lane and Millmar Drive

(The staff and city plan commission recommended Approval, subject to a development plan and conditions)

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

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

Neely Kerr, 2306 Millmar Dr.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27872

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1245

Item 60: Zoning Case Z090-137 (WE)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-137 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 667 for a public school other than an open-enrollment charter school and R-10(A) Single Family District uses on the west side of Franklin Street south of Gibbs Williams Road

(The staff recommended Approval, subject to a revised development plan and conditions and city plan commission recommended Approval, subject to a revised development plan and revised conditions)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27873

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1246

Item 61: Zoning Case Z090-138 (WE)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-138 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 639 for a public school other than an open-enrollment charter school and R-10(A) Single Family District uses in an area generally bounded by Merrell Road, Pensive Drive, Altman Drive and Goodyear Drive

(The staff and city plan commission recommended Approval, subject to a revised development plan and conditions)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27874

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1247

Item 62: Zoning Case Z090-139 (RB)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-139 (RB), an application for and an ordinance granting an amendment to Planned Development District No. 84 for a Private school and a school for special education in the northwest quadrant of Royal Lane and the Dallas North Tollway

(The staff and city plan commission recommended Approval, subject to a development/conceptual plan and conditions)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27875

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1248

Item 63: Zoning Case Z090-150 (WE)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-150 (WE), an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District and Specific Use Permit No. 506 for a community service center on the northwest corner of Wright Street and Hampton Road

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

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

Approved as part of the consent zoning docket.

Assigned ORINANCE NO. 27876

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1249

Item 64: Zoning Case Z090-152 (RB)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-152 (RB), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an A(A) Agricultural District on the east line of Tempest Drive, north of Prater Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27877

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1250

Item 65: Zoning Case Z090-161 (JA)

The consent zoning docket, consisting of agenda items 56-65, was presented for consideration.

A public hearing was called on zoning case Z090-161 (JA), an application for and an ordinance granting an Historic District Overlay with additional residential uses, regulations and preservation criteria on property zoned Planned Development District No. 298, Subarea 11 on the southwest corner of Swiss Avenue and Texas Street

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

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. 27878

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1251

Item 66: Zoning Case Z089-203(RB) INDIVIDUAL

A public hearing was called on zoning case Z089-203(RB), an application for the creation of a new subdistrict within the Light Mixed Use Subdistrict portion of Planned Development District No. 631, the West Davis Special Purpose District on the northeast corner of West Davis Street and Dwight Avenue with consideration being given to granting a Machine shop use by Specific Use Permit and an ordinance granting an amendment to the Light Mixed Use Subdistrict within Planned Development District No. 631 and an ordinance granting a Specific Use Permit for a Machine shop use

(The staff recommended Approval of an amendment to the existing Light Mixed Use Subdistrict within Planned Development District No. 631 to permit the requested use by Specific Use Permit, subject to staff's recommended conditions and a revised West Davis Special Purpose District and Subdistrict Boundary Map, and approval of a Specific Use Permit for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions, in lieu of the applicant's request to create a new subdistrict within Planned Development District No. 631 and permitting the requested use by right and city plan commission recommended Approval of an amendment to the existing Light Mixed Use Subdistrict within Planned Development District No. 631 to permit the requested use by Specific Use Permit, subject to conditions and a revised West Davis Special Purpose District and Subdistrict Boundary Map, and approval of a Specific Use Permit for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions, in lieu of the applicant's request to create a new subdistrict within Planned Development District No. 631 and permitting the requested use by right)

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

Councilmember Salazar moved to continue the public hearing and hold under advisement until the May 26, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1252

Item 67: Zoning Case Z090-119(RB) DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z090-119 (RB), an application for and an ordinance granting a Planned Development District for a Private recreation center, club, or area limited to a Public school district athletic complex and R-7.5(A) Single Family District Uses on property zoned R-7.5(A) Single Family District Uses within the northwest quadrant of Military Parkway and Delafield Lane

(The staff and city plan commission recommended Approval, subject to a development plan and 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.

Mayor Pro Tem Caraway moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Hill and Councilmember Atkins and unanimously adopted. (Jasso, Hunt absent)

Assigned ORDINANCE NO. 27879

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1253

Item 68: Zoning Case Z090-129(WE) DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z090-129 (WE), an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and a private recreation center, club or area and R-7.5(A) Single Family District uses on property zoned a CH Clustered Housing District on the south corner of JJ Lemmon Road and Langdon Road

(The staff and city plan commission recommended Approval, subject to a development plans and 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 Atkins moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Hill and Councilmember Salazar and unanimously adopted. (Jasso, Hunt absent)

Assigned ORDINANCE NO. 27880

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1254

Addendum addition 1: Authorize **(1)** the rejection of bids received for Dallas Police Department patrol uniforms; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1255

Addendum addition 2: A resolution designating the absence by Deputy Mayor Pro
 Tem Pauline Medrano as being for "official city business" -
 Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1256

Addendum addition 3: Authorize **(1)** adoption of the preliminary FY 2010-11 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$33,519,811 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$20,352,645; **(b)** HOME Investment Partnerships Program in the amount of \$8,675,460; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$3,722,637; and **(d)** Emergency Shelter Grant in the amount of \$769,069; **(2)** adoption of the proposed FY 2009-10 Reprogramming Budget in the amount of \$2,453,763; and **(3)** a public hearing to be held on June 9, 2010 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1257

Addendum addition 4: Authorize the renewal option of the contract with ACS State and Local Solutions, Inc. for a five-year period for services related to meter operations and the parking management information system for the period June 1, 2010 through May 31, 2015 - Estimated Annual Revenue: \$7,789,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1258

Addendum addition 5: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Meadows Redevelopment, Ltd. of approximately 1,146 square feet of land located near the intersection of Meadow Road and Manderville Lane for Manderville Road Paving and Drainage Improvements - Not to exceed \$35,942 (\$30,942 plus closing costs not to exceed \$5,000) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1259

DESIGNATED PUBLIC SUBSIDY MATTERS

TOD TIF District

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

Addendum addition 6: Authorize **(1)** a development agreement with City Wide Community Development Corporation and/or its affiliates Lancaster Urban Village Residential, LLC; Lancaster Urban Village Garage, LLC; and Lancaster Urban Village Commercial, LLC to dedicate future TIF revenues for an economic development grant and other eligible project costs related to the Lancaster Urban Village located at the southwest corner of Lancaster Road and Ann Arbor Avenue in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District); and **(2)** the TOD TIF District Board of Directors to dedicate up to \$8,492,273 from future TOD TIF District revenues in accordance with the development agreement - Not to exceed \$8,492,273 - Financing: TOD TIF 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 Hill moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Davis and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1260

DESIGNATED PUBLIC SUBSIDY MATTERS

TOD TIF District

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

Addendum addition 7: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) to reimburse City Wide Community Development Corporation and/or its affiliates Lancaster Urban Village Residential, LLC; Lancaster Urban Village Garage, LLC; and Lancaster Urban Village Commercial, LLC up to \$8,492,273 for certain TIF-eligible project costs related to Lancaster Urban Village located at the southwest corner of Lancaster Road and Ann Arbor Avenue in the TOD TIF District - 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 Hill moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Davis and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1261

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 8: Authorize (1) a public hearing to be held on June 23, 2010 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan in the amount not to exceed \$1,000,000 for demolition of existing buildings, site improvements, and loan interest reserve to aid Chicory Court IX, LP, in the development of mixed-use, transit-oriented project located at 5602 Maple Avenue including construction of 107 apartment units deed restricted for persons with incomes at 80% or less of Area Median Family Income as established by HUD and retail space; and at the close of the public hearing, (2) consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan to aid Chicory Court IX, LP, in an amount not to exceed \$1,000,000 - 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 Hill and Councilmember Natinsky and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1262

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 9: Authorize **(1)** a public hearing to be held on June 23, 2010 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan in an amount not to exceed \$1,500,000 for site acquisition, site improvements, and loan interest reserve to aid Kleberg Leased Housing, LP in the construction of 200 apartment units at 12700 Kleberg Road with all apartment units deed restricted for 15 years for affordability to seniors with incomes at 80% or less of Area Median Family Income as established by HUD; and at the close of the public hearing, **(2)** consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan to aid Kleberg Leased Housing, LP in an amount not to exceed \$1,500,000 - 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 Deputy Mayor Pro Tem Medrano and Councilmember Hill and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1263

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 10: Authorize (1) a public hearing to be held on June 23, 2010 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan in an amount not to exceed \$1,500,000 for the demolition of existing buildings, site improvements, relocation costs and loan interest reserve to aid Wynnewood Seniors Housing, LP in the construction of 140 apartment units at 1500 South Zang Boulevard with all apartment units deed restricted for 15 years for affordability to seniors with incomes at 80% or less of Area Median Family Income as established by HUD; and at the close of the public hearing, (2) consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan to aid Wynnewood Seniors Housing, LP in an amount not to exceed \$1,500,000 - 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 Deputy Mayor Pro Tem Medrano and Councilmember Hill and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1264

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 11: Authorize **(1)** a public hearing to be held on June 23, 2010 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan in an amount not to exceed \$1,600,000 for site acquisition, site improvements, and loan interest reserve to aid SDC Lawnview Villas, LP in the construction of 130 apartment units at 4120 Lawnview Avenue with all apartment units deed restricted for 15 years for affordability to seniors with incomes at 80% or less of Area Median Family Income as established by HUD; and at the close of the public hearing, **(2)** consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan to aid SDC Lawnview Villas, LP in an amount not to exceed \$1,600,000 - 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 Deputy Mayor Pro Tem Medrano and Councilmember Hill and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1265

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 12: Authorize (1) a public hearing to be held on June 23, 2010 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$7,400,000 to fund a loan for Lancaster Urban Commercial LLC for land acquisition at the southeast quadrant of the intersection of South Lancaster Road and Ann Arbor Avenue and to fund sitework, a loan interest reserve, and commercial development for a mixed-use, transit-oriented development along the South Lancaster Road corridor across from the Veterans Affairs Medical Center (V.A.); and at the close of the public hearing, (2) consideration of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Lancaster Urban Commercial LLC in an amount not to exceed \$7,400,000 - 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 Hill moved to approve the item.

Motion seconded by Councilmember Davis and Councilmember Atkins and unanimously adopted. (Jasso, Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 12, 2010

10-1266

The Mayor recessed the meeting at 10:12 a.m. and reconvened the meeting at 1:34 p.m.

The City Council attended the Police Memorial Observance at the Dallas Police Memorial Site, 500 South Akard Street at Young Street.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 12, 2010

EXHIBIT C