

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 13, 2010

10-2552  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill (\*9:48 a.m.),  
Salazar (\*9:20 a.m.), Davis (\*9:20 a.m.), Atkins (\*9:09 a.m.),  
Kadane, Allen, Koop, Natinsky, Margolin, Hunt (\*9:40 a.m.)

ABSENT: [0]

The meeting was called to order at 9:02 a.m.

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

The invocation was given by Councilmember Kadane.

Councilmember Jasso 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 3:13 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, OCTOBER 13, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 13, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2553

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: Galileo Jumaoas, 11171 Harry Hines Blvd.  
REPRESENTING: President, Greater Dallas Asian American  
SUBJECT: Thanks to the city council

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Willie Howard, 6810 Oleta Dr.  
REPRESENTING: The Community  
SUBJECT: Dealing with the blast Tuesday evening

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

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

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.  
REPRESENTING: (RAW)  
SUBJECT: Censorship of Community Access

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2554

Item 1: Approval of Minutes of the September 22, 2010 City Council Meeting

Mayor Pro Tem Caraway moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2555

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-64 and addendum addition consent agenda items 1-13, was presented for consideration.

The City Secretary requested that consent agenda items 9 and 50 be considered as individual items to allow citizens to speak. Mayor Leppert stated that consent agenda items 9 and 50 would be considered as individual items later in the meeting there being no objection voiced to the City Secretary's request.

Mayor Pro Tem Caraway requested that consent agenda items 3 and 50 be considered as individual items. Mayor Leppert stated that consent agenda items 3 and 50 would be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway's request.

Councilmember Neumann requested that consent agenda items 39, 43 and addendum addition consent agenda item 13 be considered as an individual item. Mayor Leppert stated that consent agenda items 39, 43 and addendum addition consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Atkins requested that consent agenda items 7, 9 and 30 be considered as individual items. Mayor Leppert stated that consent agenda items 7, 9 and 30 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Neumann moved to approve all items on the consent agenda with the exception of consent agenda items 3, 7, 9, 30, 39, 43, 50 and addition consent agenda item 13 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2556

Item 2: Authorize the City Manager to accept a grant from the Federal Aviation Administration and accept reimbursement funds in the amount of \$67,509, which is 75% of the estimated eligible project cost, and to apply for and accept future increases up to a maximum of \$100,000 for the federal share of the eligible project cost for a wildlife hazard assessment at Dallas Love Field - Not to exceed \$67,509 - Financing: Federal Aviation Administration Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2557

Item 3: Authorize a three-year master agreement for fiberglass manhole structures and accessories that allow access into water and wastewater systems - L.F. Manufacturing, Inc. in the amount of \$144,201, HD Supply Waterworks, LTD in the amount of \$42,700 and Doug Meadows Co. LLC in the amount of \$17,390, lowest responsible bidders of three - Total not to exceed \$204,291 - Financing: Water Utilities Current Funds

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

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

Mayor Pro Tem Caraway moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2558

**Temporary Information Technology  
Professionals**

**Note:** Item Nos. 4 and 5  
must be considered collectively.

- Item 4: Authorize **(1)** rescinding the three-year service contract with HRT Staffing Services and LanceSoft, Inc., previously approved on February 10, 2010, by Resolution No. 10-0447, for temporary information technology professionals; and **(2)** a three-year service contract for temporary information technology professionals - DFW Technology, Inc. in the amount of \$587,400 and EJES, Incorporated in the amount of \$499,200, lowest responsible bidders of twenty-two - Total not to exceed \$1,086,600 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2559

**Temporary Information Technology  
Professionals**

**Note:** Item Nos. 4 and 5  
must be considered collectively.

Item 5: Authorize Supplemental Agreement No. 1 to increase the service contract with Sierra Infosys, Inc. in the amount of \$1,023,600, from \$324,480 to \$1,348,080, Stark Holding in the amount of \$839,339, from \$57,425 to \$896,764, Global Information Systems in the amount of \$459,439, from \$154,716 to \$614,155, InfowareTech, Inc. in the amount of \$40,311, from \$458,492 to \$498,803 and Management Recruiters of Woodbridge, Inc. in the amount of \$32,146, from \$505,664 to \$537,810 for temporary information technology professionals - Total not to exceed \$2,394,835, from \$1,500,777 to \$3,895,612 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2560

Item 6: Authorize a three-year master agreement for parts to repair lawn maintenance equipment - Richardson Saw and Lawnmowers in the amount of \$517,900, Landmark Equipment, Inc. in the amount of \$404,600, Professional Turf Products, LLC in the amount of \$281,200, Longhorn, Inc. in the amount of \$258,800, Ed's Lawn Equipment in the amount of \$122,900, Tom Loftus, Inc. dba Austin Turf & Tractor in the amount of \$46,000, and Montage Enterprises, Inc. in the amount of \$1,000, lowest responsible bidders of seven and Luber Brothers in the amount of \$45,200 and Four Brothers Outdoor Power in the amount of \$2,000 through the Houston-Galveston Area Council - Total not to exceed \$1,679,600 - Financing: Current Funds (\$1,440,200), Aviation Current Funds (\$65,700) and Water Utilities Current Funds (\$173,700)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2561

Item 7: Authorize a three-year master agreement for police and public safety uniforms - Regali, Inc. in the amount of \$5,953,453 and GST Public Safety Supply, LLC. in the amount of \$55,998, most advantageous proposers of four - Total not to exceed \$6,009,451 - Financing: Current Funds

Councilmember Atkins requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 7 was brought up for consideration.

Councilmember Atkins moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Hill, Salazar, Davis, Hunt absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2562

Item 8: Authorize a three-year master agreement for recruit training clothing for Police  
- Classic Caps & Embroidery, lowest responsible bidder of seven - Not to  
exceed \$66,261 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2563

Item 9: Authorize **(1)** the rejection of bids received for automotive body shop repairs; **(2)** the re-advertisement for new bids; and **(3)** Supplemental Agreement No. 1 to the service contract with First Class Auto, Inc. in the amount of \$700,656, Martin's Paint & Body Shop in the amount of \$350,328 and Six Construct, Inc. dba Budget Auto Body Shop in the amount of \$350,328 for automotive body parts and labor - Total not to exceed \$1,401,312, from \$8,405,250 to \$9,806,562  
- Financing: Current Funds

The City Secretary requested that consent agenda item 9 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that consent agenda item 9 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

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

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

The following individual addressed the city council regarding the item:

Sam Ramada, 3530 N. Buckner Blvd.

Councilmember Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2564

Item 10: Authorize a two-year service contract, with three one-year renewal options, for minor plumbing repairs and installation of ultra low flow toilets, showerheads and faucet aerators for the Minor Plumbing Repair program - Demolition & Construction Services, Inc., lowest responsible bidder of seven - Not to exceed \$873,638 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2565

Item 11: Authorize the purchase of heavy equipment and vehicles - RDO Equipment Co. in the amount of \$414,730, Southwest International Trucks, Inc. in the amount of \$302,889 and Philpott Motors, Ltd. in the amount of \$134,794, lowest responsible bidders of seven - Total not to exceed \$852,413 - Financing: 2010 Certificates of Obligation (\$414,730), Water Utilities Current Funds (\$302,889) and Confiscated Monies Funds (\$134,794)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2566

Item 12: Authorize the purchase of tactical armor and gear for Police - Markl Supply Company, Inc. in the amount of \$109,986 and Simmons Law Enforcement, Inc. in the amount of \$74,545, lowest responsible bidders of five - Total not to exceed \$184,531 - Financing: U. S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2567

Item 13: Authorize the purchase of 80 squad cars - Dallas Dodge, through the Houston-Galveston Area Council of Governments, a Texas Local Government Purchasing Cooperative - Not to exceed \$1,916,511 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2568

Item 14: Authorize **(1)** the acceptance of an additional grant from the Texas Department of Housing and Community Affairs in the amount of \$6,591,590 to provide funding for residential weatherization improvements to achieve energy efficiency improvements within the City of Dallas; and **(2)** execution of the grant agreement - Not to exceed \$6,591,590, from \$6,591,590 to \$13,183,180 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2569

Item 15: Authorize a secured, no interest, forgivable loan agreement with Legacy Counseling Center, Inc. to provide for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street for the period October 1, 2010 through September 30, 2011 - Not to exceed \$7,000 - 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

OCTOBER 13, 2010

10-2570

Item 16: Authorize the second renewal option to the contract with Vogel Alcove, Inc. for the provision of child care services for homeless families for the period October 1, 2010 through September 30, 2011 - Not to exceed \$74,985 - Financing: 2010-11 Community Development Block Grant Funds (\$43,985) and Current Funds (\$31,000) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2571

Item 17: An ordinance establishing residential and commercial Rate Rider IR-Infrastructure Replacement for natural gas service to be charged by Atmos Energy Corporation - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

**Note:** The following item is now to be considered an Item for Individual Consideration

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

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

Assigned ORDINANCE NO. 28026

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2572

Item 18: Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International - North America in the amount of \$54,129, American Water Works Association Research Foundation in the amount of \$254,122, Dallas Regional Mobility Coalition in the amount of \$37,500, National Association of Clean Water Agencies in the amount of \$27,160, National League of Cities in the amount of \$34,607, North Central Texas Regional Certification Agency in the amount of \$36,180, North Central Texas Council of Governments in the amount of \$131,635, North Texas Commission in the amount of \$54,096, Regional Public Works Program in the amount of \$40,955, Regional Storm Water Management Program of North Central Texas in the amount of \$33,130, The Steering Committee of Cities Served by Oncor in the amount of \$133,000, Texas Coalition of Cities For Utility Issues in the amount of \$53,200, Texas Municipal League in the amount of \$48,293, United States Conference of Mayors in the amount of \$40,235, and Water Environment Research Foundation in the amount of \$78,552 - Total not to exceed \$1,056,794 - Financing: Current Funds (\$609,701), Stormwater Drainage Management Funds (\$33,130), Aviation Current Funds (\$54,129) and Water Utilities Current Funds (\$359,834)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2573

Item 19: Authorize adoption of the City of Dallas' State Legislative Program for the 82nd Session of the Texas State Legislature - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2574

Item 20: Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period of October 1, 2010 through September 30, 2011 - Not to exceed \$160,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2575

Item 21: Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period of October 1, 2010 through September 30, 2011 - Not to exceed \$160,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2576

Item 22: Authorize a personal services contract with Randy C. Cain for state legislative services for the period October 1, 2010 through September 30, 2011 - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2577

Item 23: Authorize a personal services contract with Jesse Romero for state legislative services for the period October 1, 2010 through September 30, 2011 - Not to exceed \$15,000 - Financing: Current Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2578

Item 24: Authorize a personal services contract with Kwame Walker for state legislative services for the period October 1, 2010 through September 30, 2011 - Not to exceed \$45,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2579

**Trinity River Corridor Project**  
**Legislative Services**

**Note:** Item Nos. 25 and 26  
must be considered collectively.

Item 25: Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project for the period October 1, 2010 through September 30, 2011 - Not to exceed \$73,800 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2580

**Trinity River Corridor Project**  
**Legislative Services**

**Note:** Item Nos. 25 and 26  
must be considered collectively.

Item 26: Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project for the period October 1, 2010 through September 30, 2011 - Not to exceed \$43,650 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2581

Item 27: Authorize a contract for a pavilion replacement and parking lot improvements at Royal Park located at 3461 Royal Lane - RoeschCo Construction, Inc., best value proposer of thirteen - Not to exceed \$442,800 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2582

Item 28: Authorize **(1)** a contract with McCarthy Building Companies, Inc., best value proposer of four, in the amount of \$13,340,169 for a new park to be constructed on top of a structural deck, including parkscape and landscape, restaurant and cafe, performance pavilion, promenade, plazas, connecting walkways, dog park, solar lighting, electrical, mechanical, plumbing and security systems at Woodall Rodgers Park from St. Paul Street to Pearl Street; **(2)** the receipt and deposit of funds from the Woodall Rodgers Park Foundation in the amount of \$9,090,169; and **(3)** an increase in appropriations in the amount of \$1,586,250, from \$7,503,919 to \$9,090,169 in the Woodall Rodgers Development Fund - Not to exceed \$13,340,169 - Financing: 2006 Bond Funds (\$4,250,000) and Woodall Rodgers Development Funds (\$9,090,169)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2583

Item 29: Authorize a professional services contract with ~~Armstrong Berger, Inc.~~ BA Group, LLC dba Armstrong Berger for schematic design through construction administration services for restoration of the historic elements; new walks from Lemmon Avenue and Hall Street; and other site improvements at Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed \$26,625 - Financing: 2006 Bond Funds

Corrected on the addendum to the agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2584

Item 30: Authorize an increase in the contract with J.C. Commercial, Inc. for a replacement roof at the gymnasium, commercial kitchen equipment required by code, new fire alarm system, repairs to the existing sprinkler system and partial replacement and refinishing of gym floor at Kleberg/Rylie Recreation Center located at 1515 Edd Road - Not to exceed \$157,111, from \$960,961 to \$1,118,072 - Financing: 2006 Bond Funds

Councilmember Atkins requested that consent agenda item 30 be considered as an individual item. Mayor Leppert stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 30 was brought up for consideration.

Councilmember Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2585

Item 31: Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. for design through construction administration services for scope adjustments required by the Environmental Protection Agency that include re-plumbing of animal barns, new wash down water collection system and additional circulation system at the Wetland Project located at 650 South R.L. Thornton Freeway - Not to exceed \$265,480, from \$191,000 to \$456,480 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2586

Item 32: Authorize Supplemental Agreement No. 2 to the professional services contract with McCarthy Architecture, Inc. for construction administration services for expansion of the existing recreation center and interior renovation at Ridgewood/Belcher Recreation Center located at 6818 Fisher Road - Not to exceed \$26,635, from \$85,775 to \$112,410 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2587

Item 33: Authorize an agreement with the Internal Revenue Service, Criminal Investigation, a Treasury law enforcement agency, for the purpose of equitable sharing from asset seizure and forfeiture pursuant to a joint operation/task force for the period October 1, 2010 through September 30, 2013 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2588

Item 34: Authorize an Interlocal Agreement in the form of a Memorandum of Understanding with the Texas Military Forces Joint Counter Drug Task Force for the continued support of the Dallas Police Department's Narcotics Division for the period October 1, 2010 to September 30, 2011 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2589

Item 35: Authorize **(1)** an application for acceptance of the Sexual Assault/Stalking Law Enforcement Training grant from the Office of the Governor, Criminal Justice Division to provide specialized training to detectives and patrol officers who respond to and investigate sexual assault and stalking offenses in the amount of \$26,500 for the period September 1, 2010 through August 31, 2011; **(2)** a local match in the amount of \$14,525; and **(3)** execution of the grant agreement - Total not to exceed \$41,025 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$26,500) and Current Funds (\$14,525)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2590

Item 36: Authorize cooperative working agreements with Dallas County District Attorney's Office in the amount of \$14,000, Tarrant County District Attorney's Office in the amount of \$11,500, Potter County District Attorney's Office in the amount of \$5,000, Collin County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$5,000, Arlington Police Department in the amount of \$10,000, Garland Police Department in the amount of \$7,000, Longview Police Department in the amount of \$13,500, Fox Valley/Internet Crimes Training and Technical Assistance Program in the amount of \$56,780, and Dallas Children's Advocacy Center in the amount of \$13,500, for the period of April 1, 2010 through March 31, 2011 - Total not to exceed \$143,780 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2591

Item 37: Authorize **(1)** an application for and acceptance of the 2010 Internet Crimes Against Children Continuation Grant supplement from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period April 1, 2010 through March 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$390,921 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2592

Item 38: Authorize **(1)** the acceptance of the Dallas Police Department Victim Services/10 grant from the U.S. Department of Justice State Office of the Governor, Criminal Justice Division in the amount of \$52,381 to adequately respond to victims of violent crime with needed aid, for the period September 1, 2010 through August 31, 2010; **(2)** a local match in the amount of \$15,909; and **(3)** execution of the grant agreement - Total not to exceed \$68,290 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$52,381) and Current Funds (\$15,909)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2593

Item 39: Authorize a contract with Admiral Construction Company, lowest responsible bidder of seven, for the construction of 12 safe routes to school improvement projects (list attached) - Not to exceed \$1,355,837 - Financing: Texas Department of Transportation Grant Funds (\$1,330,737) and Water Utilities Capital Construction Funds (\$25,100)

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

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

Councilmember Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2594

Item 40: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of eight, for the reconstruction of sidewalks, barrier free ramps, curbs and gutters for West Dallas Sidewalk Group 2010-01 (list attached) - Not to exceed \$373,569 - Financing: 2009-10 Community Development Block Grant Reprogramming Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2595

Item 41: Authorize a professional services contract with APM & Associates, Inc. for the engineering design of thoroughfare improvements on Telephone Road from Bonnie View Road to Dallas Avenue - Not to exceed \$681,450 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2596

Item 42: Authorize a professional services contract with Oglesby Greene, Inc. for architectural and engineering services for design and construction administration services for the renovation/expansion of the North Oak Cliff Branch Library located at 302 West 10th Street - Not to exceed \$480,615 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2597

Item 43: A resolution authorizing the sale of approximately 177,990 square feet of unwanted and unneeded City-owned land improved with the old animal shelter located near the intersection of Forney Road and Olson Drive to Sean Huffstickler, the highest bidder - Revenue: \$276,000

Councilmember Neumann requested that consent agenda item 43 be considered as an individual item. Mayor Leppert stated that consent agenda item 43 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 43 was brought up for consideration.

Councilmember Neumann moved to adopt the item.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted. (Hill, Hunt absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2598

Item 44: A resolution authorizing the rejection of the only bid received from Dexter Samuel for approximately 15,032 square feet of land located at the northeast corner of Live Oak Street and Collett Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2599

Item 45: A resolution authorizing the rejection of all bids received for approximately 34,600 square feet of land, improved with the old Lancaster/Kiest Library, located near the intersection of Lancaster Road and Corning Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2600

Item 46: A resolution authorizing the rejection of the only bid received from Rivera Smith Family, L.P. for approximately 76,918 square feet of land located near the intersection of Wheatland and Clark Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2601

Item 47: A resolution authorizing the rejection of the only bid received from Mark Tolocko for approximately 224,106 square feet of land located near the intersection of Westmoreland and Camp Wisdom Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2602

Item 48: A resolution authorizing the sale of approximately 14,949 square feet of unwanted and unneeded City-owned land located near the intersection of Slay Street and Prairie Creek Road to Timm Wikelski, the only bidder - Revenue: \$2,035

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2603

Item 49: A resolution authorizing the sale of approximately 33,975 square feet of unwanted and unneeded City-owned land located near the intersection of Clearfield and Prairie Creek Roads to Richard Patten, the highest bidder - Revenue: \$5,568

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2604

Item 50: An ordinance granting the creation of a new subarea and form districts within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on property zoned an MU-2 Mixed Use District, CS Commercial Service District, IM Industrial Manufacturing District, Specific Use Permit No. 1484 for Commercial Amusement (Inside) for Class A Dance Hall in an area generally bounded by Interstate 35 and Interstate 30 to the northwest, the Union Pacific Railroad right of way to the northeast, the DART Railroad right of way to southeast, and the Trinity Levee to the southwest with retention of SUP No. 1484 and no change in the zoning on property generally bounded by Cadiz Street, the existing sumps, Riverfront Boulevard, and the Union Pacific Railroad - Z067-147- Financing: No cost consideration to the City

The City Secretary requested that consent agenda item 50 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that consent agenda item 50 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

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

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

The following individuals addressed the city council regarding the item:

Art Anderson, 1201 Elm St.

Louis Okon, 2001 S. Riverfront Blvd, representing Cedars West Committee

Deputy Mayor Pro Tem Medrano moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 28027

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2605

Item 51: An ordinance abandoning a portion of a storm sewer easement to Museum of Nature and Science, the abutting owner, containing approximately 155 square feet of land located near the intersection of Field and Broom Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28028



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2606

Item 52: An ordinance abandoning portions of two sanitary sewer easements to City Wide Community Development Corporation, the abutting owner, containing a total of approximately 374 feet of land located near the intersection of Lancaster Road and Mentor Avenue - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28029

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2607

Item 53: Authorize moving expense and replacement housing payments for Emigdio Renteria and Tomasa Renteria in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 709 Pontiac Avenue for future City facilities - Not to exceed \$27,499 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2608

Item 54: Authorize moving expense and replacement housing payments for Estefana Cindo in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 907 LaSalle Drive for future City facilities - Not to exceed \$27,600 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2609

Item 55: Authorize moving expense and replacement housing payments for Juan Lopez and Cristina Lopez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 804 Pontiac Avenue for future City facilities - Not to exceed \$31,700 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2610

Item 56: Authorize moving expense and replacement housing payments for Abel Jimenez and Maria Jimenez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1023 LaSalle Drive for future City facilities - Not to exceed \$33,700 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2611

Item 57: Authorize moving expense and replacement housing payments for Maria Gonzalez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 713 Buick Avenue for future City facilities - Not to exceed \$37,999 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2612

Item 58: Authorize moving expense and replacement housing payments for Roberto Casares and Sanjuana Juanita Casares in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1015 LaSalle Drive for future City facilities - Not to exceed \$43,300 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2613

Item 59: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Harold F. Carmichael, III of approximately 2,688 square feet of land located at the corner of Starks Avenue and US 175/SM Wright for the Trinity Parkway - Not to exceed \$33,800 (\$31,800 plus closing costs not to exceed \$2,000) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2614

Item 60: Authorize settlement in lieu of proceeding with condemnation of an improved tract of land containing approximately 9,000 square feet from Fermin Lopez and Gloria Lopez located near the intersection of Lamar Avenue and Starks Avenue for the Trinity Parkway - Not to exceed \$245,000 (\$242,000 plus closing costs not to exceed \$3,000) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2615

Item 61: Authorize Supplemental Agreement No. 1 to the contract with Lim & Associates, Inc., for additional storm drainage, water and wastewater design related to the storm drainage system design for Peavy Road at Galway Drive to Fuller Drive - Not to exceed \$33,187, from \$336,270 to \$369,457 - Financing: 2006 Bond Funds (\$8,070) and Water Utilities Capital Improvement Funds (\$25,117)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2616

Item 62: Authorize a contract for the construction of odor control improvements at the Southside Wastewater Treatment Plant - AUI Contractors, LLC, lowest responsible bidder of three - Not to exceed \$10,727,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2617

**East Bank-West Bank  
Wastewater Interceptor Connection**

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

Item 63: Authorize a contract for the East Bank-West Bank Wastewater Interceptor Connection, from Cadiz Pump Station to existing 120-inch wastewater interceptor - S. J. Louis Construction of Texas - Southland Contracting JV, lowest responsible bidder of six - Not to exceed \$20,623,401 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2618

**East Bank-West Bank  
Wastewater Interceptor Connection**

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

Item 64: Authorize Supplemental Agreement No. 3 to the professional services contract with CP&Y, Inc. to provide additional engineering services for the proposed East Bank-West Bank Wastewater Interceptor Connection - Not to exceed \$690,860, from \$1,695,535 to \$2,386,395 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2619

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)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2009-2011 board term updated through OCTOBER 13, 2010.

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

Councilmember Neumann moved to appoint Chris Watts, General Public, to the Animal Shelter Commission.

Motion seconded by Councilmember Natinsky and unanimously adopted.

Councilmember Neumann moved to appoint Robert L. Good, Chair, to the Reinvestment Zone Five Board (City Center) and Reinvestment Zone Eleven Board (Downtown Connection).

Motion seconded by Councilmember Natinsky and unanimously adopted.

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

**10-5264     ASC     ANIMAL SHELTER COMMISSION**  
**10-5265                     BOARD OFFICER**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2620

Item 66: Authorize a zoning application on property with delinquent taxes located at 11323 Woodmeadow Parkway - Financing: No cost consideration to the City

Theresa O'Donnell, director of sustainable development and construction, reminded the city council that in accordance with Section 51A-1.104-1 of the development code, council approval would require the favorable vote of two-thirds of the members of the city council.

Councilmember Kadane moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2621

DESIGNATED PUBLIC SUBSIDY MATTERS

**MoneyGram International Inc.**

**Note:** Item Nos. 67 and 68  
must be considered collectively.

Item 67: Authorize a business personal property tax abatement agreement with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) located at 2828 North Harwood Street in the amount of 50 percent on the value of new business personal property for 10 years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$13,151; ten-year revenue estimated at \$131,505 (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$131,505)

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 Natinsky moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2622

DESIGNATED PUBLIC SUBSIDY MATTERS

**MoneyGram International Inc.**

**Note:** Item Nos. 67 and 68  
must be considered collectively.

Item 68: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$278,500 with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) related to the relocation of its headquarters to 2828 North Harwood Street, Dallas, Texas 75201, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$278,500 - Financing: Public/Private Partnership Funds

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

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

Councilmember Natinsky moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2623

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 69: Authorize the first of two twelve-month renewal options to the service contract with Enterprise Community Partners, Inc., a non-profit corporation, for implementation of the Mortgage Assistance Program (MAP) for the period October 1, 2010 through September 30, 2011 - Not to exceed \$3,129,470 - Financing: 2009-10 Community Development Block Grant Reprogramming Funds (1,453,763); 2010-11 Community Development Block Grant Funds (\$1,585,707) and 2010-11 HOME Investment Partnership Program Grant Funds (\$90,000)

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

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

Councilmember Salazar moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2624

DESIGNATED PUBLIC SUBSIDY MATTERS

**Oak Cliff Gateway TIF District**

**Note:** Item Nos. 70 and 71  
must be considered collectively.

Item 70: Authorize (1) a development agreement with Hydrogen on Tilden, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, and public infrastructure improvements to be located at 265 East Tilden Street in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and (2) the Oak Cliff Gateway TIF District Board of Directors to dedicate up to \$3,000,000 from future Oak Cliff Gateway TIF District revenues in accordance with the development agreement - Not to exceed \$3,000,000 - Financing: Oak Cliff Gateway TIF District Funds

In accordance with 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 deny the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2625

DESIGNATED PUBLIC SUBSIDY MATTERS

**Oak Cliff Gateway TIF District**

**Note:** Item Nos. 70 and 71  
must be considered collectively.

Item 71: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to reimburse Hydrogen on Tilden, LLC up to \$3,000,000 for certain TIF-eligible project costs related at 265 East Tilden Street in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

In accordance with 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 deny the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2626

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 72–74, was presented for consideration.

Agenda items 73 and 74 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 72 Zoning Case Z090-164 (RB)

~~Agenda item 73 Zoning Case Z090-195 (MG)~~ **[considered individually]**

~~Agenda item 74 Zoning Case Z090-203 (RB)~~ **[considered individually]**

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

Councilmember Atkins moved to close the public hearing, adopt the recommendation of the city plan commission on the consent zoning case and pass the ordinance.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2627

Item 72: Zoning Case Z090-168 (RB)

The consent zoning docket, consisting of agenda items 72-74, was presented for consideration.

A public hearing was called on zoning case Z090-164 (RB), an application for and an ordinance granting a CR Community Retail District on property zoned an A(A) Agricultural District on the southwest line of Lasater Drive, southeast of Lawson Road

(The staff and city plan commission recommended Approval)

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. 28030

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2628

Item 73: Zoning Case Z090-195 (MG)

The consent zoning docket, consisting of agenda items 72-74, was presented for consideration.

Councilmember Salazar requested that zoning consent item 73 be considered as an individual item. Mayor Leppert stated that zoning consent item 73 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

A public hearing was called on zoning case Z090-195 (MG), an application for and an ordinance granting a Specific Use Permit for a Recycling collection center on property zoned an IR Industrial Research District on the northeast corner of Sylvan Avenue and Fabrication Street

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

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

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

Peter Kavanagh, 1620 Handley, representing the applicant

Councilmember Salazar moved to close the public hearing and approve the Specific Use Permit 1813 for a recycling collection center with the condition that this Specific Use Permit expires on October 13, 2012. This Specific Use Permit is not eligible for automatic renewal and pass the ordinance.

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

Assigned ORDINANCE NO. 28031

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2629

Item 74: Zoning Case Z090-203 (RB)

The consent zoning docket, consisting of agenda items 72-74, was presented for consideration.

Councilmember Hill requested that zoning consent item 74 be considered as an individual item. Mayor Leppert stated that zoning consent item 74 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

A public hearing was called on zoning case Z090-203 (RB), an application for and an ordinance granting a Planned Development District for certain Mixed Uses on property zoned a CR Community Retail District and an R-7.5(A) Single Family District on the west line of Lancaster Road, south of Ann Arbor Avenue and the west line of Denley Drive, south of Ann Arbor Avenue

(The staff and city plan commission recommended Approval, subject to a Tract 1 development/Tract 2 conceptual plan, elevation and conditions)

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

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

Paris Rutherford, 4301 Druid Lane, representing Catalyst Urban Development  
Sherman Roberts, 5826 Fox Hill Lane, the applicant

Councilmember Hill moved to close the public hearing and follow the city plan commission recommendation for approval with the following changes:

- Remove drive approaches from the street frontage calculation for street tree requirements.
- Add "planters" to the list of items not considered obstructions of sidewalk width.
- Side walks must comply with the Americans with Disabilities Act.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28032

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2630

Item 75: Zoning Case Z090-183 (WE) ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

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 December 8, 2010 voting agenda meeting of the city council.

Motion seconded by Councilmember Jasso and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2631

Item 76: Zoning Case Z090-163 (RB) DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z090-163 (RB), 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.

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

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

Councilmember Atkins moved to 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 Salazar and unanimously adopted.

Assigned ORDINANCE NO. 28033

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2632

Item 77: A public hearing to receive comments on the proposed City of Dallas FY 2010-11 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, consideration of approval of the City of Dallas FY 2010-11 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Mayor Pro Tem Caraway moved to close the public hearing and adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2633

Item 78: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Maple/Douglas, LP located near the intersection of Maple Avenue and Butler Street and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Maple/Douglas, LP by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended Approval)

The City Secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

Frank W. Clark, 6629 Shadow Crest Dr., **Plano, TX**, professional geoscientist

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

Motion seconded by Councilmember Davis and unanimously adopted.

Assigned ORDINANCE NO. 28034

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2634

Item 79: A public hearing to receive comments on the potential change of park use to non-park use of: (1) approximately 257 acres of land, being all of Elgin B. Robertson Park and (2) approximately 25 acres of land, being part of Joey Georgusis Park; and at the close of the hearing, consideration of a resolution authorizing the potential change of use of the park land - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2635

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS -  
UNDER ADVISEMENT

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

**Note:** Item Nos. 80, 81, 82 & 83  
must be considered collectively.

Item 80: 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 81: 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.

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 close the public hearing, adopt the item and pass the ordinance.

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

Assigned ORDINANCE NO. 28035

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2636

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS -  
UNDER ADVISEMENT

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

**Note:** Item Nos. 80, 81, 82 & 83  
must be considered collectively.

Item 82: 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.

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 Deputy Mayor Pro Tem Medrano and Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2637

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS -  
UNDER ADVISEMENT

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

**Note:** Item Nos. 80, 81, 82 & 83  
must be considered collectively.

Item 83: 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

Councilmember Neumann moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

Closed Session [**10-2638; HELD**]

6ES

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

- Dean Krasovitsky v. City of Dallas, HUD Case No. 06-10-1075-8

At 2:15 p.m., Mayor Leppert announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Dean Krasovitsky v. City of Dallas, HUD Case No. 06-10-1075-8

Mayor Leppert reconvened the city council meeting after the closed session at 3:00 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2639

Addendum addition 1: Authorize an amendment to the Love Field Food and Beverage Concession Contract with Dallas Love Field Joint Venture, Ltd. (“Concessionaire”) to provide for: (1) extension of the renewal term; (2) closure of food and beverage locations to accommodate Love Field Modernization Program-related construction activities; (3) waiver of payment of the minimum annual guarantee upon execution of the amendment; (4) reduction of required percentage rent payments if certain reductions in enplaned passengers occur; (5) reimbursement for certain unamortized capital costs incurred by Concessionaire for the extended renewal term; and (6) a right of first refusal for Concessionaire to acquire the right to operate up to 27% of the value of the food and beverage concessions in the new Love Field terminal building - Estimated Revenue: \$4,057,192

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2640

Addendum addition 2: Authorize an amendment to the Love Field Retail Merchandise Concession Contract with Hudson Retail Dallas, J.V. (“Concessionaire”) to provide for: **(1)** extension of the renewal term; **(2)** closure of retail locations to accommodate Love Field Modernization Program-related construction activities; **(3)** waiver of payment of the minimum annual guarantee upon execution of the amendment; **(4)** reduction of required percentage rent payments if certain reductions in enplaned passengers occur; **(5)** reimbursement for certain unamortized capital costs incurred by Concessionaire for the extended renewal term; and **(6)** a right of first refusal for Concessionaire to acquire the right to operate up to 27% of the value of the retail concessions in the new Love Field terminal building - Estimated Revenue: \$1,938,799

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2641

Addendum addition 3:            Authorize settlement of the lawsuit styled Cheryl Hill and Sherrie Lopez, individually and on behalf of those similarly situated v. City of Dallas, Mary Suhm, Ryan Evans, and Eddie Burns, Civil Action No. 3:10-CV-01766-M - Not to exceed \$225,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2642

Addendum addition 4: Authorize the preparation, issuance, and sale of Equipment Acquisition Contractual Obligations, Series 2010 in an amount not to exceed \$19,335,000; establish parameters regarding the sale of the Bonds; approval of the execution of the Bond Purchase Agreement; establish cost of issuance; and all other matters related thereto - Not to exceed \$63,489 - Financing: 2010 Equipment Acquisition Contractual Obligation Notes - Interest Earnings

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2643

Addendum addition 5: Authorize the preparation, issuance, and sale of General Obligation Refunding Bonds, Taxable, Series 2010 in an amount not to exceed \$80,000,000; establish parameters regarding the sale of the bonds; approval of the execution of the Bond Purchase Agreement and Escrow Agreement; establish cost of issuance; and all other matters related thereto - Not to exceed \$159,447 - Financing: 2010 General Obligation Taxable Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2644

Addendum addition 6: Authorize the preparation, issuance and sale of General Obligation Refunding Bonds, Series 2010C in an amount not to exceed \$400,000,000; establish parameters regarding the sale of the Bonds; approval of the execution of the Bond Purchase Agreement and Escrow Agreement; establish cost of issuance; and all other matters related thereto - Not to exceed \$731,234 - Financing: 2010C General Obligation Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2645

Addendum addition 7: Authorize Supplemental Agreement No. 1 to the Acquisition Contract with AT&T for: **(1)** the purchase of upgrades to the 9-1-1 Meridian PBX telephone system and the Symposium 9-1-1 Call Center system in the amount of \$344,098; and **(2)** a twelve-month maintenance agreement for the 9-1-1 Uninterruptible Power Supply (UPS) system in the amount of \$4,395 - Total not to exceed \$348,493, from \$5,724,957 to \$6,073,450 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2646

Addendum addition 8: Authorize adoption of the 2011 City Calendar - Financing:  
No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2647

Addendum addition 9: A resolution authorizing the conveyance of an easement and right-of-way containing approximately 3,766 square feet of land to Oncor Electric Delivery Company, LLC for the construction and maintenance of electric transmission, distribution and communication systems across the McCommas Bluff Landfill located near the intersection of Central Expressway and Youngblood Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2648

Addendum addition 10: An ordinance abandoning a portion of a water easement to Dallas Children's Advocacy Center, the abutting owner, containing approximately 3,775 square feet of land located near the intersection of Samuell Boulevard and Deer Creek Drive, and providing for the dedication of approximately 5,940 square feet of land needed for a water easement - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28036

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2649

Addendum addition 11: An ordinance abandoning a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, containing a total of approximately 16,156 square feet of land located near the intersection of Ann Arbor Avenue and Denley Drive, authorizing the quitclaim, and providing for the dedication of approximately 13,102 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28037

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2650

Addendum addition 12: An ordinance abandoning portions of an alley right-of-way, two street easements and two utility easements to SSWH Partners, L.P., the abutting owners, containing a total of approximately 30,436 square feet of land located near the intersection of Jason Boulevard and Amesbury Drive and authorizing the quitclaim - Revenue: \$271,675 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28038

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2651

Addendum addition 13: Authorize acquisition of a temporary work area easement, from The Housing Authority of the City of Dallas, Texas, on two tracts of land containing a total of approximately 63.29 acres located at the intersection of U.S. Highway 175 and Municipal Street for the Rochester Levee Project, Phase I - Not to exceed \$ 286,000 (\$283,000 plus closing costs not to exceed \$3,000) - Financing: U.S. Army Corps of Engineers Project Cooperation Funds

Councilmember Neumann requested that addendum addition consent agenda item 13 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, addendum addition consent agenda item 13 was brought up for consideration.

Councilmember Davis moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2652

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 14: Authorize (1) a public hearing to be held on November 17, 2010 to receive comments on an amended City of Dallas proposal to submit an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$8,492,000 to provide funds for the Lancaster Urban Village Project for land acquisition at the southeast quadrant of the intersection of South Lancaster Road and Ann Arbor Avenue and to fund a loan interest reserve, sitework, commercial development and development of a parking garage for a mixed-use, transit-oriented development along the South Lancaster Road corridor across from the Veterans Affairs Medical Center (V.A.); and at the close of the public hearing, (2) consideration of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan for the Lancaster Urban Village Project in an amount not to exceed \$8,492,000 - Financing: No cost consideration to the City

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

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

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 13, 2010

10-2653

The City Council attended the Dallas Regional Chamber, State of the State featuring Texas Governor Rick Perry at the Hyatt Regency Dallas.



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 13, 2010

EXHIBIT C