

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 23, 2010

10-1576
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Caraway (*8:26 a.m.), Medrano, Jasso, Neumann, Hill,
Salazar, Davis, Atkins, Kadane, Allen, Koop, Natinsky, Margolin,
Hunt (*9:12 a.m.)

ABSENT: [0]

The meeting was called to order at 8:02 a.m.

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

The invocation was given by Councilmember Kadane.

Councilmember Hill 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 10:15 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

*** Indicates arrival time after invocation and pledge of allegiance.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 23, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 23, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1577

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: Mary Brooks-Stewart, 4830 Berridge Ln.
REPRESENTING: The Senior Source
SUBJECT: Funding for senior employment program

SPEAKER: Bert Holmes, 4515 W. Lawther Dr.
REPRESENTING: Senior Affairs Commission
SUBJECT: Budget

SPEAKER: Margarita Mendez, 1944 Conner Ln.
REPRESENTING: The Transportation Program
SUBJECT: Budget

SPEAKER: Anita London-Yudin, 7019 Preston Grove Ln.
REPRESENTING: Friends of Senior Affairs
SUBJECT: City budget

SPEAKER: Sharron Boyd, 7855 Meadow Park Dr.
SUBJECT: Dental care for seniors

OPEN MICROPHONE – END OF MEETING

SPEAKER: Lisa E. Campbell, 1219 Walter Dr.
SUBJECT: DHA moving 100 people into Cliff Manor

SPEAKER: Renata Escovar, 2111 Barberry Dr.
SUBJECT: Cliff Manor

SPEAKER: Jada Wooten, 5620 Live Oak Rd.
REPRESENTING: Black history in City of Dallas
SUBJECT: Griggs Park

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

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

SPEAKER: Debbie Dunning, 2314 Barberry Dr.
SUBJECT: DHA moving 100 people into Cliff Manor

SPEAKER: Trina Triche, (Not Provided)
SUBJECT: Government agencies/private agencies

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter Dr.
SUBJECT: Change

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: R.A.W. (Real America Women)
SUBJECT: Mr. & Mrs. Fred Lee Gillis, Georgia Robertson

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1578

Item 1: Approval of Minutes of the June 9, 2010 City Council Meeting

Councilmember Hill moved to approve the minutes.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1579

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-69 and addendum addition consent agenda items 1-24, was presented for consideration.

In accordance with Subsection 7.11 of the City Council Rules of Procedures, the city secretary deferred consideration of consent agenda items 20, 37 and 52 at the request of Councilmember Salazar.

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

Councilmember Neumann 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 Councilmember Neumann's request.

Councilmember Davis requested that consent agenda item 54 be considered as an individual item. Mayor Leppert stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

Councilmember Neumann moved to approve all items on the consent agenda with the exception of consent agenda items 9, 54 and addendum addition consent agenda item 4 which would be considered later in the meeting.

In accordance with Subsection 7.11 of the City Council Rules of Procedure, consent agenda items 20, 37, and 52 were deferred.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1580

Item 2: Authorize **(1)** an application for and acceptance of reimbursement from the Transportation Security Administration (TSA) for the eligible TSA in-line Checked Baggage Inspection System (CBIS) Projects at Dallas Love Field managed by Southwest Airlines in the amount up to \$19,480,000; **(2)** the City Manager to execute an Other Transaction Agreement with the TSA; **(3)** an increase in appropriations for the duration of the CBIS Projects not to exceed \$19,480,000, from \$3,641,850 to \$23,121,850; and **(4)** the transfer of funds from the Aviation Grant Fund to the Trustee, Wells Fargo Bank, National Account in an amount not to exceed \$19,480,000 for the duration of the CBIS Projects - Total not to exceed \$19,480,000 - Financing: Transportation Security Administration (TSA) Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1581

Item 3: Authorize an acquisition contract for the purchase and installation of a digital video microwave system, two digital video recorders, two engine inlet barrier filters and upgrade of two existing camera systems for the Police department's helicopter unit - United Rotorcraft Solutions, most advantageous proposer of four - Not to exceed \$737,614 - Financing: Current Funds (\$7,614) and Urban Area Security Initiative Grant Funds (\$730,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1582

Item 4: Authorize **(1)** a contract for the purchase and installation of control and monitoring equipment, hardware and software to replace the existing Supervisory Control and Data Acquisition system at the White Rock control center in the amount of \$5,880,580; and **(2)** a three-year service contract for maintenance and support in the amount of \$500,499 - Prime Controls, L.P., most advantageous proposer of three - Total not to exceed \$6,381,079 - Financing: Water Utilities Current Funds (\$500,499) (subject to annual appropriations) and Water Utilities Capital Improvement Funds (\$5,880,580)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1583

Item 5: Authorize settlement of the lawsuit styled Sonja Guinn v. City of Dallas, Cause No. 09-05220-C - Not to exceed \$10,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1584

Item 6: A resolution authorizing the deposit of the Commissioners' Award and settlement in lieu of proceeding further with condemnation in City of Dallas v. Excellence 2000, Inc., et al., Cause No. 09-01583-A, pending in the County Court at Law No. 1, for acquisition from Excellence 2000, Inc. of approximately five acres of land located near the intersection of Bonnie View and Highland Hills Drives for the Highland Hills Branch Library - Not to exceed \$100,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1585

Item 7: Authorize the optional redemption of the Sports Arena Project Taxable Special Tax Revenue Bonds, Series 1998B on August 15, 2010 - Not to exceed \$7,320,000 - Financing: Sports Arena Project Surplus Debt Redemption Funds (\$6,728,646) and Sports Arena Debt Service Reserve Funds (\$591,354)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1586

Item 8: Authorize Supplemental Agreement No. 2 to the contract with Advantaged Solutions (AXON Solutions, Inc. as agent) for a two-year service contract to provide continued technical support, which includes equipment repairs, enhancement and maintenance activities and the continued development of a SAP technical support structure for Communication and Information Services - Total not to exceed \$3,242,738, from \$9,538,271 to \$12,781,009 - Financing: Current Funds (\$611,840) and Current Funds (\$2,630,898) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1587

Item 9: Authorize approval of By-Laws for Tax Increment Financing Zone Number Sixteen (Davis Garden TIF District) - Financing: No cost consideration to the City

Councilmember Neumann 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 Councilmember Neumann's request.

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

Councilmember Neumann moved to approve the item with the following change:

- The chairman is appointed by the Mayor subject to council approval.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1588

Item 10: Authorize approval of By-Laws for Tax Increment Financing Zone Number Seventeen (TOD TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1589

Item 11: Authorize Supplemental Agreement No. 1 to the professional services contract with Conley Group, Inc. to provide architectural and engineering services for the renovation of the Municipal Building located at 2014 Main Street - Not to exceed \$110,100, from \$1,142,700 to \$1,252,800 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1590

Item 12: Authorize **(1)** acceptance of the American Recovery and Reinvestment Act of 2009: North Central Texas Alternative Fuel and Advanced Technology Investments Program in the amount of \$2,823,129 from the U. S. Department of Energy to purchase alternative fuel vehicles; fueling infrastructure and training for the period April 14, 2010 through January 29, 2012; and **(2)** execution of the grant agreement - Total not to exceed \$2,823,129 - Financing: U. S. Department of Energy Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1591

Item 13: Authorize **(1)** the release of lien on a secured, no-interest, forgivable loan with Refugee Services of North Texas in the amount of \$119,420; and **(2)** the release of lien on real property located at 4113 Junius Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1592

Item 14: Authorize the second amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2009 through September 30, 2010 - Not to exceed \$1,409,844, from \$14,474,738 to \$15,884,582 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1593

Item 15: Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with Dallas County Health and Human Services to provide additional scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2009 through September 30, 2010 - Not to exceed \$53,500, from \$1,326,800 to \$1,380,300 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1594

Item 16: Authorize **(1)** adoption of the final 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; and **(2)** adoption of the Proposed FY 2009-10 Reprogramming Budget in the amount of \$2,453,763 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1595

Item 17: Authorize a public hearing to be held on August 11, 2010 to receive comments on the proposed use of a portion of Ridgewood Park totaling approximately 41,905 square feet of land for the installation of drainage and flood control structures for the Rush Creek Drainage Improvement Project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1596

Item 18: Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Grand Prairie to provide mutual law enforcement services within specified territorial boundaries dividing the cities of Dallas and Grand Prairie for the period beginning June 23, 2010 until terminated by either party - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1597

Item 19: Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period beginning June 23, 2010 until terminated by either party - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1598

Item 20: Authorize a Landscape Maintenance Agreement with the Texas Department of Transportation for the City to provide supplemental mowing in the parkways and maintain median landscape improvements along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within Texas Department of Transportation right-of-way - Financing: No cost consideration to the City

In accordance with Subsection 7.11 of the City Council Rules of Procedures, the city secretary announced Councilmember Salazar deferred consideration of consent agenda item 20.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1599

Item 21: Authorize a Local Project Advanced Funding Agreement with the Texas Department of Transportation to provide a five-year cost reimbursement of \$300,000 per year for two full-time engineers for engineering labor and overhead related to design review, project coordination and mitigation of traffic congestion during the reconstruction of LBJ Freeway (IH 635) from Luna Road to Central Expressway (US 75) - Not to exceed \$1,500,000 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1600

Item 22: Authorize adoption of the 2010 Schedule "A" Prevailing Wage Rates for public building construction for the City of Dallas as the minimum acceptable on "public works" projects - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1601

Item 23: Authorize adoption of the 2010 Schedule "B" Prevailing Wage Rates for public engineering (Highway/Heavy) construction for the City of Dallas as the minimum acceptable on "public works" projects - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1602

Item 24: Authorize **(1)** the acceptance of a grant from the Texas Commission on Environmental Quality for particulate matter 2.5, carbon monoxide and sulfur dioxide trace gas ambient air monitoring network activities for the period September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$67,587 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1603

Item 25: Authorize **(1)** the acceptance of state grant funds in the amount of \$26,811 from the Texas Commission on Environmental Quality to provide ambient air monitoring activities and maintaining two ambient air monitoring stations in Rockwall County and Dallas County for the period September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$26,811 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1604

Item 26: Authorize the rejection of bids submitted for the Cooling Tower Renovation at Union Station, and 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

JUNE 23, 2010

10-1605

Item 27: Authorize a contract with Estrada Concrete Company, LLC, lowest responsible bidder of six, for the reconstruction of alley paving and storm drainage improvements between Gateridge Drive and Cliffbrook Drive from Hillcrest Road to Cliffbrook Drive - Not to exceed \$215,985 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1606

Item 28: Authorize a contract with Jeske Construction Company, lowest responsible bidder of nine, for the construction of street paving, storm drainage and water main improvements for Street Group 06-614 (list attached) - Not to exceed \$819,839 - Financing: 2006 Bond Funds (\$679,185), Water Utilities Capital Improvement Funds (\$118,397) and Water Utilities Capital Construction Funds (\$22,256)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1607

Item 29: Authorize a contract with North Texas Contracting, Inc., lowest responsible bidder of six, for the construction of streetscape improvements including sidewalk, barrier free ramps, water and wastewater mains for Buckner Boulevard from Bruton Road to Scyene Road - Not to exceed \$3,430,384 - Financing: 2003 Bond Funds (\$1,338,875), Water Utilities Capital Construction Funds (\$21,940) and Water Utilities Capital Improvement Funds (\$2,069,569)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1608

Item 30: Authorize a contract with Weir Bros., Inc., lowest responsible bidder of ten, for the construction of paving, drainage, and water main improvements on Frankford Road from Coit Road to the east city limits - Not to exceed \$1,384,705 - Financing: 2003 Bond Funds (\$1,040,555), Water Utilities Capital Improvement Funds (\$323,670) and Water Utilities Capital Construction Funds (\$20,480)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1609

Item 31: Authorize contracts for the purchase and installation of furniture for the Pleasant Grove Branch Library replacement facility located at 7310 Lake June Road with Libra-Tech Corporation in the amount of \$142,259 and Wilson Office Interiors, LLC in the amount of \$123,779 - Total not to exceed \$266,038 - Financing: 2003 Bond Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1610

Item 32: Authorize **(1)** a professional services contract with PBS&J for the design of Taxiway M Extension/Reconstruction at Love Field in an amount not to exceed \$988,736; and **(2)** an increase in appropriations in the amount of \$1,188,736 for the cost of Civil Engineering Services for Taxiway M Extension/Reconstruction, city administration, construction testing and other owner's costs in the Aviation Capital Construction Fund - Total not to exceed \$1,188,736 - Financing: Aviation Capital Construction Funds (\$891,552) and Passenger Facility Charge Funds (\$297,184)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1611

Item 33: Authorize the first amendment to the contract with Texas Commission on Environmental Quality to: **(1)** accept additional federal grant funds in the amount of \$422,360 to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County; and **(2)** extend the term of the contract for the period September 1, 2010 through August 31, 2011 - Not to exceed \$422,360, from \$277,968 to \$700,328 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1612

Item 34: Authorize **(1)** the first amendment to the contract with the Texas Commission on Environmental Quality to accept additional state grant funds in the amount of \$530,421 to provide air pollution control investigation services and complaint response extending the term of the contract for the period September 1, 2010 through August 31, 2011; **(2)** a local match in an amount not to exceed \$261,252; and **(3)** execution of the first amendment to the grant agreement - Not to exceed \$791,673, from \$791,673 to \$1,583,346 - Financing: Texas Commission on Environmental Quality Grant Funds (\$530,421) and Current Funds (\$261,252) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1613

Item 35: Authorize an increase in the contract with MACVAL Associates, LLC for the construction of barrier free ramp improvements for Barrier Free Ramp Group 06-002 to provide additional quantities needed to install several new ramps and concrete sidewalks at various locations (list attached) - Not to exceed \$99,860, from \$770,608 to \$870,468 - Financing: Capital Assessment Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1614

Item 36: Authorize an increase in the contract with Texas Standard Construction, LTD for additional work related to stormwater drainage modifications, Phase II, at the Fire Maintenance/Training Facility located at 5000 Dolphin Road - Not to exceed \$251,224, from \$2,032,665 to \$2,283,889 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1615

Item 37: An ordinance amending Section 43-136 of Chapter 43 of the Dallas City Code to authorize the Director of Public Works and Transportation to promulgate regulations and operational standards governing the shared use of the public right-of-way by transportation uses (including streetcars) and public service providers - Financing: No cost consideration to the City

In accordance with Subsection 7.11 of the City Council Rules of Procedures, the city secretary announced Councilmember Salazar deferred consideration of consent agenda item 37.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1616

Item 38: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Carol Diane Hass Shelnut, Doyle Edward Shelnut and Marie Hass of approximately 10,062 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$6,554 (\$4,554 plus closing costs not to exceed \$2,000)
- Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1617

Item 39: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Marion B. Jett and June J. Phillips of approximately 5,555 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$8,110 (\$6,110 plus closing costs not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1618

Item 40: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Colette M. Sossaman of approximately 7,305 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$12,159 (\$9,659 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1619

Item 41: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mesquite Landfill TX LP, of approximately 7,799 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$21,562 (\$19,498 plus closing costs not to exceed \$2,064) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1620

Item 42: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Bernie L. Jones of approximately 14,948 square feet of improved land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$42,205 (\$40,000 plus closing costs not to exceed \$2,205) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1621

Item 43: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary from Ola M. Redmon and Frank T. Hawkins of approximately 86,218 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$70,000 (\$64,663 plus closing costs not to exceed \$5,337) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1622

Item 44: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Barbara F. Marshall for a total of approximately 42,336 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$87,114 (\$84,672 plus closing costs not to exceed \$2,442) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1623

Item 45: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Chuck Raleigh of approximately 36,547 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$103,121 (\$100,504 plus closing costs not to exceed \$2,617) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1624

Item 46: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charles L. Raleigh of approximately 46,302 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$181,134 (\$178,103 plus closing costs not to exceed \$3,031) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1625

Item 47: Authorize moving expense and rental assistance payments for Valentin Romero and Maria Sonia Ortega as a result of an official written offer of just compensation to purchase real property at 338 West Tenth Street No. 5 for the North Oak Cliff Branch Library Project - Not to exceed \$15,023 - Financing: 2006 Bonds Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1626

Item 48: Authorize moving expense and replacement housing payments for Arturo Orona and Teresa Orona as a result of an official written offer of just compensation to purchase real property at 7002 Toland Street for the Replacement Fire Station No. 32 Project - Not to exceed \$24,900 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1627

Item 49: Authorize moving expense and rental assistance payments for Teodoro Valente and Maria Gonzalez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1010 LaSalle Drive for future City facilities - Not to exceed \$15,193 - Financing: 2006 Bonds Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1628

Item 50: A resolution authorizing the conveyance of an easement containing approximately 3,603 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of construction and maintenance of electric facilities across City-owned land located near the intersection of Lake June and Houghton Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1629

Item 51: Authorize a boundary adjustment agreement with the City of Balch Springs on property located east of Cheyenne Road between Elam Road and Lake June Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1630

Item 52: An ordinance abandoning a portion of a drainage easement to WXIII/PWM Real Estate Limited Partnership, the abutting owner, containing approximately 8,206 square feet of land located near the intersection of Montfort Drive and Arapaho Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

In accordance with Subsection 7.11 of the City Council Rules of Procedures, the city secretary announced Councilmember Salazar deferred consideration of agenda item 52.

Later in the meeting, Councilmember Salazar moved to undefer and consider agenda item 52.

Motion seconded by Councilmember Jasso.

Mayor Leppert called the vote on Councilmember Salazar's motion to undefer and consider agenda item 52.

The motion was adopted unanimously to undefer and consider agenda item 52.

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 27913

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1631

Item 53: An ordinance abandoning an Estate in Expectancy to JWV Associates, Ltd., the abutting owner, containing approximately 496 square feet of land located near the intersection of Preston Road and Weldon Howell Parkway and authorizing the quitclaim - Revenue: \$99,200 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27914

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1632

Item 54: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 5901 Lamar, LP of approximately 18,157 square feet of land located on Lamar Street near its merging with SM Wright Freeway, for the Dallas Floodway Extension portion of the Trinity River Corridor Project - Not to exceed \$446,000 (\$440,000 plus closing costs not to exceed \$6,000) - Financing: U.S. Army Corps of Engineers Project Cooperation Funds

Councilmember Davis requested that consent agenda item 54 be considered as an individual item. Mayor Leppert stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

Later in the meeting, consent agenda item 54 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1633

Item 55: Authorize the deposit of a Special Commissioners' Award in the lawsuit styled, City of Dallas v. Lanny Gatlin, The Estate of Steve Gatlin, Cause No. 10-01369-D, pending in the County Court at Law No. 4, for acquisition from Lanny Gatlin and the Estate of Steve Gatlin of approximately 55,154 square feet of land located at the intersection of Long Acre Lane and Loop 12 for the Trinity River Corridor Project Audubon Center - Not to exceed \$382,500 (\$378,000 plus closing costs not to exceed \$4,500) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1634

Item 56: Authorize a Memorandum of Agreement with the U.S. Army Corps of Engineers for the relocation of a 30-inch water transmission main in association with improvements to the Rochester Levee, Phase 1, near State Highway 175 (C.F. Hawn Freeway) and Municipal Street - \$800,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1635

Item 57: Authorize a contract for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - AUI Contractors, LLC, lowest responsible bidder of two - \$6,224,800 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1636

Item 58: Authorize a contract for the installation of water and wastewater mains at 16 locations (list attached) - Muniz Construction, Inc., lowest responsible bidder of eleven - \$3,799,515 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1637

Item 59: Authorize a contract for the installation of water and wastewater mains at 28 locations (list attached) - SYB Construction Co., Inc., lowest responsible bidder of eight - \$6,251,883 - Financing: Water Utilities Capital Improvement Funds (\$6,216,943) and 2003 Bond Funds (\$34,940)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1638

Item 60: Authorize a contract for the installation of water and wastewater mains at 36 locations (list attached) - P & E Contractors, Inc., lowest responsible bidder of nine - \$7,611,627- Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1639

Item 61: Authorize a professional services contract with Black & Veatch Corporation to provide engineering services for the East Side Water Treatment Plant water quality improvements - \$2,047,315 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1640

Item 62: Authorize a professional services contract with Carollo Engineers, P.C. to provide engineering services for the Bachman Water Treatment Plant water quality improvements - \$1,163,554 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1641

Item 63: Authorize a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for Elm Fork Water Treatment Plant water quality improvements - \$7,562,770 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1642

Item 64: Authorize a professional services contract with Malcolm Pirnie, Inc. to provide engineering services to perform an interceptor condition assessment, a risk rating study, and to develop a Capital Improvement Program Implementation Plan for gravity wastewater mains 24-inches and larger within Dallas Water Utilities' wastewater collection system - \$4,621,349 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1643

Item 65: Authorize a three-year contract, with one three-year renewal option, with Carrizo Oil & Gas, Inc. to provide untreated water from Lake Lewisville for the period July 1, 2010 through June 30, 2013 in the amount of \$30,191; and for the period July 1, 2013 through June 30, 2016 in the amount of \$29,826 - Total Estimated Revenue: \$60,017

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1644

Item 66: Authorize a thirty-year contract with the City of Farmers Branch to continue providing treated water for the period August 1, 2010 through July 31, 2040 - Estimated Annual Revenue: \$4,500,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1645

Item 67: Authorize a decrease in the contract with United States Geological Survey relating to the City's water supply reservoirs, collection of water quality, and flow data in the Trinity River for the period between October 1, 2009 through September 20, 2010 - Not to exceed (\$16,295), from \$341,342 to \$325,047 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1646

Item 68: Authorize an increase in the contract with Archer Western Contractors, Ltd. for additional work associated with repairs to the non-potable elevated water storage tank at the Central Wastewater Treatment Plant - Not to exceed \$230,871, from \$20,158,304 to \$20,389,175 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1647

Item 69: Authorize Supplemental Agreement No. 4 to the professional services contract with the law firm of Webb & Webb for additional legal services in connection with related matters involving representation of the City of Dallas on water rights pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - Not to exceed \$300,000, from \$1,100,000 to \$1,400,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1648

Item 70: 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 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 JUNE 23, 2010.

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

Councilmember Hill moved to appoint Randall Bryant, representative for Business and Non Profit Management, to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Davis and unanimously adopted.

Councilmember Kadane moved to appoint Ron Chapman, Chair of the Civil Service Board.

Motion seconded by Councilmember Salazar and unanimously adopted.

Councilmember Hill moved to appoint a nominee to an "individual appointment" position in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2011.

Motion seconded by Councilmember Davis and unanimously adopted.

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

10-5233	PAR	PARK AND RECREATION BOARD
10-5234	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD
10-5235		BOARD OFFICER

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1649

Item 71: Authorize a Board of Adjustment application on property with delinquent taxes located at 2628 and 2632 Pennsylvania Avenue - Financing: No cost consideration to the City

Theresa O'Donnell, director of development services, reminded the city council that in accordance with Section 51A-1.104.1 of the development code, city council approval of the waiver would require the favorable vote of two-thirds of all members of the city council.

Councilmember Davis moved to approve the item with the following requirements:

- The parking lot be finished;
- All painting of the building is finished;
- Weatherization of all windows;
- All prepping work is finished inside the unit;
- Has secure doors on the front of the property.

Motion seconded by Councilmember Jasso and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1650

Item 72: Authorize an increase in the Over 65 and Disabled Persons Homestead Property Tax Exemption from \$64,000 to \$70,000 beginning with the ~~2009~~ 2010 tax year
- Estimated Annual Revenue Loss: (\$2,600,000)

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Atkins.

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

Voting Yes: [6] Caraway, Jasso, Hill, Salazar, Davis, Atkins

Voting No: [8] Leppert, Medrano, Neumann, Kadane, Allen, Koop,
Natinsky, Margolin

Absent when vote taken: [1] Hunt

Mayor Leppert declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1651

Item 73: An ordinance granting an amendment to and expansion of Planned Development District No. 741 for mixed uses on property zoned Planned Development District No. 741, Planned Development District No. 387 and an A(A) Agricultural District with SUP No. 3 for a power plant on a portion of the property and with SUP No. 517 for commercial radio transmitting station and towers on a portion of the property, north of Hackberry Road, east of Belt Line Road - Z090-103 - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Neumann and unanimously adopted.

Assigned ORDINANCE NO. 27915

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1652

Item 74: Authorize an amendment to the 10-year real property tax abatement and infrastructure cost participation agreement with TCDFW I-20 II, LP to revise the start of the real tax abatement from January 1, 2010 to on or before January 1, 2012 and to adjust the job creation requirement to coincide with the modified period - 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 Jasso and Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1653

Item 75: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with CCH Lamar Partners I, L.P. in association with the redevelopment of the company's property located at 2901 South Lamar Street - Not to exceed \$100,000 - 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 Kadane, Councilmember Allen and Councilmember Margolin announced they had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Kadane, Councilmember Allen and Councilmember Margolin left the city council chamber.

Councilmember Atkins moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Hill and unanimously adopted. (Kadane, Allen, Margolin abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1654

Davis Garden TIF District

Note: Item Nos. 76 and 77
must be considered collectively

Item 76: Authorize (1) a development agreement with the SLF III /INCAP, LP to dedicate future TIF revenues for eligible project costs related to the Phase 1 construction of a new eastbound frontage road for I-30 that will be located between Cockrell Hill Road and Westmoreland Road in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and (2) the Davis Garden TIF District Board of Directors to dedicate up to \$3,806,503 from future Davis Garden TIF District revenues in accordance with the development agreement - Not to exceed \$3,806,503 - Financing: Davis Garden 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 Neumann moved to approve the item.

Motion seconded by Councilmember Kadane and Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1655

Davis Garden TIF District

Note: Item Nos. 76 and 77
must be considered collectively

Item 77: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse the SLF III /INCAP, LP up to \$3,806,503 for such TIF-eligible project costs related to the Phase 1 construction of the new eastbound frontage road for I-30 in the Davis Garden 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 Neumann moved to approve the item.

Motion seconded by Councilmember Kadane and Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1656

Oak Cliff Gateway TIF District

Note: Item Nos. 78 and 79
must be considered collectively

Item 78: Authorize **(1)** a development agreement with Hydrogen on Tilden, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, and public infrastructure improvements to be located at 265 East Tilden Street in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and **(2)** the Oak Cliff Gateway TIF District Board of Directors to dedicate up to \$3,000,000 from future Oak Cliff Gateway TIF District revenues in accordance with the development agreement - Not to exceed \$3,000,000 - Financing: Oak Cliff Gateway TIF District Funds

In accordance with Subsection 7.11 of the City Council Rules of Procedures, the city secretary announced that Councilmember Neumann deferred consideration of agenda item 78.

Later in the meeting, by general consensus, item 78 was considered by the City Council.

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 defer the item until the August 25, 2010 City Council Agenda Meeting.

Motion seconded by Councilmember Hill and Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1657

Oak Cliff Gateway TIF District

Note: Item Nos. 78 and 79
must be considered collectively.

Item 79: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to reimburse Hydrogen on Tilden, LLC up to \$3,000,000 for certain TIF-eligible project costs related at 265 East Tilden Street in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

In accordance with Subsection 7.11 of the City Council Rules of Procedures, the city secretary announced that Councilmember Neumann deferred consideration of agenda item 79.

Later in the meeting, by general consensus, item 79 was considered by the City Council.

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 defer the item until the August 25, 2010 City Council Agenda Meeting.

Motion seconded by Councilmember Hill and Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1658

Item 80: Authorize the reconstruction on-site of four homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 3503 Weisenburger Drive in the amount of \$93,400, 5180 Lauderdale Street in the amount of \$93,400, 2616 Eugene Street in the amount of \$93,400, and 3027 Seaton Drive in the amount of \$93,400 - Total not to exceed \$373,600 - Financing: 2008-09 Community Development Block Grant Funds

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

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

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Koop and Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1659

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 81–83, was presented for consideration.

Agenda item 81 Zoning Case Z089-145(OTH)

Agenda item 82 Zoning Case Z090-154(RB)

Agenda item 83 Zoning Case Z090-158(RB)

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:

Frances Morgan, 7006 Cliffwood Dr., item 81

Councilmember Atkins 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 Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1660

Item 81: Zoning Case Z089-145 (OTH)

The consent zoning docket, consisting of agenda items 81-83, was presented for consideration.

A public hearing was called on zoning case Z089-145(OTH), an application for and an ordinance granting the renewal of Specific Use Permit No. 1485 for a community service center on property zoned an R-10(A) Single Family District on the northwest corner of Camp Wisdom Road and Hampton Road

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

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

Frances Morgan, 7006 Cliffwood Dr.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27916

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1661

Item 82: Zoning Case Z090-154 (RB)

The consent zoning docket, consisting of agenda items 81-83, was presented for consideration.

A public hearing was called on zoning case Z090-154 (RB), an application for and an ordinance granting a Specific Use Permit for a Private recreation center, club, or area on property zoned an R-5(A) Single Family District, on the north line of Muncie Avenue, west of Harston Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27917

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1662

Item 83: Zoning Case Z090-158 (RB)

The consent zoning docket, consisting of agenda items 81-83, was presented for consideration.

A public hearing was called on zoning case Z090-158 (RB), an application for and an ordinance granting an amendment to Specific Use Permit No. 1477 for an Open enrollment charter school on property zoned an IR Industrial Research District in an area bounded by Westmoreland Road, Love Bird Lane, both sides of Redbird Center Drive, and Red Bird Lane

(The staff and city plan commission recommended approval subject to a revised site/landscape plan)

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. 27918

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1663

Item 84: Zoning Case Z090-145 (RB) INDIVIDUAL

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

A public hearing was called on zoning case Z090-145 (RB), an application for a CR Community Retail District on property zoned an R-5(A) Single Family District on the northeast line of Bonnie View Road, south of Highland Hills Drive

(The staff and city plan commission recommended denial)

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

Michael Coker, 2700 Swiss Ave., representing the applicant
Michael Rodgers Sr., 6245 Balcony Ln.
Daisy Gafford, 5931 Roseville Dr.
Johnnie Goins, 3426 Tioga St., representing precincts 3551 & 3553
Brandon P. Reed, 1823 Garza Ave., representing Southern Dallas
Michael King, 2433 E. Kiest Blvd.
Gwain Wooten, 1000 Grigsby Ave.
Jada Wooten, 5620 Live Oak St.
Ozumba Lnuk-X, 4106 Vineyard Dr.

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

Councilmember Atkins moved to close the public hearing, overrule the City Plan Commission with the ordinance to come back at a later date and the applicant to volunteer deed restrictions.

Motion seconded by Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1664

Item 85: Zoning Case Z090-144 (RB) UNDER ADVISEMENT - INDIVIDUAL

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

A public hearing was called on zoning case Z090-144 (RB), an application for and an ordinance granting an amendment to, and renewal of Specific Use Permit No. 1700 for a Bar, lounge or tavern and an Inside commercial amusement limited to a Class A dance hall on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Main Street, west of Malcolm X Boulevard

Note: This item was considered by the City Council at a public hearing on June 9, 2010, and was taken under advisement until June 23, 2010, with the public hearing open.

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

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

Susan Reese, 8626 Douglas Ave.

Jonathon Hetzel, 7002 Vivian Ave., representing Deep Ellum Foundation & Madison Partners

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

Kim Patton, 2816 Main St.

Kenita Roseman, 2816 Main St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1664

Page 2

Deputy Mayor Pro Tem Medrano moved to close the public hearing and approve the request for a commercial amusement (inside) for a Class A dance hall use, but denial of the request for a bar, lounge or tavern use, with approval of the commercial amusement (inside) use subject to the conditions recommended by the City Plan Commission with the following change to condition 1:

- The only use authorized by this specific use permit is a commercial amusement (inside use) for a class A dance hall. The use is only permitted when sharing floor area with a restaurant with a certificate of occupancy for a restaurant without drive in or drive through service.

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 27919

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1665

Item 86: Zoning Case Z090-126 (RB) UNDER ADVISEMENT - INDIVIDUAL

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

Note: This item was considered by the City Council at public hearings on May 12 and June 9, 2010, and was taken under advisement until June 23, 2010, with the public hearing open.

(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 close the public hearing and approve the city plan commission's recommendation for approval of the amendments to PD 202 with the following additional conditions:

1. Also prohibit the following main uses:
 - Adult day care facility
 - Attached non-premise sign
 - College dormitory, fraternity, or sorority house
 - Country club with private membership
 - Crop production
 - Massage parlor
 - Motor vehicle fueling station
 - Radio, television, or microwave tower
 - Recycling drop-off container
 - Recycling drop-off for special occasion collection

2. One detached monument premise sign with a maximum effective area of 120 square feet, a maximum height of 11.5 feet, and located a minimum of 7.8 feet from the Property line and identified as Sign #1 on the development and landscape plan, is allowed on Lot 15, City Block C/8734. This detached monument sign must comply with the sign elevation shown on the development and landscape plan by October 23, 2010. Slide lettering or other manual process that places different designs, messages, or advertisements on the sign allowed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1665

Page 2

3. One new multi-tenant monument detached premise sign shall replace the existing detached sign located on Lot 16; City Block C/8734 identified as Sign #2 on the development and landscape plan by June 23, 2013. This new sign must comply with the sign elevation shown on the development and landscape plan identified as Sign #2. This sign shall have a maximum effective area of 180 square feet, a maximum height of 15 feet, and minimum setback of 25 feet.
4. The maximum number of detached premise signs on the Property is two.
5. For an animal shelter or clinic without outside runs off-street parking must be provided at a ratio of one space for each 400 square feet of floor area.
6. For purposes of off-street parking and loading, the Property is considered one lot.
7. Compact parking is not allowed.

Motion seconded by Councilmember Koop and unanimously adopted.

Assigned ORDINANCE NO. 27920

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1666

Item 87: Zoning Case Z089-236 (WE) DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z089-236 (WE), an application for and an ordinance granting a Planned Development District for residential uses on property zoned an A(A) Agricultural District, on the north side of Barnes Bridge Road, east of Bobtown Road

(The staff and city plan commission recommended approval subject to a conceptual 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."

Appearing in opposition to city plan commission's recommendation:

Deborah Franklin, 629 Pecan Creek Dr, **Sunnyvale, TX**, representing Franklin Graveyard Preservation
Sherry Sefko, 7933 Deer Trail Dr., representing Town of Sunnyvale
David Byrd, 225 Barnes Bridge Rd., **Sunnyvale, TX**, representing Town of Sunnyvale
Ann Barbier Muehler, 5941 Archie Way

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

Mark Riza, 500 Main St., representing the applicant

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1666

Page 2

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

- A development plan or preliminary plat may not be submitted for any development which includes less than one acre in area until:
 - (1) a traffic impact analysis had been approved by the director; and
 - (2) a development agreement has been approved by the city council that details infrastructure and service provisions and phasing, and assigns cost responsibilities for the provision of emergency services, water, wastewater, and solid waste disposal.

Motion seconded by Councilmember Neumann and Councilmember Koop and unanimously adopted.

Assigned ORDINANCE NO. 27921

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1667

Item 88: Zoning Case Z090-153 (WE) DESIGNATED ZONING CASES - INDIVIDUAL

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

A public hearing was called on zoning case Z090-153 (WE), an application for and an ordinance granting a Specific Use Permit for a private school on property zoned Planned Development District No. 709 for a church and R-16(A) Single Family District uses, on the northwest corner of Hillcrest Road and Willow Lane

(The staff recommended approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions and city plan commission recommended denial without prejudice)

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."

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

Randy Skinner, 2114 Iroquas, representing Hillcrest Church
Elizabeth Wahlquist, 46 Downs Lake Cir.
Lisa Luby Ryan, 3520 Granada Ave., representing Hillcrest Church
Laura Pulis, 630 N. Windomere, representing Coram Deo Academy

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1667

Page 2

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

Darlene Miller, 2506 Fallview Lane, **Carrollton, TX**
Tim Bolton, 6610 Gentle Wind Ln.
Shannon Burton, 2210 Sutton Pl., **Richardson, TX**, representing Coram Deo Academy
Shelley Girtz, 7005 Briar Cove, representing Coram Deo Academy
Jason Aillner, 9427 Trail Hill Dr., representing Coram Deo Academy
Teresa Brand, 12219 Shiremont Dr., representing Hillcrest Church
Mark Brand, 12219 Shiremont Dr., representing Hillcrest Church

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

Tony Krauska, 12324 Archdale Dr., representing Baxter Brinkman
Brenda Time, 6740 Willow Ln.
Nirmala Mathai, 6711 Willow Ln.
Walter Schroen, 6620 Churchill Way
Doug Wilson, 6824 Churchill Way
Kevin Knight, 6726 Churchill Way
Asghar Baharanchi, 6740 Talmadge Ln.
Carol Scott, 6410 Turner Way

Councilmember Koop moved to close the public hearing and deny with prejudice the applicants request for a Specific Use Permit for a Private School with the following statement:

“Given the testimony presented, it is not possible to make the findings required to approve a Specific Use Permit detailed in Section 51A-4.219 of the development code that the use:

- complement or be compatible with the surrounding uses and community facilities; and
- contribute to, enhance, or promote the welfare of the area of request and adjacent properties.”

Motion seconded by Councilmember Hill and Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1668

Item 89: Zoning Case Z067-147 (SA)

DESIGNATED ZONING CASES – UNDER ADVISEMENT - INDIVIDUAL

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

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

Note: This item was considered by the City Council at public hearings on December 10, 2008, and February 25, May 27 and November 9, 2009, and April 14, 2010, and was held under advisement until June 23, 2010, with the public hearing open

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1668

Page 2

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."

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

Art Anderson, 1201 Elm St., representing Buckley Oil
Paul Hardie, 119 S. Riverfront Blvd., representing Industrial Electric Equipment, Inc.
Louis Okon, 2001 S. Riverfront Blvd., representing Okon Metals, Inc.

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

Deputy Mayor Pro Tem Medrano moved to close the public hearing, approve the proposal subject to the ordinance distributed to the City Council, which consolidates the proposed zoning for the area into a single district with a single set of regulations and as a section allowing the continued operation of certain non-conforming industrial uses subject to the compliance and development standards including industrial in-site not potentially incompatible and industrial in-site light manufacturing and the ordinance adopting the zoning change to return to the October 13, 2010, City Council Agenda Meeting.

Motion seconded by Councilmember Neumann and Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1669

Item 90: A public hearing to receive comments regarding an application for the consideration of an amendment to Chapter 51A, Section 51A-4.501, the Dallas Development Code, allowing demolition of historic structures pursuant to a court order; allowing the fire marshal to summarily abate hazards; and re-numbering certain subsections of Section 51A-4.501 and an ordinance granting the amendments

Note: This item was considered by the City Council at a public hearing on May 26, 2010, and was taken under advisement until June 23, 2010, with the public hearing open

(The staff recommended approval and the city plan commission recommended approval subject to Zoning Ordinance Advisory Committee recommendation)

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

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

Todd Howard, 1506 W. Griffin St., representing Preservation Dallas
Judy Hearst, 2512 Thomas Ave., representing Friends of State Thomas Historic District
Scott Potter, 4843 Junius St., representing Preservation Dallas
Veletta Forsythe-Lill, 622 Blair Blvd., Texas Advisor to the National Trust for
Preservation
Virginia McAlester, 5703 Swiss Ave.
Steve Clicque, 6025 Reiger Ave.
Jody Bowers, 5112 Swiss Ave., representing Swiss Avenue Historic District
Michele Colbert, 119 N. Windomere, representing Winnetka Heights Historic District
Joanna L. Hampton, 4924 Tremont St., representing Munger Place Homeowners
Association
Tom Bakewell, 2650 Cedar Springs, representing Gables Residential and Preservation
Dallas

Councilmember Davis moved to close the public hearing, approve the ordinance as recommended by the Housing Committee, a copy of which is attached to this motion and has been distributed to city council members.

Motion seconded by Councilmember Natinsky.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1669

Page 2

After discussion, Councilmember Hunt asked Councilmember Davis if she would accept a friendly amendment to insert “clear and present danger ”for the Fire Marshall to summarily abate.

Councilmember Davis accepted the friendly amendment as part of her motion.

Councilmember Natinsky, who seconded the original motion, also accepted Councilmember Hunt’s friendly amendment.

After further discussion, Mayor Leppert called the vote on Councilmember Davis motion to approve the ordinance as recommended by the Housing Committee, a copy of which is attached to this motion and has been distributed to city council members and to insert “clear and present danger” for the Fire Marshall to summarily abate as modified by Councilmember Hunt’s friendly amendment.

Mayor Leppert declared the motion as modified by the friendly amendment unanimously adopted.

Assigned ORDINANCE NO. 27922

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1670

Item 91: A public hearing to receive comments concerning the creation of the Knox Street Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Knox Street Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize **(1)** a resolution creating the Knox Street Public Improvement District for a period of seven years; **(2)** the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Knox Street Improvement District Corporation, a non-profit corporation as the management entity for the Knox Street Public Improvement District - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

Jay Comstock, 3624 Canyon Oaks Dr., **Carrollton, TX**, representing Weir Investments, L.P.
Rex Morgan, 3210 Oliver St.
Kevin Hickman, 9474 Gatetrail Dr., representing Sarofim Realty Advisors
Lynn Gilliland O'Neil, 4023 Cochran Chapel Rd., representing Gilliland Properties
Jim Greenfield, 5212 Castlewood Rd., representing Censor Realty

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

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1671

Item 92: A public hearing to receive comments on Substantial Amendment No. 5 to the FY 2008-09 Consolidated Plan; and at the close of the hearing, authorize the final adoption of Substantial Amendment No. 5 to the FY2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP) to: **(1)** amend the Program Statement to include a new Activity 4 - Acquisition, Redevelopment and Sale of Foreclosed/Abandon Properties; **(2)** Reprogram \$2,500,000 from Activity 2 - Acquisition, Rehabilitation and Sell/Rent Foreclosed Properties Program (ARSR) to Activity 4 - Acquisition, Redevelopment and Sale of Foreclosed Properties; and **(3)** Reprogram \$1,300,000 from Activity 2 - (ARSR) to Activity 1 - Acquisition, Demolition, Maintenance, Redevelopment and Sale for Land Banking Program (ADR) - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1672

Item 93: A public hearing to receive comments on the proposed private sale by quitclaim deed of one unimproved property acquired by the taxing authorities from the Sheriff's Sale to Forest Heights Neighborhood Development Corporation a qualified non-profit organization; and at the close of the public hearing, authorize **(1)** the private sale under the HB110 process through the Land Transfer Program, as provided for by Section 253.010 of the Texas Local Government Code, by quitclaim deed of one unimproved property acquired by the taxing authorities from the Sheriff's Sale to Forest Heights Neighborhood Development Corporation, a qualified non-profit organization; and **(2)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$2,230

No one addressed the city council on the item.

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

Motion seconded by Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1673

Item 94: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by Dallas Airmotive, Inc. located near the intersection of Forest Park Road and Bomar Avenue and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Dallas Airmotive, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval.)

The City Secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

Carl Parton, Professional Geoscientist

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

Motion seconded by Councilmember Davis and unanimously adopted.

Assigned ORDINANCE NO. 27923

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1674

Item 95: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by One Quebec Place, L.L.C. located near the intersection of Quebec and Woodall Streets and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to One Quebec Place, L.L.C. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The City Secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

Paul Rodeske, Professional Geoscientist, representing Reed Engineering Grp.

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

Motion seconded by Councilmember Davis and unanimously adopted.

Assigned ORDINANCE NO. 27924

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1675

Item 96: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Loop 12 from I-45 on the west to US 175 on the east to Great Trinity Forest Way - NC090-002 - Financing: No cost consideration to the City

Theresa O'Donnell, director of development services, reminded the city council that in accordance with Section 51A-1.104.1 of the development code, city council approval of the waiver would require the favorable vote of two-thirds of all members of the city council.

The following individuals addressed the council on the item:

Michael King, 2433 E. Kiest Blvd.
Brandon Reed, 5600 Spring Valley Rd.

Councilmember Hill moved to close the public hearing and approve waivers to the following requirements:

- Section 51A-9.304 (A)(5) which limits the number of characters in a street name to 14;
- Section 51A-9.304 (B)(1) which requires that a road way have only one name;
- Section 51A-9.304 (D)(2) which requires that a street type designation be based on the features of the roadway;
- Sections 51A-9.304 (D)(3) which requires that a street name be composed of no more than 2 labels.

And approve the proposed street name change as recommended by the City Plan Commission except that the street type designation be Way and the street be called Great Trinity Forest Way.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27925

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1676

Item 97: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Loop 12 from I-45 on the east to the Loop 12/Ledbetter Drive split on the west to Great Trinity Forest Boulevard - NC090-002a - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Michael King, 2433 E. Kiest Blvd.
Gwain Wooten, 1000 Grigsby Ave.
William Hopkins, 2011 Leath St.
Brandon Reed, 5600 Spring Valley Rd.
Jada Wooten, 5620 Live Oak St.

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

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27926

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1677

Item 98: A public hearing to receive comments regarding an ordinance amending the comprehensive plan of the City of Dallas to incorporate the Stemmons Corridor - Southwestern Medical District Area Plan (Vision and Policy Plan) and a resolution adopting the Stemmons Corridor - Southwestern Medical District Area Plan (Implementation Program) for the area generally located north of Continental Avenue, east of the Trinity River, south of Mockingbird Lane, and west of Cedar Springs Road, Maple Avenue, and Harry Hines Boulevard - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Ruben Esquivel, 5323 Harry Hines Blvd., representing Stemmons Corridor Business Association and Southwestern Medical District

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

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted.

Assigned ORDINANCE NO. 27927

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1678

Item 99: A public hearing 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 Lancaster Urban Commercial LLC for land acquisition at the southwest 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, authorize (1) submission of the 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; and (2) the City Manager to submit the application and take necessary actions in connection with the application submission - 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 individuals addressed the city council regarding the item:

Gwain Wooten, 1000 Grigsby Ave.
Brandon Reed, 5600 Spring Valley Rd.
W.L. McCall, 202 S. Jim Miller Rd.
Michael King, 2433 E. Kiest Blvd.
Pam Yeargin, 2826 Stonycroft Ct., **Lancaster, TX**

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

Motion seconded by Mayor Pro Tem Caraway and Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1679

Item 100: A public hearing 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 \$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, subject to the Texas Department of Housing and Community Affairs' approval of 2010 Low Income Tax Credits for the Champion Homes at Copperridge project, authorize **(1)** submission of the application to HUD for a CDBG Section 108 Guarantee Loan Program loan with Chicory Court IX, LP, for the Champion Homes at Copperridge project in an amount not to exceed \$1,000,000; and **(2)** the City Manager to submit the application and take necessary actions in connection with the application submission - 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 individuals addressed the city council regarding the item:

Michael King, 2433 E. Kiest Blvd.
Jada Wooten, 5620 Live Oak St.

Deputy Mayor Tem Medrano moved to close the public hearing and approve the item.

Motion seconded by Councilmember Hill and Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1680

Item 101: A public hearing 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 \$1,500,000 to fund the acquisition of property at 12700 Kleberg Road, and to fund interest reserve, and site improvements for development of 200 apartment units for the Kleberg Leased Housing project, 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, subject to the Texas Department of Housing and Community Affairs' approval of 2010 Low Income Tax Credits for the Kleberg Leased Housing project, authorize **(1)** submission of the application to HUD for a CDBG Section 108 Guarantee Loan Program loan with Kleberg Leased Housing LP for the Kleberg Leased Housing project in an amount not to exceed \$1,500,000; and **(2)** the City Manager to submit the application and take necessary actions in connection with the application submission - 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 individuals addressed the city council regarding the item:

Gwain Wooten, 1000 Grigsby Ave.
Jada Wooten, 5620 Live Oak St.
Michael King, 2433 E. Kiest Blvd.
Trina Triche, (Not provided)
Ozumba Lnuk-X, 4106 Vineyard Dr.

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

Motion seconded by Councilmember Hill and Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1681

Item 102: A public hearing 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 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, subject to the Texas Department of Housing and Community Affairs' approval of 2010 Low Income Tax Credits for the Sphinx at Lawnview project, authorize **(1)** submission of the application to HUD for a CDBG Section 108 Guarantee Loan Program loan with SDC Lawnview Villas, LP for the Sphinx at Lawnview project in an amount not to exceed \$1,600,000; and **(2)** the City Manager to submit the application and take necessary actions in connection with the application submission - 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 individuals addressed the city council regarding the item:

Jada Wooten, 5620 Live Oak St.
Michael King, 2433 E. Kiest Blvd.
Gwain Wooten, 1000 Grigsby Ave.
Ozumba Lnuk-X, 4106 Vineyard Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1681

Page 2

Councilmember Davis moved to cancel the public hearing due to the Lawnview low income tax project application being terminated by the state and the application has lost a sustainable amount of funding and it is no longer financially feasible at this time and to come back at a later date.

Motion seconded by Councilmember Hill and Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1682

Item 103: A public hearing 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 \$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, subject to the Texas Department of Housing and Community Affairs' approval of 2010 Low Income Tax Credits for the Wynnewood Seniors Housing project, authorize (1) submission of the application to HUD for a CDBG Section 108 Guarantee Loan Program loan with Wynnewood Seniors Housing, LP for the Wynnewood Seniors Housing project in an amount not to exceed \$1,500,000; and (2) the City Manager to submit the application and take necessary actions in connection with the application submission - 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 individuals addressed the city council regarding the item:

Michael King, 2433 E. Kiest Blvd.
Lynn Sulander, 707 Mayrant Dr., representing Wynnewood Neighborhood Association
Jada Wooten, 5620 Live Oak St.
Gwain Wooten, 1000 Grigsby Ave.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1682

Page 2

Councilmember Neumann moved to close the public hearing and approve the item with the following requirements:

- That 100 percent of the units be occupied by residents 55 years and older;
- The loan documents will provide that the City of Dallas will have the right to pre-approve any changes in ownership or management for Wynnewood Seniors Housing Project.

Motion seconded by Councilmember Atkins and Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

Closed Session [**10-1683**]

6ES

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

- Legal issues regarding imposition of a moratorium pursuant to §212.134 of the Local Government Code

At 8:34 p.m., Mayor Leppert announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues regarding imposition of a moratorium pursuant to §212.134 of the Local Government Code

Mayor Leppert reconvened the city council meeting after the closed session at 9:10 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1684

Addendum addition 1: Authorize a three-year service contract for temporary industrial labor for Sanitation Services - All Temps 1 Personnel, lowest responsible bidder of eight - Not to exceed \$11,264,013 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1685

Addendum addition 2: Authorize settlement of the lawsuit styled Yi Yin v. City of Dallas, Civil Action No. 3:09-CV-0295-G - Not to exceed \$12,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1686

Addendum addition 3: Authorize settlement of the lawsuit styled Helen Watts v. City of Dallas, Cause No. 08-13000 - Not to exceed \$30,000
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1687

Addendum addition 4: An ordinance **(1)** appointing 11 full-time municipal judges and 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2012; **(2)** designating an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2012; and **(3)** establishing the annual salary for the full-time and associate municipal judges and the administrative municipal judge - Financing: No cost consideration to the City

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Hill.

Later in the meeting, Mayor Pro Tem Caraway moved to substitute Councilmember Hunt's motion to approve the item and defer the item until the August 11, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins.

After discussion, Councilmember Davis moved the city council meet in executive session to confer with the city attorney.

Motion seconded by Mayor Pro Tem Caraway.

Motion adopted by general consensus of the City Council.

Mayor Leppert called a recess of the city council meeting at 10:46 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the City Attorney.

Mayor Leppert reconvened the city council meeting after the executive session at 11:20 a.m.

Later in the meeting, Mayor Leppert stated by general consensus that Mayor Pro Tem Caraway's motion to substitute Councilmember Hunt's motion to approve the item and defer the item until the August 11, 2010 voting agenda meeting of the city council was withdrawn.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-1687

Page 2

Mayor Pro Tem Caraway requested a roll call vote on Councilmember Hunt's motion to approve the item.

Mayor Leppert called the vote on Councilmember Hunt's motion to approve the item:

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

Voting No: [1] Caraway

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27928

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1688

Addendum addition 5: Authorize **(1)** the reappointment of one Administrative Law Judge (ALJ), Willie Crowder; **(2)** the appointment of Valerie Carrillo as an Administrative Law Judge (ALJ) for the period July 1, 2010 through December 31, 2011, to hear employee appeals of terminations and demotions; and **(3)** contracts with each ALJ in the amount of \$8,000 each - Total not to exceed \$16,000 - Financing: Current Funds (\$8,000 to be reimbursed by the appealing employees)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1689

Addendum addition 6: Authorize a three-year time extension for the development of 7 tracts of unimproved land in the Bexar Street Neighborhood obtained under the surplus process by East Dallas Community Organization and execution of a Correction Deed without Warranty and amended Deed Restrictions (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1690

Addendum addition 7: Authorize **(1)** a one-year renewal option to the contact with UnitedHealthcare of Texas, Inc. to continue to serve as the Third Party Administrator for employee and retiree health benefits for the period January 1, 2011 through December 31, 2011 in an amount not to exceed \$3,737,454, from \$17,162,546 to \$20,900,000; and **(2)** a change in Pharmacy Benefits Managers from Medco to Prescription Solutions effective October 1, 2010 through December 31, 2011 - Not to exceed \$3,737,454 - Financing: Employee Benefits Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1691

Addendum addition 8: An ordinance denying Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program Rate Adjustment and setting Gas Reliability Infrastructure Program Rates to be charged by Atmos Energy Corp., Mid-Tex Division - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27929

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1692

Addendum addition 9: Authorize a professional services contract with Good, Fulton & Farrell Architects for schematic design through construction administration services for a parking garage at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$693,250 - Financing: 2003 Bond Funds (\$238,296) and 2006 Bond Funds (\$454,954)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1693

Addendum addition 10: Authorize a professional services contract with Brown Reynolds Watford Architects, Inc. for design services for the Loop 12 Gateway project, including widening of the entrance road at the Trinity River Audubon Center; and solar lighting and signage along Loop 12 - Not to exceed \$198,700 - Financing: 1998 Bonds Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1694

Addendum addition 11: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for the eastbound and westbound IH 30 frontage road improvements from Cockrell Hill Road to Westmoreland Road; **(2)** the receipt and deposit of funds from SLF III/INCAP, L.P. for the review cost of the project in an amount not to exceed \$162,500; and **(3)** an increase in appropriations in the amount of \$162,500 in the Capital Projects Reimbursement Fund - Not to exceed \$162,500 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1695

Addendum addition 12: Authorize a construction contract with Facility Solutions Group, Inc., lowest responsible bidder of three, for the lighting and identification system activation at the Vertiport located at the Dallas Convention Center - Not to exceed \$137,510 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1696

Dallas Area Rapid Transit
Railroad Crossing

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

Addendum addition 13: Authorize **(1)** a railroad crossing agreement with Dallas Area Rapid Transit for the construction of an at-grade crossing at Midtown Boulevard; and **(2)** payment to Dallas Area Rapid Transit for a portion of the construction cost of the at-grade railroad crossing at Midtown Boulevard - Total not to exceed \$1,000,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1697

**Dallas Area Rapid Transit
Railroad Crossing**

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

Addendum addition 14: Authorize an amendment to the Development Agreement with Next Block Dallas I, L.P. for the authorization of funds to be used for Dallas Area Rapid Transit railroad crossing -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1698

Addendum addition 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Frank Coit Right, LP of approximately 28,308 square feet of land located near the intersection of Frankford and Coit Roads for the Frankford Road Improvement Project - Not to exceed \$286,580 (\$283,080 plus closing costs not to exceed \$3,500)
- Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1699

Addendum addition 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from I-190/Frankford Partners, LTD, of approximately 89,690 square feet of land located near the intersection of Frankford and Coit Roads for the Frankford Road Improvement Project - Not to exceed \$810,610 (\$803,110 plus closing costs not to exceed \$7,500) - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1700

Addendum addition 17: Authorize **(1)** an amendment to the lease agreement with International Business Machines Corporation to restructure the annual base rental rate to reduce the current rental payment and extend the lease term an additional one-year period for the continued use by the Police Department of a three-story parking garage situated on approximately 170,814 square feet of land located at 1000 Belleview Street near its intersection with Cockrell Street in an amount not to exceed \$1,162,499, from \$7,075,038 to \$8,237,537; and **(2)** an amendment to the Option Agreement to amend the option period dates to coincide with the amended lease term of July 1, 2010 through September 30, 2024 for the purchase of the three-story parking garage and a connected four-story office building situated on approximately 224,528 square feet of land for \$1 at the end of the lease term and to delete the provision that allows the City to purchase the property prior to the expiration of the lease - Not to exceed \$1,162,499 - Financing: General Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1701

Addendum addition 18: An ordinance abandoning a portion of Campbell Street to Temple Emanu-El Congregation, the abutting owner, containing approximately 10,581 square feet of land located at its intersection with Calvary Avenue, authorizing the quitclaim, and providing for the dedication of approximately 65,096 square feet of land - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27930

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1702

Addendum addition 19: An ordinance abandoning portions of Hawkins and Jack Evans Streets and an alley to Spire Development Holdings, LLC, the abutting owner, containing a total of approximately 30,901 square feet of land located near the intersection of Ross Avenue and Hawkins Street and authorizing the quitclaim - Revenue: \$927,030 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27931

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1703

Pavaho and Baker Pump Stations

Note:Addendum Item Nos. 20, 21 & 22
must be considered collectively.

Addendum addition 20: Authorize a professional services contract with George Sills Geotechnical Engineering Consultant, LLC for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$201,353 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1704

Pavaho and Baker Pump Stations

Note: Addendum Item Nos. 20, 21 & 22
must be considered collectively.

Addendum addition 21: Authorize a professional services contract with David T. Williams and Associates, Engineers, LLC for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$226,900 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1705

Pavaho and Baker Pump Stations

Note:Addendum Item Nos. 20, 21 & 22
must be considered collectively.

Addendum addition 22: Authorize a professional services contract with Arun Wagh, Inc. for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$114,400 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1706

Addendum addition 23: Authorize a contract for the construction of the Pavaho Storm Water Pumping Station for the Trinity River Corridor Project - BAR Constructors, Inc., lowest responsible bidder of six - Not to exceed \$26,532,270 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1707

Addendum addition 24: Authorize Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of the Jacobs Engineering Group, Inc., for construction management services and design support during construction of the Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$3,727,000, from \$8,151,440 to \$11,878,440 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1708

Local Option Election by Petition

Addendum addition 25: A resolution accepting a petition for “the legal sale of beer and wine for off-premise consumption only” as presented by the City Secretary and confirmed to contain a sufficient number of signatures to require the ordering of a local option election - Financing: No cost consideration to the City

Note: If Addendum Item No. 25 is not adopted, then Addendum Item No. 29 should not be considered. If Addendum Item No. 27 is not adopted, then Addendum Item No. 30 should not be considered. If neither Addendum Item No. 25 nor Addendum Item No. 27 is adopted, then Addendum Item Nos. 29 through 37 should not be considered.

Note: If Addendum Item No. 25 is adopted, Council will not consider Addendum Item No. 26.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

Voting Yes: [12] Leppert, Medrano, Jasso, Neumann, Hill, Salazar,
Atkins, Kadane, Allen, Koop, Natinsky, Margolin

Voting No: [1] Caraway

Absent when vote taken: [2] Davis, Hunt

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1709

Local Option Election by Petition

Addendum addition 26: A resolution accepting a petition for “the legal sale of beer and wine for off-premise consumption only” as presented by the City Secretary and confirmed to contain an insufficient number of signatures to require the ordering of a local option election - Financing: No cost consideration to the City

Note: If Addendum Item No. 25 is not adopted, then Addendum Item No. 29 should not be considered. If Addendum Item No. 27 is not adopted, then Addendum Item No. 30 should not be considered. If neither Addendum Item No. 25 nor Addendum Item No. 27 is adopted, then Addendum Item Nos. 29 through 37 should not be considered.

Note: If Addendum Item No. 25 is adopted, Council will not consider Addendum Item No. 26.

This item was not considered by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1710

Local Option Election by Petition

Addendum addition 27: A resolution accepting a petition for “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only” as presented by the City Secretary and confirmed to contain a sufficient number of signatures to require the ordering of a local option election - Financing: No cost consideration to the City

Note: If Addendum Item No. 27 is adopted, Council will not consider Addendum Item No. 28.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1711

Local Option Election by Petition

Addendum addition 28: A resolution accepting a petition for “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only” as presented by the City Secretary and confirmed to contain an insufficient number of signatures to require the ordering of a local option election - Financing: No cost consideration to the City

This item was not considered by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1712

Local Option Election by Petition

Addendum addition 29: An ordinance ordering a special election to be held in the City of Dallas on Tuesday, November 2, 2010, for the purpose of submitting to the qualified voters a proposition on whether to legalize “the legal sale of beer and wine for off-premise consumption only” in the City of Dallas - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27932

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1713

Local Option Election by Petition

Addendum addition 30: An ordinance ordering a special election to be held in the City of Dallas on Tuesday, November 2, 2010, for the purpose of submitting to the qualified voters a proposition on whether to legalize “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only” in the City of Dallas - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27933

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1714

Local Option Election by Petition

Addendum addition 31: A resolution authorizing (1) a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a joint election to be held on Tuesday, November 2, 2010, in an amount not to exceed \$900,000; (2) legal advertising in connection with the November 2, 2010 City Special Election, in an amount not to exceed \$100,000; (3) \$150,000 for temporary help to verify petitions, translation services for publication and posting notices, security services for City Hall during early voting and other miscellaneous expenditures related to verify and/or hold the election; and (4) an increase in appropriations in the amount of \$1,150,000, from \$82,791 to \$1,232,791 in the City Secretary's Office Elections' budget - Total not to exceed \$1,150,000 - Financing: Contingency Reserve Funds

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1715

Local Option Election by Petition

Addendum addition 32: A resolution authorizing (1) a joint election agreement and election services contract between the City of Dallas, Collin County, and various other jurisdictions within Collin County, for the conduct of a joint election to be held on Tuesday, November 2, 2010, in an amount not to exceed \$50,000; and (2) an increase in appropriations in the amount of \$50,000, from \$1,232,791 to \$1,282, 791 in the City Secretary's Office Elections' budget - Total not to exceed \$50,000 - Financing: Contingency Reserve Funds

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1716

Local Option Election by Petition

Addendum addition 33: A resolution authorizing (1) a joint election agreement and election services contract between the City of Dallas, Denton County, and various other jurisdictions within Denton County, for the conduct of a joint election to be held on Tuesday, November 2, 2010, in an amount not to exceed \$20,000, and (2) an increase in appropriations in the amount of \$20,000, from \$1,282,791 to \$1,302,791 in the City Secretary's Office Elections' budget - Total not to exceed \$20,000 - Financing: Contingency Reserve Funds

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1717

Local Option Election by Petition

Addendum addition 34: A resolution authorizing the appointment of citizens to serve as election judges for the City of Dallas in Dallas County for the November 2, 2010 joint election - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1718

Local Option Election by Petition

Addendum addition 35: A resolution authorizing the appointment of citizens to serve as election judges for the City of Dallas in Collin County for the November 2, 2010 joint election - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1719

Local Option Election by Petition

Addendum addition 36: A resolution authorizing the appointment of citizens to serve as election judges for the City of Dallas in Denton County for the November 2, 2010 joint election - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1720

Local Option Election by Petition

Addendum addition 37: A resolution authorizing the Mayor to appoint an Ad Hoc City Council canvassing committee to review the returns of the November 2, 2010 special election, and submit a canvass report to the full City Council on Wednesday, November 10, 2010 - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar.

Mayor Pro Tem Caraway requested a roll call vote on the item.

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

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

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1721

Addendum addition 38: Authorize re-adoption of the City of Dallas Public/Private Partnership Program Guidelines and Criteria, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax Code, Chapter 312), governing tax abatement agreements and other City incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

Note: If Addendum Item No. 38 does not pass, Council will consider Addendum Item No. 39.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1722

Addendum addition 39: Authorize the re-adoption of the City's current Public/Private Partnership Program Guidelines and Criteria to extend the Program from June 30, 2010 through September 30, 2010, unless new Guidelines to the Public/Private Partnership Program are adopted before such date, pursuant to the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A., Tax Code Chapter 312) and other incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

Note: If Addendum Item No. 38 does not pass, Council will consider Addendum Item No. 39.

This item was not considered by the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1723

Addendum addition 40: Authorize an amendment to the Love Field Food and Beverage Concession Contract with Dallas Love Field Joint Venture, Ltd. "DLFJV" to: **(1)** extend the renewal term; **(2)** waive DLFJV's payment of the Minimum Annual Guarantee and modify DLFJV's required Percentage Payments upon the first closure of one of DLFJV's food and beverage locations; and **(3)** provide certain terms under which DLFJV will be compensated by the Love Field retail concessionaire for the retail concessionaire's right to sell bottled water at its news and gift store locations at Dallas Love Field - Estimated Annual Revenue: \$2,000,000

By general consensus, at the request of Mayor Leppert, the item was deferred until the August 11, 2010 voting agenda meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1724

Addendum addition 41: Authorize a twelve-year contract, with one three-year renewal option, with Love Field Partners I, Ltd. "LFP" to operate a food and beverage concession at Dallas Love Field
- Estimated Annual Revenue: \$3,310,538

By general consensus, at the request of Mayor Leppert, the item was deferred until the August 11, 2010 voting agenda meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1725

Addendum addition 42: Authorize an amendment to the Love Field Retail Concession Contract with Hudson Retail Dallas, J.V. "Hudson" to: **(1)** extend the renewal term; **(2)** waive Hudson's payment of the Minimum Annual Guarantee and modify Hudson's required Percentage Payments upon the first closure of one of Hudson's airside retail locations; and **(3)** provide certain terms under which Hudson will be allowed to sell bottled water at its news and gift store locations at Dallas Love Field
- Estimated Annual Revenue: \$900,000

By general consensus, at the request of Mayor Leppert, the item was deferred until the August 11, 2010 voting agenda meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1726

Addendum addition 43: Authorize a twelve-year contract, with one three-year renewal option, with Hudson Retail Dallas, J.V. "Hudson" to operate a retail concession at Dallas Love Field - Estimated Annual Revenue: \$1,517,408

By general consensus, at the request of Mayor Leppert, the item was deferred until the August 11, 2010 voting agenda meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1727

Addendum addition 44: Authorize the City Manager to negotiate extensions of the renewal terms of the existing concession contracts at Dallas Love Field with Dallas Love Field Joint Venture, Ltd. (“DLFJV”) for food and beverage (“F&B”) concessions, and with Hudson Retail Dallas, JV (“Hudson”) for retail concessions, to extend the renewal terms to expire on the date of closure of the last concession location for each respective contract in the existing terminal building as the new terminal is constructed under the Love Field Modernization Program - Financing: No cost consideration to the City

By general consensus, at the request of Mayor Leppert, the item was deferred until the August 11, 2010 voting agenda meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 23, 2010

10-1728

Addendum addition 45: Authorize an amendment to the Reconstruction/SHARE Program loan, previously approved on April 8, 2009 by Resolution No. 09-0966, to change the awarded contractor for one home located at 2714 Fernwood Avenue (the amount of the loan not to exceed \$87,500, of which \$64,060 has been expended with a balance of \$23,440) - Financing: This action has 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 Salazar moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and Councilmember Hill and unanimously adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 23, 2010

EXHIBIT C