

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 25, 2010

10-2100
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [14] Leppert, Caraway (*9:04 a.m.), Medrano, Jasso, Neumann, Hill (*10:25 a.m.), Salazar, Davis, Atkins (*9:04 a.m.), Kadane, Allen, Koop, Natinsky, Margolin

ABSENT: [1] Hunt

The meeting was called to order at 9:01 a.m.

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

The invocation was given by Mike Middlebrooks, Pastor, Grand View Baptist Church.

Councilmember Koop led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 4:16 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 25, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 25, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2101

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: Betty Hooey, 2621 Exline St.
REPRESENTING: Seniors
SUBJECT: Senior budget

SPEAKER: Donna LaFreniere, 3910 Harry Hines Blvd..
REPRESENTING: The Senior Source
SUBJECT: Sr. Employment Program

SPEAKER: Kevin Felder, 8404 Capriola Ln.
SUBJECT: Economic Development/Budget

SPEAKER: Ann Saucer, 5538 Lanewood Cir.
SUBJECT: Library cuts affecting and damaging Libraries

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: Gwain Wooten, 4106 Vineyard Dr.
SUBJECT: "Living in a glass bowl that is broken"

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Convention center hotel

SPEAKER: Trina Triche, (Not Provided)
SUBJECT: Sleeping in public

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2102

Item 1: Approval of Minutes of the August 11, 2010 City Council Meeting

Councilmember Atkins moved to adopt the minutes.

Motion seconded by Councilmember Jasso and unanimously adopted. (Hill absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2103

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-59 and addendum addition consent agenda items 1-7, was presented for consideration.

The following individual addressed the city council on the consent agenda:

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

Councilmember Atkins' requested that consent agenda items 34, 38, 39 and addendum addition consent agenda items 2 and 3 be considered as individual items. Mayor Leppert stated that consent agenda items 34, 38, 39 and addendum addition consent agenda items 2 and 3 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Natinsky requested that consent agenda item 50 be considered as an individual item. Mayor Leppert stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Neumann moved to adopt all items on the consent agenda with the exception of consent agenda items 34, 38, 39, 50 and addendum addition consent agenda items 2 and 3 which would be considered later in the meeting.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Hill absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2104

Item 2: Authorize **(1)** an agreement with the Texas Department of Transportation, Aviation Division, to act as the City's agent in providing the contract administration, engineering design and construction of several capital improvement projects and shall be responsible for receiving and disbursing all funds for these projects for Dallas Executive Airport in the amount of \$3,695,000; and **(2)** an increase in appropriations for the City's portion of the project costs in an amount not to exceed \$677,500, from \$4,031,670 to \$4,709,170 - Not to exceed \$3,695,000 - Financing: Capital Construction Funds (\$677,500) and Texas Department of Transportation Grant Funds (\$3,017,500)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2105

Item 3: Authorize **(1)** an agreement with the Texas Department of Transportation, Aviation Division, to act as the City's agent to update the Airport Master Plan for Dallas Executive Airport and be responsible for receiving and disbursing all funds and providing contract administration for this project estimated to be \$200,000, the State share of the project is 90% with the remaining 10% to be funded by the City; and **(2)** an increase in appropriations for the City's portion of the project cost in an amount not to exceed \$20,000, from \$4,709,170 to \$4,729,170 - Not to exceed \$200,000 - Financing: Capital Construction Funds (\$20,000) and Texas Department of Transportation Grant Funds (\$180,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2106

Item 4: Authorize a one-year master agreement for anhydrous ammonia - DPC Industries, Inc., lowest responsible bidder of three - Not to exceed \$579,685 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2107

Item 5: Authorize a three-year master agreement for athletic equipment, recreational games, arts and craft supplies - S & S Worldwide, Inc., through Texas Association of School Boards Local Government Purchasing Cooperative (Buyboard), in the amount of \$268,101; and Sport Supply Group, Inc. dba BSN Sports, through US Communities Government Purchasing Alliance, in the amount of \$27,688 - Total not to exceed \$295,789 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2108

Item 6: Authorize a three-year master agreement for fire hydrants, parts and accessories - U.S. Pipe Valve and Hydrant Division, LLC. in the amount of \$731,475, Ferguson Enterprises, Inc. dba Ferguson Waterworks in the amount of \$75,000, Clow Valve Company in the amount of \$73,099, HD Supply Waterworks, LTD in the amount of \$30,000 and Mueller Company in the amount of \$19,086, lowest responsible bidders of seven - Total not to exceed \$928,660 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2109

Item 7: Authorize a three-year professional service contract, with two one-year renewal options, for audit of the City's financial operations and grant activities for fiscal year ending September 30, 2010 through September 30, 2012 - Grant Thornton, LLP, most advantageous proposer of six - Not to exceed \$2,606,890 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2110

Item 8: Authorize a three-year service contract for maintenance and support of Oracle database licenses - Mythics, Inc., lowest responsible bidder of three - Not to exceed \$2,374,198 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2111

Item 9: Authorize a contract amendment to extend the existing contract with SAS Institute, Inc. for a three-year software license renewal and maintenance for continued support for system interfaces, extending the term through April 2013 - Sole Source - Not to exceed \$102,030 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2112

Item 10: Authorize Supplemental Agreement No. 3 to increase the service contract with SunGard Availability Services, LLP to provide alternate disaster recovery site equipment and services for mainframe, open systems and work stations, for the period October 1, 2010 through September 30, 2011 - Not to exceed \$222,492, from \$1,199,030 to \$1,421,522 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2113

Item 11: Authorize settlement of the lawsuit styled Maria B. Guandique, Individually and as Next Friend of Katherin G. Guandique (minor) and Stephanie Guandique (minor) v. City of Dallas, Cause No. 10-00723-B - Not to exceed \$6,983 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2114

Item 12: Authorize settlement of the lawsuit styled Calvin Bailey v. City of Dallas,
Cause No. 09-14811-K - Not to exceed \$14,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2115

Item 13: A resolution reappointing Craig Daniel Kinton, CPA as City Auditor for a two-year term, effective September 6, 2010 - \$178,880 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2116

Item 14: A resolution declaring the City of Dallas' approval of the addition of properties located at 3319, 3321, and 3325 Fort Worth Avenue; 3231, 3223, and 3215 Adbritian Drive; 3217 and 3205 West Colorado Boulevard; and 1433 North Westmoreland Road into the North Oak Cliff Municipal Management District (North Oak Cliff MMD) subject to approval of the MMD Board - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2117

Item 15: Authorize an Interlocal Agreement between the City of Dallas and the Dallas County Community College District's Cedar Valley College for the administration and operation of a U.S. Department of Labor workforce training grant - Not to exceed \$128,362 - Financing: U.S. Department of Labor Employment and Training and Administration Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2118

Item 16: Authorize **(1)** an increase in the contract with Phoenix 1 Restoration and Construction, Ltd. to repair damaged wood window sills and exterior plaster at the Women's Museum at Fair Park located at 3800 Parry Avenue; and **(2)** an extension to the contract term by an additional 114 calendar days - Not to exceed \$38,120, from \$370,114 to \$408,234 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2119

Item 17: Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic and emergency medical technician-Basic personnel for the period September 1, 2010 through August 31, 2011 - Not to exceed \$501,796 - Financing: Current Funds (\$459,980 subject to appropriations

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2120

Item 18: Authorize **(1)** the acceptance of an amended proposal from East Dallas Community Organization to extend the time to develop affordable housing on 1 unimproved property located at 2440 Starks Avenue obtained under the HB110 process through the Land Transfer Program; and **(2)** an amendment to the deed restrictions to extend the time to complete the development - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2121

Item 19: Authorize **(1)** the acceptance of an amended proposal from East Dallas Community Organization to extend the time to develop affordable housing on 1 unimproved property located at 5408 Bexar Street obtained under the Land Assembly process through the Land Transfer Program; and **(2)** an amendment to the deed restrictions to extend the time to complete the development - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2122

Item 20: Authorize Supplemental Agreement No. 1 to a professional services contract with Good Fulton and Farrell Architects - GFF Planning to increase the North Oak Cliff Marsalis Avenue Spatial Infrastructure Analysis contract amount and expand the scope of work to allow for additional planning and design services within the North Oak Cliff/Marsalis Neighborhood Investment Program target area - Not to exceed \$26,050, from \$23,950 to \$50,000 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2123

Item 21: Authorize a ten-year lease agreement with Columbia Colson Corporation for approximately 7,980 square feet of office space located at 8202 Spring Valley Road, Suite 100 to be used as a Women, Infants and Children Clinic for the period November 1, 2010 through October 31, 2020 - Not to exceed \$1,296,750 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2124

Item 22: Authorize a ten-year lease agreement with Pollock Realty LP for approximately 6,099 square feet of office space located at 2600 North Stemmons Freeway, Suite 188, to be used as a Women, Infants and Children Clinic and Lactation Support Center for the period October 1, 2010 through September 30, 2020, plus additional rental for leasehold improvements not to exceed \$294,102 (base monthly rental during term \$762,375) - Total not to exceed \$1,056,477 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2125

Item 23: Authorize an amendment to the lease agreement with Dockside Threading, Inc. to: **(1)** extend the lease for an additional 7 years; and **(2)** amend the current leased square footage of approximately 4,896 to include an additional approximately 4,773 square feet of office space for a total of approximately 9,669 square feet of space located at 1111 West Ledbetter Drive for the continued use as a Women, Infants and Children Clinic for the extended period of January 1, 2013 through December 31, 2019, plus additional rental for leasehold improvements for the expansion space an amount not to exceed \$198,000 (additional base monthly rental during extended and amended term \$1,207,023) - Total not to exceed \$1,405,023 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2126

Item 24: Authorize the acceptance of additional grant funds from the Department of Homeland Security under the 2008 Homeland Security Grant program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 5, 2008 through March 15, 2011 - Not to exceed \$187,515, from \$8,053,868 to \$8,241,383 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2127

Item 25: Authorize a resolution to acknowledge the one-hundredth anniversary of the completion of White Rock Lake in 2011 and to sanction the establishment of the White Rock Lake Centennial Host Committee to plan, coordinate and oversee the events and activities related to the Centennial - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2128

Item 26: Authorize a contract for a new playground at Samuell-Grand Park located at 6200 East Grand Avenue - A S Con, Inc., lowest responsible bidder of five - \$119,400 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2129

Item 27: Authorize a contract for a playground expansion at Woodland Springs Park located at 7321 Fairport Road - C. Green Scaping, LP, lowest responsible bidder of eight - \$85,984 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2130

Item 28: Authorize a contract for trail improvements, new parking lot and security lighting at Oak Cliff Founders Park located at 1300 North Zang Boulevard - Texas Standard Construction, Ltd., lowest responsible bidder of six - \$231,550 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2131

Item 29: Authorize a contract for replacement of the concrete and waterproofing membrane at the existing balcony and repairs of the masonry wall on the second floor and roof at Cedar Crest Golf Course Clubhouse located at 1800 Southerland Avenue - North Texas Waterproofing & Restoration, best value proposer of four - Not to exceed \$73,000 - Financing: Golf Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2132

Item 30: Authorize a professional services contract with DAL-TECH Engineering, Inc. for schematic design through construction administration services for a trail from Kiest Park to Briar Gate Park and schematic design for a trail from Briar Gate Park to Westmoreland Park at Five Mile Creek Greenbelt Trail - Not to exceed \$106,035 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2133

Item 31: Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design through construction administration services for soccer fields and a new parking lot at Timberglen Park located at 3900 Timberglen Drive - Not to exceed \$103,550 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2134

Item 32: Authorize **(1)** an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for installation of protective thermal barrier for the playground, new bike racks, additional signage, additional timers for fountain water flow and additional ventilation for underground electrical vault at Main Street Garden located at 1920 Main Street, in the amount of \$50,772; and structural repairs to the fountain at Ferris Plaza located at 400 South Houston Street, in the amount of \$59,898; **(2)** the receipt and deposit of funds from the Park Foundation in the amount of \$50,000 in the Capital Gifts, Donation and Development Fund; and **(3)** an increase in appropriations in the amount of \$50,000 in the Capital Gifts, Donation and Development Fund - Not to exceed \$110,670, from \$8,650,330 to \$8,761,000 - Financing: 2003 Bond Funds (\$16,239) and Capital Gifts, Donation and Development Funds (\$94,431)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2135

Item 33: Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/18 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of \$607,253 to provide a specialized proactive automobile theft program for the period September 1, 2010 through August 31, 2011; **(2)** a local match in the amount of \$125,451; **(3)** an In-Kind Contribution in the amount of \$517,923; and **(4)** execution of the grant agreement - Total not to exceed \$1,250,627 - Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds (\$607,253), In-Kind Contributions (\$517,923) and Current Funds (\$125,451) (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2136

Item 34: An ordinance amending Chapter 30 of the Dallas City Code to prohibit the use of engine compression brakes in the City - Financing: No cost consideration to the City

Councilmember Atkins requested that consent agenda item 34 be considered as an individual item. Mayor Leppert stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 34 was brought up for consideration.

The following individuals addressed the city council on the item:

Sarah Reidy, 2010 Kessler Pkwy, representing Kessler Neighborhood Union
Linda Brown, 2010 Kessler Pkwy, representing Kessler Neighborhood Union
Ed Alexander, 810 W. Greenbriar Ln.
Chas Fitzgerald, 1125 N. Canterbury Ct.
Rafael Anchia, Texas House Representative, District 103

Councilmember Neumann moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill absent when vote taken; Hunt absent)

Assigned ORDINANCE NO. 27963

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2137

Item 35: Authorize an Interlocal Agreement with Dallas Area Rapid Transit for participation in the design and construction of paving, drainage, water and wastewater improvements on Live Oak Street from east of Good-Latimer Expressway to Liberty Street and on Keeneland Parkway from Merrifield Road to Cherry Laurel Lane - Not to exceed \$1,031,115 - Financing: Water Utilities Capital Improvement Funds (\$995,805) and Water Utilities Capital Construction Funds (\$35,310)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2138

Item 36: Authorize **(1)** the acceptance and deposit of funds from The Life Church for reimbursement of material and labor for adjustments to the traffic signal hardware at Marsh Lane and Timberglen Road; and **(2)** an increase in appropriations in the amount of \$59,549 in the Capital Projects Reimbursement Fund - Not to exceed \$59,549 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2139

Item 37: Authorize a professional services contract with Charles Gojer & Associates, Inc. for the engineering design of Street Group 06-450, which consists of two alley reconstruction projects, one intersection improvement project, and three street petition projects (list attached) - Not to exceed \$194,945 - Financing: 2003 Bond Funds (\$69,155), 2006 Bond Funds (\$99,840) and Water Utilities Capital Improvement Funds (\$25,950)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2140

**Olive Street Extension
of the McKinney Avenue Trolley**

Note: Item Nos. 38 and 39
must be considered collectively.

Item 38: Authorize **(1)** a contract with Gibson & Associates, Inc., lowest responsible bidder of five, for the construction of the McKinney Avenue Trolley Olive Street Extension Project from McKinney Avenue to Bryan Street in an amount not to exceed \$8,403,346; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$1,665,798; and **(3)** an increase in appropriations in the amount of \$1,665,798 in the Capital Projects Reimbursement Fund - Total not to exceed \$8,403,346 - Financing: 1995 Bond Funds (\$1,226,406), 2006 Bond Funds (\$3,800,183), Capital Project Reimbursement Funds (\$1,665,798 to be reimbursed by Texas Department of Transportation), Water Utilities Capital Construction Funds (\$25,090) and Water Utilities Capital Improvement Funds (\$1,685,869)

Councilmember Atkins requested that consent agenda item 38 be considered as an individual item. Mayor Leppert stated that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 38 was brought up for consideration.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Hill absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2141

**Olive Street Extension
of the McKinney Avenue Trolley**

Note: Item Nos. 38 and 39
must be considered collectively.

Item 39: Authorize a Multiple Use Agreement with the Texas Department of Transportation to allow for construction of streetcar tracks within their right-of-way for the McKinney Avenue Trolley Olive Street Extension Project - Financing: No cost consideration to the City

Councilmember Atkins requested that consent agenda item 39 be considered as an individual item. Mayor Leppert stated that consent agenda item 39 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 39 was brought up for consideration.

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Hill absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2142

Item 40: Authorize Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Dallas Convention Center Capital Improvement Program - Not to exceed \$54,625, from \$2,616,466 to \$2,671,091 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2143

Item 41: Authorize **(1)** sidewalk paving for Sidewalk Group 06-140; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on September 22, 2010, to receive comments (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2144

Item 42: Authorize approval of the recommended plan for the proposed alignment of Belleview Street from Akard Street to Ervay Street, from its current alignment to the proposed alignment - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2145

Item 43: Authorize approval of the recommended plan for the proposed alignment of Goodnight Lane from Joe Field Road to Royal Lane, new construction - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2146

Item 44: Authorize approval of the recommended plan for the proposed alignment of Goodnight Lane from Royal Lane to north of Harcourt Street, from its current alignment to the proposed alignment - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2147

Item 45: Authorize ordinances granting three franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$3,000

Adopted as part of the consent agenda.

Assigned ORDINANCE NOS. 27964, 27965 AND 27966

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2148

Item 46: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Diann Tessman Slaton and Patti Tessman Rea of approximately 122,319 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$9,334 (\$7,339 plus closing costs not to exceed \$1,995) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2149

Item 47: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Amador Garcia of approximately 15,714 square feet of land improved with a billboard located near the intersection of Tempest Drive and Interstate Highway 20 in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$27,243 (\$25,142 plus closing costs not to exceed \$2,101) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2150

Item 48: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 18,745 square feet from Noel N. Washington located near the intersection of Wintergreen Road and Sunny Meadow Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$36,678 (\$34,678 plus closing costs not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2151

Item 49: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a tract of land containing approximately 55,108 square feet located on Greenville Avenue between Blackwell Street and Park Lane for the construction of Fire Station No. 37 - Not to exceed \$2,370,000 (\$2,350,000 plus closing costs not to exceed \$20,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2152

Item 50: Authorize support for projects selected within the City of Dallas for the Regional Transportation Council Sustainable Development Program and authorize the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners, where applicable - Financing: No cost consideration to the City

Councilmember Natinsky requested that consent agenda item 50 be considered as an individual item. Mayor Leppert stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Later in the meeting, consent agenda item 50 was brought up for consideration.

Councilmember Natinsky moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2153

Item 51: Authorize the deposit of a Special Commissioners' Award and settlement of the condemnation suit City of Dallas v. Isiah Turner, et al, Cause No. cc-10-01243-b, in County Court at Law No. 2, for acquisition from Isiah Turner of approximately 14,366 square feet of land improved with a single-family dwelling located near the intersection of Fernwood and Georgia Avenues for the Fernwood Erosion Control Project - \$66,044 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2154

Item 52: An ordinance granting a revocable license to Crow Family Foundation, Inc. for the use of approximately 50 square feet of land to maintain and use three sculptures on a portion of Flora Street right-of-way located near its intersection with Olive Street - Revenue: \$1,000 one-time fee plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 27967

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2155

Item 53: An ordinance granting a revocable license to USA Shade & Fabric Structures, Inc. for the use of a total of approximately 890 square feet of land to install and maintain subsurface conduits under a portion of Dividend Drive right-of-way located near its intersection with Chancellor Row - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 27968

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2156

Item 54: An ordinance abandoning a portion of a fire lane, access and egress easement to Fairways at La Reunion, LLC, the abutting owner, containing approximately 235 square feet of land located near the intersection of Fort Worth Avenue and Bahama Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 27969

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2157

Item 55: An ordinance abandoning portions of a right-of-way easement, a water easement, three sanitary sewer easements and two water and sanitary sewer easements to Dallas Area Rapid Transit, the abutting owner, containing a total of approximately 53,864 square feet of land located near the intersection of Lawnview Avenue and Scyene Road, and authorizing the quitclaim - Revenue: \$12,200 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 27970

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2158

Item 56: Authorize settlement in lieu of proceeding with condemnation of an improved tract of land containing approximately 7,000 square feet from Desoto Real Estate Resource located near the intersection of Colonial Avenue and Starks Avenue for the Trinity Parkway - Not to exceed \$23,000 (\$21,000 plus closing costs not to exceed \$2,000) - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2159

Item 57: Authorize a contract for the installation of water and wastewater mains at 29 locations (list attached) - P & E Contractors, Inc., lowest responsible bidder of nine - Not to exceed \$7,722,181 - Financing: Wastewater Capital Improvement Funds (\$4,127,418) and Water Utilities Capital Improvement Funds (\$3,594,763)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2160

Item 58: Authorize a professional services contract with Black & Veatch Corporation to provide engineering services for electrical improvements at the East Side Water Treatment Plant - Not to exceed \$1,661,178 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2161

Item 59: Authorize Supplemental Agreement No. 1 to the professional services contract with Kellogg Brown & Root Services, Inc. for engineering services to address some of the recommendations of the Western Dam inspections and to comply with the Texas Commission on Environmental Quality regulations - Not to exceed \$806,148, from \$997,709 to \$1,803,857 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2162

Item 60: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The 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 AUGUST 25, 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 Jasso moved to appoint Mario Cadena, Experience in Business, to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Salazar and unanimously adopted. (Hill absent when vote taken; Hunt absent)

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

10-5250 SDF SOUTH DALLAS/FAIR PARK TRUST FUND BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2163

Oak Cliff Gateway TIF District

Note: Item Nos. 61 and 62
must be considered collectively.

Item 61: 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

Councilmember Neumann moved to postpone the item until the October 13, 2010 voting agenda meeting of the city council to allow staff and the developer time to address some minor project design concerns from the community.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Medrano, Hill, Davis, Koop absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2164

Oak Cliff Gateway TIF District

Note: Item Nos. 61 and 62
must be considered collectively.

Item 62: 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

Councilmember Neumann moved to postpone the item until the October 13, 2010 voting agenda meeting of the city council to allow staff and the developer time to address some minor project design concerns from the community.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway, Medrano, Hill, Davis, Koop absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2165

DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 63 and 64
must be considered collectively.

Maple/Mockingbird TIF District

Item 63: Authorize (1) a development agreement with Reserve at Stutz Road, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, and infrastructure/utility improvements to be located at 2303 Stutz Road in Tax Increment Financing Reinvestment Zone Number Eighteen (Maple/Mockingbird TIF District); and (2) the Maple/Mockingbird TIF District Board of Directors to dedicate up to \$98,200 from future Maple/Mockingbird TIF District revenues in accordance with the development agreement - Not to exceed \$98,200 - Financing: Maple/Mockingbird 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2166

DESIGNATED PUBLIC SUBSIDY MATTERS

Note: Item Nos. 63 and 64
must be considered collectively.

Maple/Mockingbird TIF District

Item 64: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Eighteen (Maple/Mockingbird TIF District) to reimburse Reserve at Stutz Road, LLC up to \$98,200 for certain TIF-eligible project costs related to 2303 Stutz Road in the Maple/Mockingbird 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2167

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 65-69, was presented for consideration.

Agenda items 66 and 69 were removed from the consent zoning docket, to be considered as individual items.

Agenda item 65 Zoning Case Z089-265(OTH)

~~Agenda item 66 Zoning Case Z090-151(WE)~~ **[considered individually]**

Agenda item 67 Zoning Case Z090-179(WE)

Agenda item 68 Zoning Case Z090-197(MG)

~~Agenda item 69 Zoning Case Z090-205(MG)~~ **[considered individually]**

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

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

The following individual addressed the city council on the item:

Leslie Allen Davis, 3035 E. Ledbetter Dr., item 65

Councilmember Neumann moved to close the public hearings, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2168

Item 65: Zoning Case Z089-265 (OTH)

The consent zoning docket, consisting of agenda items 65-69, was presented for consideration.

A public hearing was called on zoning case Z089-265 (OTH), an application for and an ordinance granting a renewal of and amendment to Specific Use Permit No. 1570 for an open-enrollment charter school on Tract 1 and a private recreation center, club, or area on Tract 2 on property zoned an RR Regional Retail District with Historic Overlay No. 90 on a portion and an MF-2(A)-D Multifamily District with a Dry Liquor Control Overlay on the northwest corner of Jefferson Boulevard and Marsalis Avenue

(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)

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

The following individual addressed the city council on the item:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 27971

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2169

Item 66: Zoning Case Z090-151(WE)

The consent zoning docket, consisting of agenda items 65-69, was presented for consideration.

Councilmember Atkins requested that zoning consent agenda item 66 be considered as an individual item. Mayor Leppert stated that zoning consent agenda item 66 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

A public hearing was called on zoning case Z090-151(WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1401 for an industrial (outside) use for a concrete batch plant on property zoned an (IR) Industrial Research District on the east side of Dowdy Ferry Road, north of I-20

(The staff and city plan commission recommended Approval, for a ten-year period with eligibility for automatic renewals for additional ten-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.

Councilmember Atkins moved to close the public hearing and adopt the amendments to SUP No. 1401 for an industrial (outside) use for a concrete batching plant with the condition that trucks must be loaded through a discharge equipped with a central dust collector with filter fabric that eliminates visible dust emissions.

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

Assigned ORDINANCE NO. 27972

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2170

Item 67: Zoning Case Z090-179(WE)

The consent zoning docket, consisting of agenda items 65-69, was presented for consideration.

A public hearing was called on zoning case Z090-179 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 803 and an ordinance granting the renewal of Specific Use Permit No. 1262 for a private school on property zoned Planned Development District No. 803 on the northwest corner of Midway Road and Rosa Road

(The staff and city plan commission recommended Approval of an amendment to Planned Development No. 803, subject to conditions and approval of Specific Use Permit No. 1262 for a private school for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 27973 AND 27974

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2171

Item 68: Zoning Case Z090-197 (MG)

The consent zoning docket, consisting of agenda items 65-69, was presented for consideration.

A public hearing was called on zoning case Z090-197 (MG), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 682 for a public school other than an open enrollment charter school and MF-2(A) Multifamily District uses on property zoned Planned Development District No. 682 and an MF-2(A) Multifamily District on the northwest side East 9th Street between Beckley Avenue and Patton Avenue and the southeast side of East 9th Street between Storey Street and Crawford Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 27975

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2172

Item 69: Zoning Case Z090-205 (MG)

The consent zoning docket, consisting of agenda items 65-69, was presented for consideration.

Councilmember Jasso requested that zoning consent agenda item 69 be considered as an individual item. Mayor Leppert stated that zoning consent agenda item 69 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Jasso's request.

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

A public hearing was called on zoning case Z090-205 (MG), an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school use on property zoned a CR Community Retail District and a CR-D-1 Community Retail District with a Dry Liquor Control Overlay on the southwest corner of Lake June Road and Masters Drive

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

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

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

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

Assigned ORDINANCE NO. 27976

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2173

**Enterprise Zone Participation
and Nominations**

Note: Item Nos. 70, 71, 72, 73, 74 & 75
must be considered collectively.

Item 70: A public hearing to receive comments concerning the City of Dallas's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303 Texas Government Code as revised effective August 11, 2007, in order to allow the nomination of DRS Technologies, 13544 & 13532 Central Expressway as an Enterprise Zone Project - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2174

**Enterprise Zone Participation
and Nominations**

Note: Item Nos. 70, 71, 72, 73, 74 & 75
must be considered collectively.

Item 71: Authorize the nomination by ordinance of DRS RSTA, Inc. located at 13544 & 13532 Central Expressway in Dallas to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to adopt the item.

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

Assigned ORDINANCE NO. 27977

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2175

**Enterprise Zone Participation
and Nominations**

Note: Item Nos. 70, 71, 72, 73, 74 & 75
must be considered collectively.

Item 72: Authorize the nomination of JPMorgan Chase & Co. located at 2200 Ross Avenue and 700 North Pearl Street to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost Consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2176

**Enterprise Zone Participation
and Nominations**

Note: Item Nos. 70, 71, 72, 73, 74 & 75
must be considered collectively.

Item 73: Authorize the nomination of Laboratory Corporation of America (LabCorp) located at 7777 Forest Lane to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2177

**Enterprise Zone Participation
and Nominations**

Note: Item Nos. 70, 71, 72, 73, 74 & 75
must be considered collectively.

Item 74: Authorize the nomination of Mary Kay Inc. located at 1330 Regal Row and 2213 Connector Drive to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2178

**Enterprise Zone Participation
and Nominations**

Note: Item Nos. 70, 71, 72, 73, 74 & 75
must be considered collectively.

Item 75: Authorize the nomination of The Neiman-Marcus Group, Inc. located at 4121 Pinnacle Point Drive to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2179

Item 76: A public hearing to receive comments on the proposed FY 2010-11 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council on the item:

John Van Buskirk, 2450 Wildoak Dr.
Allison Schwartz, 10858 Caprock Cir.
Suzanne Charriere, 7209 Lupton Cir., representing Dallas Public Library
Ed Palmer, 6020 Tremont St.
Jeanne Miller, 4 Castlecreek Ct.
Ben Burns, 7372 Big Sky Dr., representing Boy Scouts
Javier Flores, 4080 Walnut Hill Ln., representing Boy Scouts
James Murphey, 12210 Marbrook Dr., representing Boy Scouts
Paul Wachsman, 3172 Timberview Rd., representing Boy Scouts
Solomon Espie, 4004 David Phillips St., representing Dance Council of North Texas
Perry Forshee, 3916 Pine St., representing Fair Budget Campaign Committee
Michael Rodgers, Sr., 6245 Balcony Ln.
Kevin Willoughby, 5619 Gaston Ave.
Deborah Brown, (Not Provided)
Adlene Harrison, 5841 Burgundy Rd.
LouAnne Smith, 1321 E. Canterbury Ct.
Deborah Brown, 8039 Westover Dr.
Trina Triche, (Not Provided)
SusyBell Gosslee, 9511 Faircrest Dr., representing Women's Issues Network
Evelyn Woods, (Not Provided), representing Tommie Allen Recreation Center
Carlos Marroquin, 5106 Cedar Springs, representing City of Dallas non-uniform employees
Harold Donahue, 3918 Waterhouse Dr.
Susan Woods, 122 S. Casa Grande Cir., **Duncanville, TX**
Patricia Peiser, 10416 Pagewood Dr.
Gwain Wooten, 1000 Grigsby Ave.
Lionel Churchill, 7439 San Jose Ave.
Manny Ybarra, 10440 N. Central Expy.
Jon Napper, 9430 Hathaway St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
10-2179
Page 2

The following individuals addressed the city council on the item:
(Continued)

LaKisha Thomas, 7909 Vista Hill Ln.
Jesus Moreno, 4809 Victor St.
Dawn Miller, 6806 Hot Springs Ct.
Lottie Stewart, 5663 Trailwood Dr., representing Singing Hills Recreation Center
Jessie Tafia, Jr., 9465 Dale Glade Dr.
Leslie Allen Davis, 3035 E. Ledbetter Dr.

Councilmember Neumann moved to close the public hearing.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Davis, Salazar absent when vote taken; Hunt absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

Closed Session [**10-2180; NOT HELD**]

6ES

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

- United States of America et al. v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2181

Addendum addition 1: Authorize the purchase of a three-year insurance policy for commercial property insurance for money and securities, boilers and machinery, property and fine arts from October 1, 2010 through September 30, 2013 - Wells Fargo Insurance Services USA, Inc., most advantageous proposer of four - Not to exceed \$7,400,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2182

**Electronic Patient Care
Reporting System**

Note: Addendum Item Nos. 2 and 3
must be considered collectively.

Addendum addition 2: Authorize a one-year service contract, with four one-year extension options, for hardware maintenance and a software subscription agreement for a specialized electronic patient care reporting system for Dallas Fire-Rescue - Emergidata, Inc., Sole Source - Not to exceed \$444,000 - Financing: Current Funds (subject to annual appropriations)

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

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

Mayor Leppert called a recess of the city council meeting at 10:08 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 11:00 a.m.

No other matters were discussed during the executive session.

Councilmember Salazar moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2183

**Electronic Patient Care
Reporting System**

Note: Addendum Item Nos. 2 and 3
must be considered collectively.

Addendum addition 3: Authorize **(1)** a five-year and six-month service contract, with two one-year extension options, for the billing, collection and reporting of emergency ambulance fees with the option to include hardware maintenance and a specialized electronic patient care reporting system during the contract term; and **(2)** a five-year and six-month service contract, with two one-year extension options, for fire services fees - Advanced Data Processing, Inc., most advantageous proposer of five - Estimated Net Annual Revenue: \$17,909,068

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

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

Mayor Leppert called a recess of the city council meeting at 10:08 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 11:00 a.m.

No other matters were discussed during the executive session.

Councilmember Salazar moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2184

Addendum addition 4: Authorize **(1)** an amendment to the NSP Program Statement for the City Manager, or her designee, to be authorized to implement the Housing/Community Services NSP Program as per Exhibit A, and any documents necessary to implement this certain program be authorized for execution; and **(2)** the execution of a loan agreement in the amount of \$500,000 at 0% interest with South Dallas/Fair Park Innercity Community Development Corporation (ICDC) for the acquisition, redevelopment, and sale of vacant, foreclosed property for new affordable housing in accordance with Neighborhood Stabilization Program (NSP) - Total not to exceed \$500,000 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2185

Addendum addition 5: Authorize the execution of a loan agreement in the amount of \$500,000 at 0% interest with East Dallas Community Organization (EDCO) for the acquisition, redevelopment, and sale of vacant, foreclosed property for new affordable housing in accordance with Neighborhood Stabilization Program - Total not to exceed \$500,000 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2186

Addendum addition 6: Authorize the execution of a loan agreement in the amount of \$1,500,000 at 0% interest with City Wide Community Development Corporation (CWCDC) for the acquisition, redevelopment, and sale of vacant, foreclosed property for new affordable housing in accordance with Neighborhood Stabilization Program - Total not to exceed \$1,500,000 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 25, 2010

10-2187

Addendum addition 7: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Dallas Housing Authority of an unimproved tract of land containing approximately 15.419 acres located at the intersection of U.S. Highway 175 and Municipal Street for the Rochester Levee - Not to exceed \$80,200 (\$76,700 plus closing costs not to exceed \$3,500) - Financing: U. S. Army Corps of Engineers Project Cooperation Funds

Adopted as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 25, 2010

EXHIBIT C