

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 22, 2010

10-2344
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar, Davis,
Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt

ABSENT: [0]

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

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

The invocation was given by Elizabeth Boone McLean, Reverend, Preston Hollow
Presbyterian Church.

Councilmember Salazar 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 3:17 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, SEPTEMBER 22, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 22, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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10-2345

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: James Forntenberry, 7440 La Vista Dr.
REPRESENTING: United Labor Unions, Local 100
SUBJECT: Minimum wage sanitation laborers

SPEAKER: David Gipson, 7030 Fair Oaks Ave.
REPRESENTING: Citizens of Dallas/Laid off workers
SUBJECT: Tax hike alternative

SPEAKER: Rick Gonzales, 4283 S. Cresthaven Rd.
REPRESENTING: Airways Heights
SUBJECT: Tax increase

SPEAKER: Ed Propes, 2639 Exeter Dr.
SUBJECT: Why won't city hall give me a parking permit?

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

SPEAKER: Tom Gibbons, 5029 Live Oak St.
SUBJECT: Officer lying under oath

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

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

SPEAKER: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: Some Citizens
SUBJECT: Love Field is now Hate Field

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At the request of Councilmember Atkins and general consensus of the City Council the following citizen was allowed to speak at the end of the meeting:

SPEAKER: Otis Fagan, 2247 Scotland Dr.
REPRESENTING: Clean Environmental Justice
SUBJECT: Lead in West Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2346

Item 1: Approval of Minutes of the September 8, 2010 City Council Meeting and the September 13, 2010 Council Budget Briefing.

Councilmember Neumann moved to approve the minutes.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2347

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-64 and addendum addition consent agenda items 1-5, was presented for consideration.

Councilmember Neumann requested that consent agenda items 57, 58 and 59 be considered as individual items. Mayor Leppert stated that consent agenda items 57, 58 and 59 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Kadane moved to approve all items on the consent agenda with the exception of consent agenda items 57, 58 and 59 which would be considered later in the meeting.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2348

Item 2: Authorize a three-year car rental concession contract, with three one-year renewal options, at Dallas Love Field Airport - Simply Wheelz, LLC dba Advantage Rent A Car, highest responsible bidder of two - Estimated Annual Revenue: \$216,667 (minimum annual guarantee or 10% of gross sales, whichever is greater)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2349

Item 3: Authorize the purchase of three Total Organic Carbon Analyzers and accessories for Water Utilities - GE Analytical Instruments, Inc. in the amount of \$61,098 and O I Analytical in the amount of \$29,200, lowest responsible bidders of three - Total not to exceed \$90,298 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2350

Item 4: Authorize the purchase of a three-year insurance policy for Excess Workers' Compensation Insurance - McGriff, Seibels & Williams of Texas, Inc., most advantageous proposer of two - Not to exceed \$1,215,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2351

Item 5: Authorize the purchase of furniture for the Women, Infants and Children's Program - BKM Total Office of Texas, LLC., through the National Joint Powers Alliance contract and the Texas Multiple Award Schedule contract - Not to exceed \$163,949 - Financing: Texas Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2352

Item 6: Authorize settlement of the lawsuit styled Isaiah Carraway v. City of Dallas, Texas Department of Transportation, Salah Zardeh, Lorenzo Brown, May Rom, Inc. and Eskender Berhe, Cause No. 08-12175-D - Not to exceed \$15,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2353

Item 7: Authorize settlement of the lawsuit styled David Ruiz v. City of Dallas, Cause No. 09-09407-A - Not to exceed \$19,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2354

Item 8: Authorize the City Auditor's 2010-2011 Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2355

- Item 9: Authorize payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2010 through September 30, 2011 - Not to exceed \$8,116,058 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2356

Item 10: A resolution declaring the City of Dallas' approval of the addition of City owned properties addressed as 4512 and 4524 West Davis Street 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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2357

Item 11: Authorize **(1)** a public hearing to be held on December 8, 2010 to receive comments to consider the creation of a Tax Increment Financing Reinvestment Zone for the Cypress Waters area (Cypress Waters TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Cypress Waters TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2358

Item 12: Authorize **(1)** a decrease in the contract with Johnson Controls, Inc. to provide credit for revised construction scope and ONCOR rebates at the Dallas Convention Center located at 650 South Griffin Street in the amount of (\$442,054), from \$15,955,356 to \$15,513,302; and **(2)** a decrease in the Performance Assurance Support Services annual agreement in the amount of (\$1,785,355), from \$2,323,728 to \$538,373 - Total not to exceed (\$2,227,409) - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2359

Item 13: Authorize **(1)** the acceptance of a Fair Housing Assistance Comprehensive Funding Approach Award from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program (FHAP) to process, investigate and conciliate housing discrimination complaints, to provide for administrative costs and HUD required staff training for the period October 1, 2010 through September 30, 2011; and **(2)** the execution of any and all documents related to the grant - Not to exceed \$224,324 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2360

Item 14: Authorize payment to the Dallas County Community College District in the amount of \$44,800 and the University of Texas Southwestern Medical Center at Dallas in the amount of \$9,520 for mandatory Emergency Medical Services training of emergency medical technicians (EMT) basic level only for the period October 1, 2010 through September 30, 2011 - Total not to exceed \$54,320 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2361

Item 15: Authorize payment to the Texas Commission on Fire Protection for annual certifications and testing of uniformed Dallas Fire-Rescue Department personnel as required by the Texas Commission on Fire Protection for the period October 1, 2010 through September 30, 2013 - Not to exceed \$267,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2362

Item 16: Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for the required services of a Medical Director for the period October 1, 2010 through September 30, 2011 - Not to exceed \$152,472 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2363

Item 17: Authorize **(1)** a contract renewal for a twenty-four-month period with Parkland Memorial Hospital for Biomedical On-Line Supervision; and **(2)** Interlocal Agreements with participating local governmental entities - Not to exceed \$2,061,672 - Financing: Current Funds (subject to annual appropriations) (\$916,934 to be received from participating cities)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2364

Item 18: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide a tenant-based rental assistance program for homeless individuals and families for the period October 1, 2010 through September 30, 2011 - Not to exceed \$300,000 - Financing: 2010-11 HOME Investment Partnerships Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2365

Item 19: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2010 through September 30, 2011 - Not to exceed \$1,423,100 - Financing: 2010-11 Housing Opportunities for Persons with AIDS Grant Funds (\$923,100) and 2009-10 Housing Opportunities for Persons with AIDS Grant Funds (\$500,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2366

Item 20: Authorize a twelve-month contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2010 through September 30, 2011 - Not to exceed \$422,650 - Financing: 2010-11 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2367

Item 21: Authorize a twelve-month contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2010 through September 30, 2011 - Not to exceed \$208,941 - Financing: 2010-11 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2368

Item 22: Authorize a twelve-month contract with My Second Chance, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2010 through September 30, 2011 - Not to exceed \$175,810 - Financing: 2010-11 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2369

Item 23: Authorize a twelve-month contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2010 through September 30, 2011 - Not to exceed \$1,251,016 - Financing: 2010-11 Housing Opportunities for Persons with AIDS Grant Funds (\$783,838), 2009-10 Housing Opportunities for Persons with AIDS Grant Funds (\$276,552), and 2008-09 Housing Opportunities for Persons with AIDS Grant Funds (\$190,626)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2370

Item 24: Authorize a twelve-month contract, with two twelve-month renewal options, with Phoenix Houses of Texas, Inc. for residential substance abuse treatment services for low-income medically indigent adolescents for the period October 1, 2010 through September 30, 2011 - Not to exceed \$65,000 - Financing: 2010-11 Community Development Block Grant Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2371

Item 25: Authorize contracts with child care providers for the Child Care Services Program for the period October 1, 2010 through September 30, 2011 (list attached) - Not to exceed \$128,709 - Financing: 2010-11 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2372

Item 26: Authorize a contract with Community Dental Care for the continuation of dental health services to low/moderate income children through age 19 residing in Dallas for the period October 1, 2010 through September 30, 2011 - Not to exceed \$200,000 - Financing: 2010-11 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2373

Item 27: Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2010 through September 30, 2011 - Not to exceed \$15,623,130 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2374

Item 28: Authorize the re-designation of seventeen census tracts comprising five Neighborhood Investment Program target areas for a minimum of two years beginning October 1, 2010 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2375

Item 29: Authorize final adoption of Substantial Amendment No. 6 to amend the FY 2008-2013 Consolidated Plan for U.S. Department of Housing and Urban Development Funds to incorporate additional City priority needs and resources, including **(1)** the production, acquisition or rehabilitation of rental units for low and moderate income renters; **(2)** micro-loans for the establishment, stabilization and expansion of microenterprises; and **(3)** up to \$75,000,000 in Section 108 funds as potential resources to address identified needs – Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2376

Dallas/Fort Worth International Airport

Item 30: Approval of the Master Bond Ordinance amending and restating the Controlling Ordinances and authorizing the issuance of additional Joint Revenue Bonds of the Cities of Dallas and Fort Worth related to the Dallas/Fort Worth International Airport - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Note: The following items (30-34) are to be considered Items for Individual Consideration.

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins.

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Jasso and Councilmember Salazar voting "No." (Koop and Hunt absent when vote taken)

Assigned ORDINANCE NO. 27989

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2377

Dallas/Fort Worth International Airport

Item 31: Approval of the Forty-Fourth Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Improvement Bonds, Series 2010A (the "2010A Bonds"), subject to certain parameters - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Note: The following items (30-34) are to be considered Items for Individual Consideration.

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

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins.

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Jasso and Councilmember Salazar voting "No." (Koop abstain: Hunt absent when vote taken)

Assigned ORDINANCE NO. 27990

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2378

Dallas/Fort Worth International Airport

Item 32: Approval of the Forty-Fifth Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Improvement Bonds, Series 2011A (the "2011A Bonds"), subject to certain parameters - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Note: The following items (30-34) are to be considered Items for Individual Consideration.

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

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Jasso and Councilmember Salazar voting "No." (Koop abstain; Hunt absent when vote taken)

Assigned ORDINANCE NO. 27991

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2379

Dallas/Fort Worth International Airport

Item 33: Approval of the Forty-Sixth Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Improvement Bonds, Series 2011B (the "2011B Bonds"), subject to certain parameters - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Note: The following items (30-34) are to be considered Items for Individual Consideration.

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

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins.

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Jasso and Councilmember Salazar voting "No." (Koop abstain: Hunt absent when vote taken)

Assigned ORDINANCE NO. 27992

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2380

Dallas/Fort Worth International Airport

Item 34: Authorize approval of the 2010-2011 Dallas/Fort Worth International Airport Board Annual Budget - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Note: The following items (30-34) are to be considered Items for Individual Consideration.

Councilmember Hill moved to adopt the item.

Motion seconded by Councilmember Atkins.

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Jasso and Councilmember Salazar voting "No." (Koop and Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2381

Item 35: An ordinance amending Chapter 32 of the Dallas City Code to provide hours of closure for public parks and park amenities owned or managed by the city, whether located inside or outside the city limits - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27993

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2382

Item 36: Authorize a contract for a playground replacement at Fireside Park located at 8600 Fireside Drive - Texas Standard Construction, Ltd., lowest responsible bidder of nine - Not to exceed \$166,200 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2383

Item 37: Authorize a contract for a playground replacement, additional playground and renovation of the existing multi-purpose court at Glendale Park located at 1300 East Ledbetter Drive and a playground replacement at Scotland Park located 2322 Scotland Drive - Primestar Development Corporation dba Primestar Construction, lowest responsible bidder of four - Not to exceed \$341,500 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2384

Item 38: Authorize a contract for playground replacements at J.P. Hawn Park located at 2600 St. Augustine Road and Holcomb Park located at 1044-1114 Holcomb Road - Lambeth Home Builders, Inc., lowest responsible bidder of eight - Not to exceed \$195,800 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2385

Item 39: Authorize a professional services contract with Hargreaves Associates, Inc. for a park development plan and topographic survey for new soccer fields, off-leash dog park and trails at Joey Georgusis Park located east of Cockrell Hill Road, south of Pinnacle Point Drive - Not to exceed \$98,481 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2386

Item 40: Authorize a professional services contract with Schrickel, Rollins and Associates, Inc. for a topographic survey, design and construction documents for a concrete trail; trail and sidewalk connections; retaining walls; landscaping; and site amenities at the Trinity Strand Trail located at Trinity Meanders from Stemmons Freeway to Medical District Drive - Not to exceed \$209,142 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2387

Item 41: Authorize Supplemental Agreement No. 1 to the professional services contract with Brand-Sayers Architects, Inc. for construction administration services for interior renovation and expansion, heating, ventilation and air conditioning system replacement and parking lot expansion at Kidd Springs Recreation Center located at 700 West Canty Street - Not to exceed \$45,000, from \$194,200 to \$239,200 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2388

Item 42: Authorize **(1)** the Dallas Police Department to expend funds for overtime, in the amount of \$630,000, to be reimbursed from various federal and state law enforcement agencies for FY 2010-11 (list attached); **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$182,385; and **(3)** execution of the grant agreements - Total not to exceed \$812,385 - Financing: Current Funds (\$630,000 to be reimbursed by various federal and state law enforcement agencies)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2389

Item 43: Authorize a contract with Gibson & Associates, Inc., lowest responsible bidder of three, for the construction of converting operation of four streets from one-way to two-way traffic flow (list attached) - Not to exceed \$794,198 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2390

Item 44: Authorize a contract with Gibson & Associates, Inc., lowest responsible bidder of two, for the construction of two streetscape improvement projects to enhance two segments of roadway and one thoroughfare improvement project to convert traffic flow from a one-way to two-way street on one segment of roadway (list attached) - Not to exceed \$1,054,878 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2391

Item 45: Authorize a contract with Tiseo Paving Company, lowest responsible bidder of nine, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Bexar Street - Phase III, from Municipal Street to the levee - Not to exceed \$1,393,632 - Financing: 2006 Bond Funds (\$847,170), Water Utilities Capital Construction Funds (\$25,543) and Water Utilities Capital Improvement Funds (\$520,919)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2392

Item 46: Authorize Supplemental Agreement No. 1 to the professional services contract with Urban Engineers Group, Inc. to provide additional engineering services for South Polk Street from Wilbur Street to West Clarendon Drive - Not to exceed \$45,290, from \$416,291 to \$461,581 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2393

Item 47: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charles C. Deason and Inez F. Deason of approximately 29,789 square feet of land located near the intersection of Quietwood Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$185,000 (\$180,000 plus closing costs not to exceed \$5,000) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2394

Item 48: Authorize moving expense and rental assistance payments for Jose Contreras and Efren Contreras in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2407 Chrysler Drive for future City facilities - Not to exceed \$16,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2395

Item 49: Authorize moving expense and replacement housing payments for Santos Medrano in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 923 Pontiac Avenue for future City facilities - Not to exceed \$27,200 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2396

Item 50: Authorize moving expense and replacement housing payments for Ernestina Constancio in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 919 Pontiac Avenue for future City facilities - Not to exceed \$34,800 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2397

Item 51: Authorize moving expense and replacement housing payments for Guadalupe Nunez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1018 LaSalle Drive for future City facilities - Not to exceed \$43,800 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2398

Item 52: An ordinance granting renewal of a private license to Dallas County Community College District for the maintenance and use of approximately 3,472 square feet of land for an existing loading dock located near the intersection of Pacific Avenue and Record Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27994

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2399

Item 53: An ordinance abandoning a portion of a sanitary sewer easement to Boise Cascade Building Materials Distribution, L.L.C., the abutting owner, containing approximately 19,138 square feet of land located near the intersection of Duncanville Road and Ledbetter Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27995

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2400

Item 54: An ordinance abandoning a wastewater easement to Mary Ellen Ruark, the abutting owner, located near the intersection of Prairie Avenue and Munger Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27996

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2401

Item 55: An ordinance abandoning two storm sewer easements to Northwest/Webb Chapel Properties, L.P., the abutting owner, containing a total of approximately 290 square feet of land located near the intersection of El Centro Drive and Webb Chapel Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27997

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2402

Item 56: An ordinance abandoning portions of alleys to Dallas Independent School District, the abutting owner, containing a total of approximately 16,000 square feet of land located near the intersection of Crawford and Ninth Streets and authorizing the quitclaim - Revenue: \$44,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27998

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2403

Item 57: Authorize Supplemental Agreement No. 1 to the professional services contract with Arun Wagh, Inc., Geotechnical & Environmental Consultants, for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station, Baker Pump Station and Sylvan Avenue Bridge for the Trinity River Corridor Project - Not to exceed \$90,952, from \$114,400 to \$205,352 - Financing: 2003 Bond Funds (\$33,952) and 2006 Bond Funds (\$57,000)

Councilmember Neumann requested that consent agenda item 57 be considered as an individual item. Mayor Leppert stated that consent agenda item 57 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 57 was brought up for consideration.

Councilmember Neumann moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2404

Item 58: Authorize Supplemental Agreement No. 1 to the professional services contract with David T. Williams and Associates, Engineers, LLC for independent external peer review services for the Dallas Floodway Project including the 100-Year Levee Improvement Project, Pavaho Pump Station, Baker Pump Station and Sylvan Avenue Bridge for the Trinity River Corridor Project - Not to exceed \$67,852, from \$226,900 to \$294,752 - Financing: 2003 Bond Funds (\$35,852) and 2006 Bond Funds (\$32,000)

Councilmember Neumann requested that consent agenda item 58 be considered as an individual item. Mayor Leppert stated that consent agenda item 58 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 58 was brought up for consideration.

Councilmember Neumann moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2405

Item 59: Authorize Supplemental Agreement No. 1 to the professional services contract with George Sills Geotechnical Engineering Consultant, LLC for independent external peer review services for the Dallas Floodway Project including the 100-Year Levee Improvement Project, Pavaho Pump Station, Baker Pump Station and Sylvan Avenue Bridge for the Trinity River Corridor Project - Not to exceed \$91,072, from \$201,353 to \$292,425 - Financing: 2003 Bond Funds (\$34,072) and 2006 Bond Funds (\$57,000)

Councilmember Neumann requested that consent agenda item 59 be considered as an individual item. Mayor Leppert stated that consent agenda item 59 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 59 was brought up for consideration.

Councilmember Neumann moved to adopt the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2406

Item 60: Authorize the deposit of a Special Commissioners' Award in the lawsuit styled City of Dallas vs. J.S.A. Sportatorium, Inc. et al, Cause No. CC-08-09085-E, for acquisition from Sportatorium Associates, Inc. and J.S.A. Sportatorium Inc. of approximately 9,744 square feet of land located at the intersection of Cadiz Street and Riverfront Boulevard for the Cadiz Street Pump Station Project - Not to exceed \$277,100 (\$275,000 plus closing costs not to exceed \$2,100) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2407

Item 61: Authorize **(1)** the acceptance of a grant from the Environmental Protection Agency in the amount of \$3,750,000 for Phase III of the Water Security Initiative Contamination Warning System Demonstration Pilot Program; **(2)** the establishment of appropriations in the amount of \$3,750,000 in the Environmental Protection Agency Grant Fund to continue the implementation and administration of the program; and **(3)** Supplemental Agreement No. 2 to the professional services contract with CH2M HILL, Inc. to provide additional engineering services to implement the development of the pilot program in the amount of \$4,081,828, from \$5,350,000 to \$9,431,828 - Total not to exceed \$3,721,828 - Financing: U.S. Environmental Protection Agency Grant Funds (\$3,750,000) and U.S. Department of Homeland Security Grant Funds (\$360,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2408

Item 62: Authorize a contract for improvements to the Complex B final clarifiers at the Central Wastewater Treatment Plant - Archer Western Contractors, Ltd., lowest responsible bidder of four - Not to exceed \$7,826,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2409

Item 63: Authorize a contract for the installation of water and wastewater mains at 10 locations (list attached) - Southland Contracting, Inc., lowest responsible bidder of seven - Not to exceed \$9,856,310 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2410

Item 64: Authorize Supplemental Agreement No. 1 to the professional services contract with Jaster-Quintanilla Dallas, LLP, to provide construction administration and start-up services associated with two construction projects at the Central Wastewater Treatment Plant - Not to exceed \$361,507, from \$913,396 to \$1,274,903 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2411

Item 65: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments made to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2412

Item 66: A resolution authorizing an amendment of 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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2413

Item 67: 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

Councilmember Hunt moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2414

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 68: Authorize an amendment to the 10-year business personal property tax abatement and grant agreement with Niagara Bottling, LLC to: **(1)** decrease the job creation requirement from 203 to 88 to be met by April 15, 2011; **(2)** decrease the term from 10 years to 5 years with a 60 percent tax abatement for the first three years and 45 percent for years four and five; **(3)** increase the personal property investment requirement from \$35,000,000 to \$46,000,000 by December 31, 2011; **(4)** provide for termination of the existing 10-year real property tax abatement and the business personal property tax abatement in the event the job creation requirement is not met by April 15, 2011 and maintained thereafter; and **(5)** release the encumbrance and rescind the \$100,000 Chapter 380 Economic Development Grant - 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 adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2415

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 69: Authorize an amendment to the grant agreement with the World Affairs Council of Dallas/Fort Worth to extend the existing term from October 1, 2010 through December 31, 2010 for economic development and protocol services - Not to exceed \$50,000, from \$200,000 to \$250,000 - Financing: Public/Private Partnership Funds (subject to appropriations)

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

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

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2416

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 70: Authorize **(1)** the second renewal option with Business Assistance Centers (BAC) to provide technical assistance and eligible microenterprise program activities and services to low-to-moderate income persons owning or starting microenterprises with: **(a)** Greater Dallas Hispanic Chamber of Commerce (BAC#1) located at 4622 Maple Avenue in an amount not to exceed \$80,000; **(b)** Innercity Community Development Corporation (BAC#2) located at 4907 Spring Avenue in an amount not to exceed \$80,000; **(c)** Greater Dallas Hispanic Chamber of Commerce (BAC#3) located at 2060 Singleton Boulevard in an amount not to exceed \$80,000; **(d)** Greater Dallas Hispanic Chamber of Commerce (BAC#4) located at 400 South Zang in an amount not to exceed \$80,000; **(e)** MBA Consultants (BAC#5) located at 208 East Wheatland Road in an amount not to exceed \$80,000; **(f)** Greater Dallas Asian American Chamber of Commerce/Multi-Ethnic Education and Economic Development Center (BAC#6) located at 11171 Harry Hines Boulevard in an amount not to exceed \$80,000; and **(g)** Organization of Hispanic Contractors DBA Regional Hispanic Contractors Association (BAC#7) located at 2210 West Illinois Avenue in an amount not to exceed \$80,000; and **(2)** a contract for one-year with the Greater Dallas Indo American Chamber of Commerce (BAC#8) located at 2750 West Northwest Highway in an amount not to exceed \$80,000 - Not to exceed \$640,000 - Financing: 2010-11 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 Jasso moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2417

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 71: Authorize the reconstruction on-site of one home in accordance with the Reconstruction/SHARE Program Statement requirements for the property located at 2011 Pueblo Street - Total not to exceed \$93,400 - 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 Salazar moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2418

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 72: Authorize the reconstruction on-site of one home in accordance with the Reconstruction/SHARE Program Statement requirements for the property located at 3206 Arizona Avenue in the amount of \$93,400 - Total not to exceed \$93,400 - Financing: 2009-10 Home Investment Partnership Program 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 Mayor Pro Tem Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2419

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 73: Authorize an amendment to Resolution No. 10-1101, previously approved on April 28, 2010, to increase the loan amount by \$1,000,000 on an existing economic development loan with South Dallas/Fair Park Inncity Community Development Corporation (ICDC) for the acquisition and development of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, demolition costs, predevelopment costs, and development costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area - Not to exceed \$1,000,000, from \$1,500,000 to \$2,500,000 - Financing: 2006 Bond Funds

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

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2420

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 74–80, was presented for consideration.

Agenda items 75 and 76 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 74 Zoning Case Z090-170 (OTH)

~~Agenda item 75 Zoning Case Z090-174 (WE)~~ **[considered individually]**

~~Agenda item 76 Zoning Case Z090-183 (WE)~~ **[considered individually]**

Agenda item 77 Zoning Case Z090-188 (MG)

Agenda item 78 Zoning Case Z090-196 (OTH)

Agenda item 79 Zoning Case Z090-202 (MG)

Agenda item 80 Zoning Case Z090-206 (RB)

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

Deputy Mayor Pro Tem Medrano moved to close the public hearings, adopt the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2421

Item 74: Zoning Case Z090-170 (OTH)

The consent zoning docket, consisting of agenda items 74-80, was presented for consideration.

A public hearing was called on zoning case Z090-170 (OTH), an application for and an ordinance granting the renewal of Specific Use Permit No. 1410 for a restaurant with drive-in or drive-through service on property zoned a CA-1(A) SP Central Area District and Secondary Pedestrian Overlay, on the southwest corner of Commerce Street and Griffin Street

(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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27999

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2422

Item 75: Zoning Case Z090-174 (WE)

The consent zoning docket, consisting of agenda items 74-80, was presented for consideration.

Councilmember Hunt requested that zoning consent item 75 be considered as an individual item. Mayor Leppert stated that zoning consent item 75 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

A public hearing was called on zoning case Z090-174 (WE), an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use within Planned Development District No. 619 for mixed uses on the south side of Main Street, west of Ervay Street

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

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

Councilmember Hunt moved to continue the public hearing and hold under advisement until the November 10, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2423

Item 76: Zoning Case Z090-183 (WE)

The consent zoning docket, consisting of agenda items 74-80, was presented for consideration.

Councilmember Neumann requested that zoning consent item 76 be considered as an individual item. Mayor Leppert stated that zoning consent item 76 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

A public hearing was called on zoning case Z090-183 (WE), an application for and an ordinance granting a Specific Use Permit for an utility or government installation other than listed on property within Tract A of Planned Development District 468, the Oak Cliff Gateway Special Purpose District, on the east side of Beckley Avenue at the terminus of I-30 Frontage Road

(The staff and city plan commission recommended Approval for an eight-year period, subject to a site plan and conditions)

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

Councilmember Neumann moved to continue the public hearing and hold under advisement until the October 13, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2424

Item 77: Zoning Case Z090-188 (MG)

The consent zoning docket, consisting of agenda items 74-80, was presented for consideration.

A public hearing was called on zoning case Z090-188 (MG), an application for and an ordinance granting a Specific Use Permit for a child-care facility use on property zoned an R-7.5(A) Single Family District generally on the southwest corner of East Camp Wisdom Road and Houston School 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)

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. 28000

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2425

Item 78: Zoning Case Z090-196 (OTH)

The consent zoning docket, consisting of agenda items 74-80, was presented for consideration.

A public hearing was called on zoning case Z090-196 (OTH), an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1724 for an Animal clinic without outside run, limited to boarding and grooming, on property zoned Tract 6A within Planned Development District No. 170, on the west line of Preston Road, south of Lloyd Drive

(The staff and city plan commission recommended Approval for a three-year period with eligibility for automatic renewal for additional three-year periods, subject to 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. 28001

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2426

Item 79: Zoning Case Z090-202 (MG)

The consent zoning docket, consisting of agenda items 74-80, was presented for consideration.

A public hearing was called on zoning case Z090-202 (MG), an application for and an ordinance granting the renewal of Specific Use Permit No. 1588 for a child-care facility on property zoned an R-7.5(A) Single Family District, on the southwest corner of Illinois Avenue and Salerno Street

(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 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. 28002

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2427

Item 80: Zoning Case Z090-206 (RB)

The consent zoning docket, consisting of agenda items 74-80, was presented for consideration.

A public hearing was called on zoning case Z090-206 (RB), an application for and an ordinance granting the renewal of Specific Use Permit No. 1695 for a Bar, lounge, or tavern and an Inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the northwest corner of Commerce Street and La France Street

(The staff and city plan commission recommended Approval for a four-year period, subject to a revised 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. 28003

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2428

Item 81: Zoning Case Z090-194 (WE) DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z090-194 (WE), an application for and an ordinance granting an amendment to, and an expansion of, Subarea 2 of Planned Development District No. 585 for A(A) Agricultural District uses and surface parking limited to providing a portion of the parking for the church in Subarea 1 on property zoned Subarea 2 within Planned Development District No. 585 and an A(A) Agricultural District on the south side of Kiest Boulevard, between Spur 408 and Merrifield Road

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

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

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

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

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

Jonathan Vinson, 901 Main St., representing the applicant

Councilmember Neumann moved to close the public hearing and follow the city plan commission's recommendation to adopt the item and pass the ordinance.

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

Assigned ORDINANCE NO. 28004

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2429

Item 82: DEVELOPMENT CODE AMENDMENTS - CONSENT

A public hearing to receive comments regarding consideration of amending the Dallas Development Code to delete the provision exempting public or private schools from payment of Specific Use Permit application fees and an ordinance granting the amendments

(The staff and city plan commission recommended approval)

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

Councilmember Davis moved to continue the public hearing and hold under advisement indefinitely.

Motion seconded by Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2430

Item 83: A benefit assessment hearing to receive comments on sidewalk paving for Sidewalk Group 06-140, and at the close of the hearing, authorize an ordinance levying benefit assessments (list attached) - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Jasso moved to close the public hearing, levying benefit assessments and pass the ordinance.

Motion seconded by Councilmember Hunt and unanimously adopted.

Assigned ORDINANCE NO. 28005

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2431

Item 84: A public hearing to receive comments on Substantial Amendment No. 2 to the FY 2008-09 Consolidated Plan Budget for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) funded through the American Recovery and Reinvestment Act to reprogram \$858,875 of HPRP Homeless Prevention funds from Homeless Prevention, Financial Assistance (\$717,145) and Housing Relocation and Stabilization (\$141,730) budget categories to allocate: **(a)** \$56,448 to the Data Collection and Management category; **(b)** \$41,730 to Homeless Prevention, Housing Relocation and Stabilization category for Outreach and Engagement/Case Management Program; **(c)** \$213,970 to the Homeless Prevention, Financial Assistance category for the Homeless Services Program; and **(d)** \$546,727 to the existing HPRP contract with Central Dallas Ministries funded under the Homeless Prevention category; and at the close of the public hearing, authorize **(1)** final adoption of Substantial Amendment No. 2 to the FY 2008-09 Consolidated Plan Budget for the Homelessness Prevention and Rapid Re-Housing Program; and **(2)** execution of Supplemental Agreement No. 2 to the contract with Central Dallas Ministries to increase the contract amount by \$546,727 to provide additional eligible HPRP services - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2432

Item 85: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Houston School Road between Wheatland Road and Ledbetter Drive to University Hills Boulevard - NC090-003 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

John Ellis Price, 7300 Houston School Rd., Inaugural President of the University of North Texas at Dallas

Councilmember Atkins moved to close the public hearing and follow the city plan commission's recommendation to adopt changing the name of Houston School Road to University Hills Boulevard between Ledbetter Drive and Wheatland Road. The following street name standards are waived for purposes of this ordinance:

- Dallas Development Code Section 51A-9.304(a)(5), which provides that a street name may not contain more than 14 characters.
- Dallas Development Code Section 51A-9.304(c)(1), which provides that a historic street name may not be changed.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28006

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2433

Item 86: A public hearing to receive comments on the proposed changes to the City's Community Development Block Grant public improvement policy for nonprofit organizations; and at the close of the public hearing: **(1)** rescind the current policy that discontinued the use of CDBG funds for public improvement activities at nonprofit organizations; and **(2)** adopt a new policy for which CDBG funds will be used to fund public improvement activities at nonprofit organizations - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Davis moved to continue the public hearing and postpone the item for 30 days.

Motion seconded by Councilmember Atkins.

After discussion, Mayor Pro Tem Caraway called for a vote on the motion.

Voting Yes: [8] Caraway, Medrano, Jasso, Hill, Salazar, Davis, Atkins, Hunt
Voting No: [6] Neumann, Kadane, Allen, Koop, Natinsky, Margolin
Absent when vote taken: [1] Leppert

Mayor Pro Tem Caraway declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2434

Deep Ellum Public Improvement District

Note: Item Nos. 87 and 88
must be considered collectively.

Item 87: A public hearing to receive comments regarding the 2010 annual assessment rate for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Deep Ellum Public Improvement District for the purpose of providing supplemental services and improvements, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 88: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Deep Ellum Public Improvement District (District); approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 28007

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2435

Dallas Downtown Improvement District

Note: Item Nos. 79 and 80
must be considered collectively.

Item 89: A public hearing to receive comments regarding the 2010 annual assessment rate for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, (the Act) for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 90: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Dallas Downtown Improvement District; approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Not to exceed \$575,906 - Financing: Current Funds (subject to appropriations)

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28008

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2436

Knox Street Public Improvement District

Note: Item Nos. 91 and 92
must be considered collectively.

Item 91: A public hearing to receive comments regarding the annual assessment rate for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, (the Act) for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 92: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28009

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2437

Lake Highlands Public Improvement District

Note: Item Nos. 93 and 94
must be considered collectively.

Item 93: A public hearing to receive comments regarding the 2010 annual assessment rate for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 94: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Hunt absent when vote taken)

Assigned ORDINANCE NO. 28010

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2438

Oak Lawn-Hi Line Public Improvement District

Note: Item Nos. 95 and 96
must be considered collectively.

Item 95: A public hearing to receive comments regarding the annual assessment rate for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 96: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28011

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2439

Prestonwood Public Improvement District

Note: Item Nos. 97 and 98
must be considered collectively.

Item 97: A public hearing to receive comments regarding the annual assessment rate for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 98: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Neumann, Hunt absent when vote taken)

Assigned ORDINANCE NO. 28012

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2440

South Side Public Improvement District

Note: Item Nos. 99 and 100
must be considered collectively.

Item 99: A public hearing to receive comments regarding the annual assessment rate for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 100: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the South Side Public Improvement District (District); approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28013

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2441

Uptown Public Improvement District

Note: Item Nos. 101 and 102
must be considered collectively.

Item 101: A public hearing to receive comments concerning the 2010 annual assessment rate for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, (the Act) for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 102: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Uptown Public Improvement District; approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28014

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2442

Vickery Meadow Public Improvement District **Note:** Item Nos. 103 and 104 must be considered collectively.

Item 103: A public hearing to receive comments concerning the 2010 annual assessment rate for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Vickery Meadow Public Improvement District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 104: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Vickery Meadow Public Improvement District; approving and adopting the 2010 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2011; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Margolin and unanimously adopted. (Hunt absent when vote taken)

Assigned ORDINANCE NO. 28015

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2443

**Reinvestment Zone and Business Personal
Property Tax Abatement Authorization**

Note: Item Nos. 105, 106, 107 and 108
must be considered collectively.

Item 105: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 74, incorporating the 5.5 acres, of property located at 4525 Joseph Hardin Drive in Dallas, for the purpose of granting economic development incentives to Consolidated Container Company and Weingarten Realty Investors - Financing: No cost consideration to the City

Item 106: An ordinance designating the 5.5 acres of property located at 4525 Joseph Hardin Drive in Dallas, for the purpose of granting economic development incentives to Consolidated Container Company and Weingarten Realty Investors and establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to continue the public hearing and postpone until the October 13, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2444

**Reinvestment Zone and Business Personal
Property Tax Abatement Authorization**

Note: Item Nos. 105, 106, 107 and 108
must be considered collectively.

Item 107: Authorize a 60 percent business personal property tax abatement agreement for 5 years with Consolidated Container Company and Weingarten Realty Investors located on 5.5 acres of property located at 4525 Joseph Hardin Drive in Dallas - Revenue: First year revenue estimated at \$23,335; five-year revenue estimated at \$116,670 (Estimated revenue foregone for five-year business personal property tax abatement estimated at \$175,000)

No one addressed the city council regarding the item.

Councilmember Neumann moved to postpone the item until the October 13, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2445

**Reinvestment Zone and Business Personal
Property Tax Abatement Authorization**

Note: Item Nos. 105, 106, 107 and 108
must be considered collectively.

Item 108: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Consolidated Container Company associated with retaining the company's operation in Dallas - Not to exceed \$25,000 - Financing: Public/Private Partnership Funds

No one addressed the city council regarding the item.

Councilmember Neumann moved to postpone the item until the October 13, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

Briefing [10-2446]

Dallas/Fort Worth International Airport

- New Use Agreement
- Terminal Renewal and Improvement Program (TRIP)
- Master Bond Ordinance & Supplemental Bond Issuances
- FY 2011 Budget

Jeff Fegan, Chief Executive Officer and Chris Poinatte, Executive Vice President of Finance & ITS of the Dallas-Fort Worth International Airport briefed the city council on the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2447

Addendum addition 1: Authorize the sale of a 1999 John Deere Backhoe sold at public auction on September 15, 2010 to El Cachas Ranch, highest bidder - Revenue: \$21,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2448

Addendum addition 2: Authorize payment to Dallas/Fort Worth International Airport to provide basic, live fire drills and advanced specialized aircraft/fire training to aircraft-rescue firefighters at Dallas Love Field and Dallas Executive Airport - Not to exceed \$375,000 (\$125,000 annually) - Financing: Current Funds (to be reimbursed by Aviation, subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2449

Addendum addition 3: Authorize **(1)** the City to execute Memorandums of Understanding with various federal, state and local governmental agencies for City of Dallas employees to participate in special non-City of Dallas task forces that deploy in the event of a major disaster or emergency; and **(2)** the Dallas Fire-Rescue Department to expend funds for personnel expenses to be reimbursed by these governmental agencies - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2450

Addendum addition 4: Authorize an increase in the contract with USA Environment, L.P. for additional heavy equipment needed for excavation and removal of buried building walls, footings, basement floors and foundations at Belo Garden Park located at 1014 Main Street - Not to exceed \$82,975, from \$1,666,191 to \$1,749,166 - Financing: Capital Gifts, Donation and Development Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2451

Addendum addition 5: Authorize the rejection of bids for Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART 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

SEPTEMBER 22, 2010

10-2452

Fiscal Year 2010-11 Budget Items

Addendum addition 6: Final reading and adoption of appropriation ordinances for the proposed FY 2010-11 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

John Alan Lummus, 18935 Westwood Pl.
Etric Betts, 4001 Ross Ave., representing SEIU
Thea Temple, 6402 Abrams Rd.
Jabrina Shepherd, 1514 Life Ave.
Silvia Salazar, 5620 Everglade Rd., representing Quest Dallas
Kirsten Brandt James, 10022 Robin Hill Ln., representing Junior Players
David Lozano, 6027 Royal Crest Dr., representing CARA MIA Theatre Company
Soloman Espie, 4004 David Phillips St., representing Dance Council
Karen Robinson, 7255 Long Canyon Trl.
Neil Felder, 6530 Stichter Ave., representing Felder Property Group
Barbara Dewberry, 7532 Glen Albens Cir.
Carlos Marroquin, 5106 Cedar Springs, representing SEIU
Trina Triche, 1818 Corsicana St.
Marvin Crenshaw, 5134 Malcolm X Blvd., representing J. B. Jackson Jr. Institute
Daisy Gafford, 5931 Roseville Dr.
Ester Davis, 2204 Millermore St., Chair, Senior Affairs Commission
Dawn Miller, 6806 Hot Springs Ct.
Johnnie Goins, 3426 Tioga, representing Precinct 3551
Frederick Haynes, 6846 Talbot, representing Friendship West Church
Gary Rollin, 7622 Royal Pl.
Lionel Churchill, 7439 San Jose
Gail Terrell, 1445 Firebird Dr.
Frank Garza, 9827 Pebble Valley Ln.
Michelle Hogue, 2502 Kathleen St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-2452

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Councilmember Hill moved to adopt the Operating Budget Ordinance with the following amendment:

Increase the appropriation for Parks and Recreation by \$116,816 from \$63,583,233 to \$63,700,049 and decrease the appropriation for Street Services by \$116,816 from \$49,028,384 to \$48,911,568.

and pass the ordinance.

Motion seconded Councilmember Atkins.

Councilmember Hill requested a roll call vote for the Final reading and adoption of appropriation ordinances with amendments to increase the appropriation for Parks and Recreation by \$116,816 from \$63,583,233 to \$63,700,049 and decrease the appropriation for Street Services by \$116,816 from \$49,028,384 to \$48,911,568 for the proposed FY 2010-11 City of Dallas Operating, Grants and Trusts, and Capital Budgets.

After discussion, Councilmember Neumann moved to substitute the amendments presented by Councilmember Hill in a memo dated September 17, 2010 with attachments A and B amendments to increase the appropriation for Parks and Recreation by \$116,816 from \$63,583,233 to \$63,700,049 and decrease the appropriation for Street Services by \$116,816 from \$49,028,384 to \$48,911,568 with the following amendments presented to the City Council in a memo dated September 10, 2010:

- Recreation Centers \$750,000 “Restore full hours and staffing to FY9-10 levels”
- Branch Libraries \$2,112,000 “Restore full hours and staffing to FY9-10 levels”
- Library materials \$500,000 “Restore partial acquisition budget”
- Street Maintenance/Repairs \$12,300,000 “Restore half of street lane mile reductions from FY9-10 levels”
- Streets: Signal Response/Crosswalk and Street Lane striping/Traffic safety, congestion mgmt/traffic signs \$1,608,644 “Restore partial staffing to meet immediately needs”
- City Park Maintenance/Mowing \$1,350,000 “Restore partial staffing with reduced mowing cycles”
- City Park Litter Pickup and Removal “\$1,080,000 “ Restore partial staffing to meet immediate needs”
- City Park Graffiti Removal \$350,000 “Restore partial staffing to meet immediate needs”

Councilmember Neumann’s motion died for lack of a second.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-2452

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After further discussion, Mayor Leppert called for the vote on the motion as amended by Councilmember Hill to increase the appropriation for Parks and Recreation by \$116,816 from \$63,583,233 to \$63,700,049 and decrease the appropriation for Street Services by \$116,816 from \$49,028,384 to \$48,911,568.

Councilmember Atkins moved to extend the debate.

Motion seconded by Councilmember Hill and unanimously adopted.

Later in the meeting, Councilmember Salazar called the previous question on the amended motion presented by Councilmember Hill to increase the appropriation for Parks and Recreation by \$116,816 from \$63,583,233 to \$63,700,049 and decrease the appropriation for Street Services by \$116,816 from \$49,028,384 to \$48,911,568.

Motion seconded by Councilmember Atkins and unanimously adopted.

Mayor Leppert called the vote on the amended motion presented by Councilmember Hill to increase the appropriation for Parks and Recreation by \$116,816 from \$63,583,233 to \$63,700,049 and decrease the appropriation for Street Services by \$116,816 from \$49,028,384 to \$48,911,568:

Voting Yes: [8] Caraway, Medrano, Jasso, Hill, Salazar, Davis, Atkins, Hunt

Voting No: [7] Leppert, Neumann, Kadane, Allen, Koop, Natinsky, Margolin

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NOS. 28016 AND 28017

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2453

Fiscal Year 2010-11 Budget Items

Addendum addition 7: An ordinance setting the tax rate at \$0.7970 per \$100 valuation and levying ad valorem taxes for the City of Dallas, Texas for FY 2010-11 - Financing: No cost consideration to the City

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins.

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

Voting Yes: [8] Caraway, Medrano, Jasso, Hill, Salazar, Davis, Atkins, Hunt

Voting No: [7] Leppert, Neumann, Kadane, Allen, Koop, Natinsky, Margolin

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 28018

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2455

Fiscal Year 2010-11 Budget Items

Addendum addition 9: An ordinance amending Chapters 5A, 18, 27, 28, and 44 of the Dallas City Code to: **(1)** adjust registration fees for used car lots and facilities emitting air contaminants; **(2)** adjust solid waste collection and disposal charges; **(3)** restrict the use of bags as solid waste containers; **(4)** provide requirements for the placement of containers for solid waste collection service; **(5)** adjust registration fees for multi-tenant properties; **(6)** increase the hourly rate for parking at the city hall metered lot; and **(7)** adjust the coin-operated machine tax in accordance with state law - Estimated Revenue: \$1,159,115

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins.

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

Voting Yes: [15] Caraway, Medrano, Jasso, Neumann, Hill, Salazar, Davis, Atkins,
Kadane, Allen, Koop, Natinsky, Margolin Hunt

Voting No: [0]

Mayor Leppert declared the motion adopted.

Later in the meeting, Mayor Leppert requested that his vote reflect "yes" on the item.

Assigned ORDINANCE NO. 28019

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2456

Fiscal Year 2010-11 Budget Items

Addendum addition 10: An ordinance amending Chapters 2, 12A, and 39B of the Dallas City Code to: (1) eliminate the Citizens Safety Advisory Committee, the Youth Commission, and the Regulated Property Advisory Committee; and (2) make certain conforming amendments - Financing: No cost consideration to the City

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins.

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

Voting Yes: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar, Davis, Atkins, Kadane, Allen, Koop, Natinsky, Margolin Hunt

Voting No: [0]

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 28020

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2457

Fiscal Year 2010-11 Budget Items

Addendum addition 11: An ordinance amending Chapter 51 and Chapter 51A of the Dallas City Code to provide for fee and permit requirements for accessory occasional sales (garage sales) - Estimated Revenue: 225,000

Councilmember Atkins moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Davis.

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

Voting Yes: [8] Caraway, Medrano, Jasso, Hill, Salazar, Davis, Atkins, Hunt
Voting No: [7] Leppert, Neumann, Kadane, Allen, Koop, Natinsky, Margolin

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 28021

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2458

Fiscal Year 2010-11 Budget Items

Addendum addition 12: An ordinance amending Chapter 52, "Administrative Procedure for the Construction Codes" of the Dallas Code to provide a fee for a certificate of occupancy validation inspection - Estimated Revenue: \$442,000

Councilmember Atkins moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Salazar.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Allen and Councilmember Margolin voting "No."

Assigned ORDINANCE NO. 28022

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2459

Fiscal Year 2010-11 Budget Items

Addendum addition 13: An ordinance amending Chapter 16 of the Dallas City Code to revise and establish various fees for City services -
Estimated Revenue: \$186,360

Councilmember Hill moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 28023

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2460

Fiscal Year 2010-11 Budget Items

Addendum addition 14: Authorize **(1)** the revised Summary Plan Description which reflect the updated changes to the Prescription Formulary effective October 1, 2010; **(2)** approval of the proposed plan design changes effective January 1, 2011; **(3)** adoption of the City's Master Plan Document as revised; **(4)** adoption of the Flexible Benefits Plan (Section 125); and **(5)** approval of the proposed health coverage contribution and premium rates - Total cost is based on the number of employee/retiree participants in the plan - Financing: Employee Benefits Current Funds (subject to appropriations)

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2461

Fiscal Year 2010-11 Budget Items

Addendum addition 15: Authorize **(1)** position changes; **(2)** approval of revised salary schedules for fiscal year 2010-11; **(3)** the city to be closed five days for budgetary reasons; **(4)** salary reductions for all employees; and **(5)** mandatory city leave for civilian employees, Police and Fire uniform executive staff and Park Ranger

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2462

Fiscal Year 2010-11 Budget Items

Addendum addition 16: An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code to: **(1)** define terms; **(2)** provide notification requirements for arrested employees; **(3)** revise requirements for the retrieval of previous continuous full-time service by persons reemployed by the city; **(4)** clarify that there is no probationary period required after a lateral transfer or demotion; **(5)** clarify rules for flex time; **(6)** provide for the computation of and the eligibility for overtime and compensatory leave; **(7)** provide for the electronic distribution of pay information to employees; **(8)** revise requirements for advance sick leave requests; **(9)** clarify certain requirements for the use of vacation leave; **(10)** revise family leave requirements to comply with the Family and Medical Leave Act; **(11)** establish a September 11th Remembrance Day holiday; **(12)** provide requirements and procedures for mandatory city leave; **(13)** require employees hired on or after January 1, 2010 to pay the full costs of continued health benefits upon retirement; **(14)** provide additional city employee rules of conduct; **(15)** revise certain grievance and appeal procedures; **(16)** revise certain wage supplementation plan requirements; **(17)** provide for modification of certain provisions of the personnel rules by council-approved meet and confer or collective bargaining agreements; **(18)** provide for rates of pay for certain lump sum leave payments; and **(19)** make certain non-substantive changes - Financing: No cost consideration to the City

Councilmember Jasso moved to adopt the item and pass the ordinance.

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

Assigned ORDINANCE NO. 28024

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2463

Fiscal Year 2010-11 Budget Items

Addendum addition 17: An ordinance amending Chapter 49 of the Dallas City Code to establish and adjust certain rates, charges and fees relating to water and wastewater services for Dallas and its customer cities, effective October 1, 2010 - Estimated Revenue: \$13,487,285

Councilmember Hill moved to adopt the item and pass the ordinance.

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

Assigned ORDINANCE NO. 28025

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2464

Addendum addition 18: A resolution authorizing an increase in appropriations in the City Secretary's Office Elections' budget to cover expenses relating to temporary help to verify petitions that resulted in ordering the November 2, 2010 special election - Not to exceed \$90,000, from \$1,302,791 to \$1,392,791 - Financing: Contingency Reserve Funds

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 22, 2010

10-2465

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 19: Authorize modifications to: **(1)** the Home Repair Program for the MSRP Program Statement to: **(a)** change the limit from number of systems repaired to dollar amount; **(b)** increase the dollar amount of assistance from \$15,000 to \$17,500; and **(c)** allow further eligibility for homeowners who received prior assistance provided that ten years have passed since the first assistance and the new assistance is not for the same repair type; and **(2)** the Reconstruction/SHARE Program Statement to: **(a)** include reconstruction of homes with a failure of three systems and a foundation and/or life, safety and health concerns; **(b)** allow payoff of liens up to the amount of the amenities package of \$5,900 which reduces the amount available for reconstruction to no less than \$87,500; and **(c)** set-aside annually, 10% of funds to be used to assist persons younger than sixty-two years old or without a disability and still meeting all other criteria - Financing: No cost consideration to the City

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

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

Councilmember Hill moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 22, 2010

EXHIBIT C