

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 10, 2010

10-2794

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

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar (*10:30 a.m.), Davis, Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt (*9:41 a.m.)

ABSENT: [0]

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

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

The invocation was given by Mehreen Hooda, Ismaili Muslim Community of Northern Texas.

Councilmember Natinsky 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 5:07 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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

****Absent on city business**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 10, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 10, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2795

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: Filip Novac, 1818 Corsicana St.
SUBJECT: Poisoned at the shelter

SPEAKER: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: Some Residents
SUBJECT: County D. A. is "soft" on pedophiles?

SPEAKER: Chris Owens, 2634 Warren Ave.
SUBJECT: Police brutality

SPEAKER: Willie Mae Coleman, 3802 York St.
REPRESENTING: The Bertrand Neighborhood Association
SUBJECT: Community

SPEAKER: Warren Gilbert, Jr., 1902 Duluth St.
SUBJECT: DHA

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Fran Charbeneau, 6447 Vickery Blvd.
SUBJECT: Oncor tree trimming in Dallas

SPEAKER: Juanita Wallace, 1409 S. Lamar St.
REPRESENTING: Dallas branch NAACP
SUBJECT: Community

SPEAKER: Sherri R. Lowe, P. O. Box 397954
SUBJECT: Federal & State funding; Police brutality

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Bonnie M. Hurd, 9215 Burton Rd.
SUBJECT: No justice, no peace

SPEAKER: Anthony Bond, 4109 W. Northgate Dr.
REPRESENTING: Association of Taxi Cab Operators
SUBJECT: Ordinance on CNG taxis at Love Field

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

SPEAKER: Tamara Washington, 2814 Painted Trl.
SUBJECT: Building construction in Dallas

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: RSR lead and the EPA

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
SUBJECT: “When slavery meets freedom”

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2796

Item 1: Approval of Minutes of the October 26, 2010 City Council Meeting

Councilmember Neumann moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2797

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-44, and addendum addition consent agenda items 1-23, was presented for consideration.

The City Secretary requested that addendum addition consent agenda item 22 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that addendum addition consent agenda item 22 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 addendum addition consent agenda item 12 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway's request.

Deputy Mayor Pro Tem Medrano requested that addendum addition consent agenda item 22 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Medrano's request.

Councilmember Davis requested that consent agenda item 24 be considered as an individual item. Mayor Leppert stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

Councilmember Atkins requested that consent agenda items 42, 43 and addendum addition consent agenda items 4 and 12 be considered as individual items. Mayor Leppert stated that consent agenda items 42, 43 and addendum addition consent agenda items 4 and 12 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Natinsky requested that consent agenda item 13 and addendum addition consent agenda item 6 be considered as individual items. Mayor Leppert stated that consent agenda item 13 and addendum addition consent agenda item 6 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-2797

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Councilmember Koop moved to adopt all items on the consent agenda with the exception of consent agenda items 13, 24, 42, 43 and addendum addition consent agenda items 4, 6, 12 and 22 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2798

Item 2: Authorize a three-year consignment services contract for the sale of confiscated eight-liner gambling machines for Police - CDN Systems, LLC, most advantageous proposer of three - Estimated Annual Revenue: \$491,730 (Revenue share 70% for complete units sold, 55% for units decommissioned and sold as parts and 50% for recycled units)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2799

Item 3: Authorize a two-year master agreement for metal beam guard rails, dome posts and guard rail components - Dallas Lite & Barricade in the amount of \$278,695 and Roadrunner Traffic Supply, Inc. in the amount of \$51,125, lowest responsible bidders of three - Total not to exceed \$329,820 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2800

Item 4: Authorize a three-year master agreement for original equipment manufacturers parts and accessories for water treatment equipment for Water Utilities - Environmental Improvements in the amount of \$300,000, Pierce Pump Company, L.P. in the amount of \$114,286, Master Pumps & Equipment in the amount of \$171,429, Hartwell Environmental Corporation in the amount of \$85,714, Simba Industries in the amount of \$85,714, Hach Company in the amount of \$28,572 and ITT Water & Wastewater USA Flygt Products in the amount of \$28,571, lowest responsible bidders of seven - Total not to exceed \$814,286 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2801

Item 5: Authorize a three-year citywide master agreement for protective clothing and gear - Security Safety & Supply, Inc. in the amount of \$463,947, Lone Star Safety & Supply, Inc. in the amount of \$370,328, Globe Electric Supply Co., Inc. in the amount of \$130,684, Saf-T-Glove, Inc. in the amount of \$123,877, Access MediaWorks, Inc. dba Access Supplies & Equipment in the amount of \$123,292, Safety Supply, Inc. in the amount of \$123,248, The Strong Group, Inc. in the amount of \$80,051, BKW Environmental in the amount of \$56,134, Fisher Scientific Co. LLC in the amount of \$37,407, Regali, Inc. in the amount of \$20,648 and Trinity Tape & Marking LLC in the amount of \$5,274, lowest responsible bidders of thirteen - Total not to exceed \$1,534,890 - Financing: Current Funds (\$863,785), Aviation Current Funds (\$21,000) and Water Utilities Current Funds (\$650,105)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2802

Item 6: Authorize a three-year service contract for internet database access to pawn shop property transactions - LeadsOnline, LLC, Sole Source - Not to exceed \$86,400 - Financing: Current Funds (\$57,600) (subject to annual appropriations) and Urban Area Security Initiative Grant Funds (\$28,800)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2803

Item 7: Authorize an increase to the service contract with Verizon Wireless for commercial wireless communication services and equipment in the Dallas Metropolitan Statistical Area through the Department of Information Resources, State of Texas Cooperative contract - Not to exceed \$1,562,000, from \$4,800,000 to \$6,362,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2804

Item 8: Authorize **(1)** an acquisition contract for the purchase and implementation of an event and venue management software for Convention and Events Services in the amount of \$190,871; and **(2)** a four-year service contract for maintenance and support in the amount of \$107,024 - Ungerboeck Systems International, most advantageous proposer of two - Total not to exceed \$297,895 - Financing: Convention and Event Services Current Funds (\$107,024) (subject to annual appropriations) and Convention and Event Services Capital Construction Funds (\$190,871)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2805

Item 9: Authorize the purchase and installation of a spacesaver mobile storage system for the Children's Center at the J. Erik Jonsson Central Library - Southwest Solutions Group, Inc. through the Texas Multiple Award Schedule Contract - Not to exceed \$103,553 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2806

Item 10: Authorize the purchase of 50 digital headsets for Police - Television Equipment Associates, Inc., through the General Services Administration - Not to exceed \$74,933 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2807

Item 11: Authorize the purchase of a water analyzer and accessories for Water Utilities - Spectro Analytical Instruments, Inc., lowest responsible bidder of three - Not to exceed \$95,332 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2808

Item 12: Authorize the purchase of specialized explosive detection and hazmat equipment for Dallas Fire-Rescue - Smiths Detection, Inc. in the amount of \$27,000, Canberra Dover, Inc. in the amount of \$107,994, Scanna MSC, Inc. in the amount of \$35,573 and Remotec, Inc. in the amount of \$181,516, lowest responsible bidders of four - Total not to exceed \$352,083 - Financing: U.S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2809

Item 13: Authorize **(1)** Supplemental Agreement No. 1 to increase the contract with Dell Marketing, LP for Microsoft software through the State of Texas Department of Information Resources in the amount of \$553,113, from \$3,684,522 to \$4,237,635; and **(2)** renewal of a five-year, three month enterprise agreement for Microsoft software through the State of Texas Department of Information Resources with Dell Marketing, LP in the amount of \$2,796,674 - Total not to exceed \$3,349,787 - Financing: Current Funds (subject to annual appropriations)

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

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

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

Councilmember Koop moved to adopt the item.

Motioned seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Natinsky abstain; Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2810

Item 14: Authorize a five-year service contract for the workers' compensation Certified Network - Injury Management Organization, Inc., most advantageous proposer of three - Not to exceed \$3,170,329 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2811

Item 15: Authorize **(1)** Supplemental Agreement No. 3 to extend the contract with Tristar Risk Management for two-months for workers' compensation and third party liability claims administration and related cost containment services for the period December 1, 2010 through January 31, 2011 in the amount of \$421,733, from \$11,971,853 to \$12,393,586; and **(2)** a five-year service contract for self insured liability and workers' compensation third party claims administration and related medical cost containment services with JI Specialty Services, Inc., most advantageous proposer of seven in the amount of \$8,620,838 - Total not to exceed \$9,042,571 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2812

Item 16: Authorize Supplemental Agreement No. 1 to the professional services contract with LB Advantage d/b/a Review Med Audit for additional expert witness services necessary in personal injury lawsuits and claims - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2813

Item 17: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Mounce, Green, Myers, Safi, Paxson & Galatzan, for additional legal services in matters related to Railroad Commission of Texas Gas Utilities Docket No. 10000, Atmos Pipeline-Texas Statement of Intent to change the Rate CGS and Rate PT of Atmos Pipeline-Texas (APT), a division of Atmos Energy Corporation - Not to exceed \$165,000, from \$25,000 to \$190,000 - Financing: Current Funds (the full amount is reimbursable by Atmos Pipeline Texas subject to approval by the Railroad Commission of Texas)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2814

Item 18: Authorize the annual adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2815

Item 19: An ordinance amending Chapter 31 of the Dallas City Code to revise notice requirements, compliance timelines, cost assessments, and defenses related to city regulations for graffiti removal in order to be consistent with state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28048

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2816

Item 20: Authorize **(1)** ratification of one-year of maintenance and technical support services contract with ViON Corporation in the amount of \$167,965; and **(2)** Supplemental Agreement No. 2 to increase the service contract with ViON Corporation for an additional year of maintenance and technical support in the amount of \$228,208 - Total not to exceed \$396,173, from \$3,100,000 to \$3,496,173 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2817

Item 21: Authorize a New Markets Tax Credit (NMTC) transaction, between the Dallas Development (DDF) Fund and its subsidiaries, US Bank, N.A. (US Bank) and its subsidiaries, and Matthews Southwest and its partners (Developer) for the restoration and development of historic property located at 1325 South Lamar Street into a boutique hotel (Project) - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Jeffery Mohammad, 2720 Peabody Ave., representing Unified South Dallas

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2818

Item 22: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Builders of Hope Community Development Corporation for the construction of affordable houses; **(2)** the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2819

Item 23: Authorize an Interlocal Agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to provide geriatric health services to low and moderate income seniors age 60 and older for the period October 1, 2010 through September 30, 2011 - Not to exceed \$129,677 - Financing: 2010-11 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2820

Item 24: Authorize **(1)** the acceptance of a grant from the First Lady's Family Initiative for Texas, a program of The Barbara Bush Texas Fund for Family Literacy, for expansion of the adult literacy efforts into a family literacy program at the Martin Luther King Jr. Branch Library; and **(2)** execution of the grant agreement - Not to exceed \$44,906 - Financing: The Barbara Bush Texas Fund for Family Literacy Grant Funds

Councilmember Davis requested that consent agenda item 24 be considered as an individual item. Mayor Leppert stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

Later in the meeting, consent agenda item 24 was brought up for consideration.

Councilmember Davis moved to adopt the item.

Motioned seconded by Councilmember Jasso and unanimously adopted. (Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2821

Item 25: Authorize **(1)** the acceptance of a federal grant through the Texas State Library and Archives Commission for expansion of the literacy instruction program, “La Familia Leyendo Juntos; The Family Reading Together”, for parents and K-3 children at the Fretz Park, Lochwood and Hampton-Illinois Branch Libraries; and **(2)** execution of the grant agreement - Not to exceed \$75,000 - Financing: Texas State Library and Archives Commission Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2822

Item 26: Authorize **(1)** the acceptance of a Loan Star Libraries Grant from the Texas State Library and Archives Commission for improving public access to library resources and services at the Dallas Public Library for the period September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$239,379 - Financing: Loan Star Libraries Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2823

Item 27: Authorize **(1)** the acceptance of a federal grant through the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$305,412 - Financing: Texas State Library and Archives Commission Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2824

Item 28: Authorize **(1)** the acceptance of the 2010 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, the State Homeland Security Program, the Metropolitan Medical Response System and the Citizen Corp Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period August 1, 2010 through April 30, 2013; and **(2)** execution of the grant agreement - Not to exceed \$10,112,072 - Financing: U. S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2825

Item 29: Authorize **(1)** the receipt and deposit of funds in the amount of \$130,000 from the NEC Lake June & Masters, L.P. for the construction of a traffic signal at the Torre Vista Shopping Center driveway at Lake June Road; and **(2)** an increase in appropriations in the amount of \$130,000 in the Capital Projects Reimbursement Fund - Not to exceed \$130,000 - Financing: Capital Project Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2826

Item 30: Authorize a contract with DMI Corp., Decker Mechanical, lowest responsible bidder of five, for the construction of renovations to the chilled water loop and Central Plant No. 3 at the Dallas Convention Center - Not to exceed \$1,402,328
- Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2827

Item 31: Authorize an increase in the contract with Ken-Do Contracting, L.P. for the construction of reinforced concrete sidewalks, barrier free ramps, curbs, gutters, drive approaches, and water and wastewater appurtenance adjustments for Sidewalk Improvement Group 06-139 (list attached) - Not to exceed \$240,000, from \$1,408,715 to \$1,648,715 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2828

Item 32: Authorize the acceptance of a grant from the North Central Texas Council of Governments' Heavy-Duty Vehicle and Equipment Program to offset the purchase cost for two wheel loaders - Not to exceed \$182,500 - Financing: North Central Texas Council of Governments' Heavy Duty-Vehicle & Equipment Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2829

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Thomas W. Haeussler and Patricia A. Haeussler of approximately 78,118 square feet improved with a commercial business located in Dallas County near the intersection of Ravenview and Kleburg Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$230,000 (\$224,600 plus closing costs not to exceed \$5,400) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2830

Item 34: A resolution declaring approximately 4,422 square feet of City-owned land located near the intersection of Mike Street and Singleton Boulevard unwanted and unneeded and authorizing its advertisement for sale by sealed bid with no minimum bid specified - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2831

Item 35: Authorize the deposit of a Special Commissioners' Award and settlement of the condemnation suit City of Dallas v. Jose DeJesus Esparza, et al, Cause No. cc-10-03084-b, in County Court at Law No. 2, for acquisition from Jose DeJesus Esparza of approximately 48,048 square feet of land improved land located near the intersection of Fitzhugh Avenue and Carl Street for the replacement Fire Station No. 44 Project - \$392,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2832

Item 36: Authorize moving expense and replacement housing payments for Javier Gonzalez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 702 Pontiac Avenue for future City facilities - Not to exceed \$23,500 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2833

Item 37: An ordinance granting a private license to DLD Properties, Ltd. for the use of a total of approximately 85 square feet of aerial space to install and maintain two projecting, attached video board signs over portions of Main and Elm Streets near their intersection with Four Way Place - Revenue: \$2,000 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28049

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2834

Item 38: An ordinance granting a private license to 1600 Main Street Holdings, LP for the use of approximately 1549 square feet of land to use and maintain a subsurface utility vault under a portion of Commerce Street near its intersection with Akard Street - Revenue: \$3,067 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28050

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2835

Item 39: An ordinance repealing Ordinance No. 25463 and granting a private license to Sewell Village Cadillac Company, Inc. to maintain the existing licensed access drive, decorative steel fencing, guard house kiosk, a parking area, landscaping and storm drainage facilities and to install and maintain a monument sign over a portion of Lemmon Avenue right-of-way located near its intersection with Lovers Lane - Revenue: \$59,944 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28051

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2836

Item 40: Authorize a five-year contract, with two five-year renewal options, with the Carrollton-Farmers Branch Independent School District to provide untreated water from Lake Lewisville for greenhouse and experimental farm watering at their Outdoor Learning Center facility located in Dallas County - Estimated Annual Revenue: \$477

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2837

Item 41: Authorize a five-year contract, with two five-year renewal options, with the City of Allen to provide untreated water from Lake Ray Hubbard for irrigation of the Chase Oaks Golf Club located in Collin County - Estimated Annual Revenue: \$30,754

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2838

Lake Palestine Connection - Integrated Pipeline (IPL) Project

Item 42: Authorize a Financing Agreement with Tarrant Regional Water District (“TRWD”) for the implementation of the integrated pipeline project which will deliver water from Lake Palestine to Dallas - Financing: This action has an estimated capital expense of \$832,300,000 over a fifty-year period, all funds to come from the Dallas Water Utilities Current Funds

Councilmember Atkins requested that consent agenda item 42 be considered as an individual item. Mayor Leppert stated that consent agenda item 42 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 42 was brought up for consideration.

Councilmember Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2839

Lake Palestine Connection - Integrated Pipeline (IPL) Project

Item 43: Authorize a Second Amendment to the Interlocal Cooperation Contract (ICC) with Tarrant Regional Water District (TRWD) to include a "Fair Opportunities Purchasing/Contracting Policy" and to approve Dallas' share of costs for preliminary engineering work for raw water transmission facilities from Lake Palestine to the City of Dallas, pursuant to Dallas' Long Range Water Supply Plan - Not to exceed \$1,400,000, from \$3,007,622 to \$4,407,622 - Financing: Water Utilities Capital Construction Funds

Councilmember Atkins 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 Atkins' request.

Later in the meeting, consent agenda item 43 was brought up for consideration.

Councilmember Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2840

Lake Palestine Connection - Integrated Pipeline (IPL) Project

Item 44: Ratify an emergency purchase of fabricated steel pipe liner to repair a water main located adjacent to Highway 80 within Sunnyvale, Texas, north of Collins Road - Hanson Concrete Products, Inc. - Not to exceed \$56,176 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2841

10-2842

Item 45: 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 NOVEMBER 10, 2010.

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

Deputy Mayor Pro Tem Medrano moved to appoint Carter Crow, employee to owner of property in district, to the Cypress Waters Municipal Management District; Jon Ruff, employee/agent of company which owns property, to the Reinvestment Zone Five Board (City Center) and Reinvestment Zone Eleven Board (Downtown Connection).

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

Deputy Mayor Pro Tem Medrano moved to appoint a nominee to an "individual appointment" position in the report who meet all qualifications for service to the boards and commissions of the city for the term ending September 30, 2011.

Motion seconded by Councilmember Atkins and unanimously adopted. (Neumann absent when vote taken; Medrano, Hill absent on city business)

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

10-5283	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
10-5284	CYP	CYPRESS WATERS MUNICIPAL MANAGEMENT DISTRICT
10-5285	MLK	MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD
10-5286	PAR	DALLAS PARK AND RECREATION BOARD
10-5287	RZ05	REINVESTMENT ZONE FIVE BOARD (CITY CENTER)
10-5288	RZ11	REINVESTMENT ZONE ELEVEN BOARD (DOWNTOWN CONNECTION)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2843

Item 46: Receive the report of the Canvassing Committee and adopt a resolution accepting the Canvassing Committee's report declaring the results of the November 2, 2010 special election on **(1)** whether to legalize "the legal sale of beer and wine for off-premise consumption only,"; **(2)** whether to legalize "the legal sale of mixed beverages in restaurants for food and beverages certificate holders only,"; **(3)** whether to authorize the city council to sell and convey all city park land contained in Elgin B. Robertson Park; and **(4)** whether to authorize the city council to sell and convey approximately 25 acres of city park land contained in Joey Georgusis Park - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

The following individuals addressed the city council regarding the item:

Andy Seigel, 3333 Lee Pkwy.
Tommy Brown, 2837 Prosperity Ave.

Councilmember Jasso moved to adopt a resolution accepting the Ad Hoc Canvass Committee's report declaring the results of the November 2, 2010 special election.

Motion seconded by Councilmember Allen.

After discussion, Mayor Pro Tem Caraway moved to substitute for Councilmember Jasso's motion to adopt the Ad Hoc Canvass Committee's report, however, for at least 30 days delay issuance of permits until December 15, 2010 to give time to further address the concerns brought to the table on behalf of constituents and neighborhoods that have proven they will be impacted and have safeguards in place.

Motion seconded by Councilmember Salazar.

Mayor Leppert called the vote on Mayor Pro Tem Caraway's motion to substitute for Councilmember Jasso's motion to adopt the Ad Hoc Canvass Committee's report, however, for at least 30 days delay issuance of permits until December 15, 2010 to give time to further address the concerns brought to the table on behalf of constituents and neighborhoods that have proven they will be impacted and have safeguards in place:

Voting Yes: [3] Caraway, Salazar, Davis
Voting No: [12] Leppert Medrano, Jasso, Neumann, Hill, Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt

Mayor Leppert declared the substitute motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-2843

Page 2

Mayor Leppert called the vote on Councilmember Jasso motion to adopt a resolution accepting the Ad Hoc Canvass Committee's report declaring the results of the November 2, 2010 special election:

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

Voting No: [3] Caraway, Salazar, Davis

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2844

Item 47: A resolution to condemn all bullying, harassment, and intimidation in schools in the City of Dallas - Financing: No cost consideration to the City (via Councilmember Jasso, Deputy Mayor Pro Tem Medrano, Mayor Pro Tem Caraway and Councilmembers Salazar, Davis, Atkins, and Hunt)

Councilmember Hunt moved to table the resolution.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2845

Item 48: Authorize a historic preservation tax exemption for the Dallas Coffin Company Building located at 1325 South Lamar Street for a ten-year period on 100% of the land and structure value - Revenue: First year tax revenue foregone estimated at \$49,733 (Estimated revenue foregone for ten years is \$497,330)

Deputy Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2846

Item 49: Authorize a three-year master agreement for multi-band mobile and portable subscriber radios for public safety - Motorola, Inc., most advantageous proposer of two - Not to exceed \$8,723,971 - Financing: Urban Area Security Initiative Grant Funds

Councilmember Atkins moved to adopt the item.

Motion seconded by Councilmember Hill.

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

Voting Yes: [13] Leppert, Caraway, Medrano, Jasso, Hill, Salazar, Davis, Atkins,
Kadane, Koop, Natinsky, Margolin, Hunt

Voting No: [2] Neumann, Allen

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2847

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 50: Authorize an amendment to the development agreement with Lang Partners, LLC, previously approved on November 9, 2009, by Resolution Nos. 09-2816 and 09-2817, in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to: **(1)** extend the project deadline to begin construction from September 30, 2010 to March 31, 2011; **(2)** extend the project deadline to complete construction from December 31, 2011 to June 30, 2012; and **(3)** increase the TIF reimbursement from \$5,500,000 to \$7,250,000 - Not to exceed \$1,750,000, from \$5,500,000 to \$7,250,000 - 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 adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2848

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 51: Authorize an amendment to the Reconstruction/SHARE Program loan approved on September 22, 2010 by Resolution No. 10-2418, for the property located at 3206 Arizona Avenue by approving a one time waiver of the Reconstruction/SHARE Program guidelines that limit the refinancing amount of liens to \$5,900, and to allow refinancing of a lien on the property in the amount of \$7,800, thereby reducing the reconstruction cost of the property to \$85,600 for a total loan amount not to exceed \$93,400 - 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."

Mayor Pro Tem Caraway moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2849

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 52: Authorize the second Loan Modification to the Community Development Block Grant (CDBG) Loan Agreement and the HOME Loan Agreement with Kaminski Holding, Inc., to: **(1)** increase the CDBG Loan Agreement from \$550,000 to \$597,500 with Kaminski Holdings, Inc. and change the amount to be repaid from \$400,000 to \$447,500 to be repaid over 20 years with 3% interest for construction development financing for the commercial portion of a mixed-use building at 5208 Bexar Street; **(2)** increase the HOME Loan Agreement with Kaminski Holdings, Inc. from \$550,000 to \$597,500 and change the amount to be repaid from \$550,000 to \$597,500 to be repaid over 20 years with 3% interest for construction of six affordable rental housing units at 5208 Bexar Street as part of a mixed-use building; and **(3)** decrease the developer equity requirement from \$145,000 to \$85,000 - Not to exceed \$95,000 - Financing: 2002-03 Community Development Block Grant Funds (\$31,614), 2008-09 Community Development Block Grant Funds (\$15,886) and 1998-99 HOME Funds (\$47,500)

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 Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2850

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda item 53-56, was presented for consideration.

Agenda items 53 and 55 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 53: Zoning Case Z090-124 (RB)~~ [**considered individually**]

Agenda item 54: Zoning Case Z090-142 (RB)

~~Agenda item 55: Zoning Case Z090-177 (WE)~~ [**considered individually**]

Agenda item 56: Zoning Case Z090-209 (WE)

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

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

Councilmember Hill 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 Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2851

Item 53: Zoning Case Z090-124 (RB)

The consent zoning docket, consisting of agenda item 53-56, was presented for consideration.

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

Councilmember Salazar requested that zoning consent item 53 be considered as an individual item. Mayor Leppert stated that zoning consent item 53 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 Z090-124 (RB), an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for an Outside salvage or reclamation use on property zoned an IR Industrial Research District on the north line of Singleton Boulevard, east of Pluto Street

(The staff recommended Approval of an IM Industrial Manufacturing District, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions and city plan commission recommended Approval, of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
10-2851
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The following individual addressed the city council regarding the item:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Councilmember Salazar moved to continue the public hearing and hold under advisement until the January 12, 2011 voting agenda meeting of the city council.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2852

Item 54: Zoning Case Z090-142 (RB)

The consent zoning docket, consisting of agenda item 53-56, was presented for consideration.

A public hearing was called on zoning case Z090-142 (RB), an application for and an ordinance granting the creation of a new Subdistrict (Subdistrict 5A) and an ordinance granting a Specific Use Permit for a Vehicle storage lot and a Vehicle display, sales, and service use on property within the Subdistrict 5 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, on the northeast line of CF Hawn Freeway, northwest of Lovejoy Drive

(The staff and city plan commission recommended Approval, of a new Subdistrict 5A, subject to conditions, and approval of a Specific Use Permit for a Vehicle storage lot and a Vehicle display, sales, and service use for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site and landscape plan and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28052 AND 28053

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2853

Item 55: Zoning Case Z090-177 (WE)

The consent zoning docket, consisting of agenda item 53-56, was presented for consideration.

Councilmember Hill requested that zoning consent item 55 be considered as an individual item. Mayor Leppert stated that zoning consent item 55 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 Z090-177 (WE), an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an R-7.5(A) Single Family District, located on the north side of Bruton Road, east of Masters Drive

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

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

Councilmember Hill moved to close the public hearing, adopt the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted. (Leppert, Davis, Margolin absent when vote taken)

Assigned ORDINANCE NO. 28054

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2854

Item 56: Zoning Case Z090-209 (WE)

The consent zoning docket, consisting of agenda item 53-56, was presented for consideration.

A public hearing was called on zoning case Z090-209 (WE), an application for and an ordinance granting a Specific Use Permit for a general merchandise or food store greater than 100,000 square feet on property zoned an MU-3 Mixed Use District on the northeast corner of Goldmark Drive and Midpark Road

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28055

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2855

Item 57: Zoning Case Z090-174(WE) UNDER ADVISEMENT – INDIVIDUAL

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 the city plan commission's recommendation.

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

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Councilmember Hunt moved to close the public hearing and deny the application without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2856

Item 58: Zoning Case Z090-192(CG) DESIGNATED ZONING CASES –INDIVIDUAL

A public hearing was called on zoning case Z090-192 (CG), to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Subdistrict 1, within Planned Development District No. 298, the Bryan Place Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations that would allow for a vehicle or engine repair use in addition to the uses currently permitted and an ordinance granting a new subdistrict within Planned Development District No. 298, and an ordinance granting a Specific Use Permit

(The staff recommended Denial and the city plan commission recommended Approval of a new subdistrict, subject to conditions and approval of a Specific Use Permit for a vehicle or engine repair use for a ten-year period with eligibility for an automatic renewal for one additional two-year period, subject to a site 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 Pro Tem Caraway 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:

Michael Eric Williamson, 3507 Bryan St., representing Bryan Place Homeowners Association

Wayne Smith, 927 Liberty Ct., representing Neighborhood Association
Gwain Wooten, 1000 Grigsby

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-2856

Page 2

Councilmember Hunt moved to close the public hearing and follow the City Plan Commission recommendation for adoption with the following changes to the Specific Use Permit:

- Amend the parking requirement to read: “A minimum of 27 off-street parking spaces must be provided.”
- Non-functional shutters or glass window’s or glass blocks must be maintained at all times on street-facing windows on the building at the northeast corner of McCoy Street and Ross Avenue.

and pass the ordinance.

Motion seconded by Councilmember Hill and Councilmember Atkins and unanimously adopted. (Leppert, Margolin absent when vote taken)

Assigned ORDINANCE NOS. 28056 AND 28057

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2857

Item 59: Zoning Case Z090-222(OTH) DESIGNATED ZONING CASES –INDIVIDUAL

A public hearing was called on zoning case Z090-222 (OTH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1789 for a Medical clinic limited to a dental clinic, on property within the Subarea 1A portion of Planned Development District No. 316, the Jefferson Area Special Purpose District, on property at the north side of Jefferson Boulevard, west of Madison Street

(The staff recommended Denial and the city plan commission recommended Approval subject to a site 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:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Councilmember Jasso moved to close the public hearing and adopt the correction to the property description, adopt the amended site plan, but deny the amendment to the parking requirements and pass the ordinance.

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

Assigned ORDINANCE NO. 28058

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2858

TOD TIF District

Note: Item Nos. 60 and 61
must be considered collectively.

Item 60: A public hearing to receive comments on an amendment to Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) boundary and Project Plan and Reinvestment Zone Financing Plan (Project Plan) to increase the geographic area of the TOD TIF District in the Lancaster Corridor Sub-District to include properties located at 2809, 2815, 2901, 2911, 2915, 2919, 2935, 3005, 3011, 3015, 3023, 3025, and 3039 Lancaster Road located on the western frontage of Lancaster Road between Corning Avenue and Saner Avenue - Financing: No cost consideration to the City

Item 61: An ordinance amending Ordinance Nos. 27432, previously approved on December 10, 2008, as amended and 27854, previously approved on April 14, 2010, to increase the geographic area of the TOD TIF District in the Lancaster Corridor Sub-District to include properties located at 2809, 2815, 2901, 2911, 2915, 2919, 2935, 3005, 3011, 3015, 3023, 3025, and 3039 Lancaster Road located on the western frontage of Lancaster Road between Corning Avenue and Saner Avenue - 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 Pro Tem Caraway read the following certification into the record:

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

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

Gwain Wooten, 1000 Grigsby Ave.
Leslie Allen Davis, 3035 E. Ledbetter Dr.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
10-2858
Page 2

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

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

Assigned ORDINANCE NO. 28059

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

Closed Session [**10-2859; HELD**]

6ES

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

- City of Dallas v. Carback's Valley View L.P., et al., Cause No. 07-03884-C
- City of Dallas v. James H. Addison, et al., Cause No. 06-12538-A
- Legal issues involving the local option elections on sale of alcoholic beverages under the Texas Election Code

At 2:14 p.m., Mayor Leppert announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues involving the local option elections on sale of alcoholic beverages under the Texas Election Code

Mayor Leppert reconvened the city council meeting after the closed session at 3:53 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2860

Addendum addition 1: Authorize a two-year contract for asbestos abatement and demolition services for City and non-City owned structures as required - F. Hall Mowing in the amount of \$2,108,134, Coverall Management & Associates, Inc. in the amount of \$1,359,589, Lindamood Demolition, Inc. in the amount of \$2,254,833 and RNDI Companies, Inc. in the amount of \$1,509,986, lowest responsible bidders of seven - Total not to exceed \$7,232,542 - Financing: Current Funds (\$6,128,441) (subject to annual appropriations) and 1998 Bond Funds (\$1,104,101)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2861

Addendum addition 2: Authorize a five-year service contract for arbitrage rebate calculation and compliance services beginning January 1, 2011 through December 31, 2016 - First Southwest Asset Management, Inc., most advantageous proposer of seven - Not to exceed \$190,000 - Financing: Current Funds (\$118,750), Convention and Event Services Current Funds (\$4,750) and Water Utilities Current Funds (\$66,500) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2862

Addendum addition 3: Authorize **(1)** ratification of one-year of on-line newspaper database and microfilm service for Dallas Public Library in the amount of \$125,195; and **(2)** a two-year service contract for access to an on-line newspaper database service and microfilm service for Dallas Public Library in the amount of \$307,399 - NewsBank, Inc., Sole Source - Total not to exceed \$432,594 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2863

Addendum addition 4:

An ordinance authorizing the issuance of City of Dallas, Texas General Obligation Commercial Paper Notes Series 2010A, Series 2010B, and Series 2010C short term obligations in an aggregate principal amount not to exceed \$350,000,000; authorizing such short term obligations to be issued, sold, and delivered in the form of commercial paper notes; making certain covenants and agreements in connection therewith; establish the tenor of the program to be for the issuance of the remaining \$575,775,000 in the 2006 Bond Program and the remaining \$34,537,600 in the 1998 Bond Program, which is estimated to be within a three-year period; resolving other matters related to the issuance, sale, security and delivery of such short term obligations, including: **(1)** a thirty-six-month \$150,000,000 Credit Agreement with J.P. Morgan Chase Bank, N.A., a thirty-six-month \$100,000,000 Credit Agreement with U.S. Bank National Association, and a thirty-six-month \$100,000,000 Credit Agreement with Wells Fargo Bank, N.A.; **(2)** the appointment of U.S. Bank National Association as the Issuing and Paying Agent and authorizing the execution of the Issuing and Paying Agent Agreement, and **(3)** the appointment of Jefferies & Company, Inc. as the dealer and authorizing the execution of a Dealer Agreement; approving the payment of issuance costs in connection with the issuance of the short term obligations; approving the use of an Offering Memorandum in connection with the sale of the short term obligations; and providing an effective date - Total not to exceed \$7,597,150 (\$570,100 upfront closing costs plus annual fees of \$2,342,350 for a three years) - Financing: Current Funds (subject to annual appropriations)

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

Later in the meeting, addendum addition consent agenda item 4 was brought up for consideration.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-2863

Page 2

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

Councilmember Hill moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Atkins abstain; Caraway, Salazar, Davis absent when vote taken)

Assigned ORDINANCE NO. 28060

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2864

Addendum addition 5: Authorize a nine-month concession contract for food and beverage services at the Majestic Theater for the period November 1, 2010 through July 31, 2011 - Culinaire International, Inc. - Estimated Revenue: \$37,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2865

Addendum addition 6: Authorize a thirty-one month extension to the concession contract with Culinaire International, Inc. for food and beverage services at the Morton H. Meyerson Symphony Center for the period January 1, 2011 through July 31, 2013, under the same terms and conditions, including estimated annual revenues - Estimated Revenue: \$817,000

Councilmember Natinsky requested that addendum addition consent agenda item 6 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 6 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Later in the meeting, addendum addition consent agenda item 6 was brought up for consideration.

Councilmember Natinsky moved to adopt the item.

Motion seconded by Councilmember Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2866

Co-Financial Advisor Contracts

Note: Addendum Item Nos. 7 and 8
must be considered collectively.

Addendum addition 7: Authorize a nine-month extension of the professional services contract with First Southwest Company to serve as co-financial advisor and provide financial advisory services - Financing: Co-financial advisory fees to be paid from general obligation bond proceeds or Water Utilities Current Funds, contingent upon completion of each bond sale

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2867

Co-Financial Advisor Contracts

Note: Addendum Item Nos. 7 and 8
must be considered collectively.

Addendum addition 8: Authorize a nine-month extension of the professional services contract with Estrada Hinojosa & Company, Inc. to serve as co-financial advisor and provide financial advisory services - Financing: Co-financial advisory fees to be paid from general obligation bond proceeds or Water Utilities Current Funds, contingent upon completion of each bond sale

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2868

Addendum addition 9: Authorize the Dallas Housing Finance Corporation (DHFC) to drawdown \$50,000,000 of tax-exempt bond allocation from the 2010 Private Activity Bond Volume Cap from the Texas Bond Review Board to: **(1)** convert \$25,000,000 into \$6,250,000 Mortgage Credit Certificate (MCC's) Authority to provide MCCs and approve the plan related to that financing; and **(2)** use \$25,000,000 for a Standard Single Family Mortgage Revenue Bond Program to provide a below market interest rate and 3½% down payment assistance, at a later date if the market conditions are economically feasible (and if not, to convert this \$25,000,000 into a second MCC Program at a later date) for low-to-moderate income first-time homebuyers purchasing homes in the City of Dallas - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2869

Addendum addition 10: Authorize **(1)** preliminary adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP) to: **(a)** amend the Program Statement, Attachment A, Activity 1, Terms for Grants and Loans to modify provisions with respect to the AR Program from a tiered grant/loan to a homebuyer to a flat grant up to \$25,000 per homebuyer; **(b)** the receipt and deposit of program income in an amount not to exceed \$2,200,000 generated from NSP activities; and **(c)** the establishment of appropriations in an amount not to exceed \$2,200,000 in the NSP Program Income Fund to be used for other eligible activities; and **(2)** a public hearing to be held on December 8, 2010 to receive comments on Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the NSP - Total not to exceed \$2,200,000 - Financing: Neighborhood Stabilization Program Income Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2870

Addendum addition 11: Authorize a professional services contract with Diversified Utility Consultants, Inc., for expert consulting services and testimony in matters related to the "Statement of Intent to Change the Rate CGS and Rate PT of Atmos Pipeline - Texas", filed September 17, 2010 - Total not to exceed \$140,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2871

Addendum addition 12: Authorize **(1)** a multi-faceted construction contract for: **(a)** Coombs Creek erosion control; **(b)** renovation of the Stevens Park Golf Course to include drainage, bridge construction, cart paths, soil preparation, grassing, and landscaping; **(c)** installation of a recycled water irrigation system and pump station in coordination with Dallas Water Utilities; and **(d)** construction of a service center maintenance facility and cart building at Stevens Park Golf Course located at 1005 North Montclair Avenue with Wadsworth Golf Construction Company, best value proposer of seven in the amount of \$7,997,917; **(2)** an increase in appropriations in the Stevens Park Golf Course Improvement Fund in the amount of \$3,500,000; **(3)** a loan from Dallas Water Utilities Capital Construction Fund in the amount of \$3,500,000 to be repaid from golf revenue; and **(4)** an amendment to the golf professional concession contract with James R. Henderson to define roles, responsibilities, compensation and reimbursement for personal services performed and costs incurred during the premises closure including, but not limited to security, insurance, staffing to close and re-open the restaurant and pro shop and increased unemployment taxes as a result of the closure of Stevens Park Golf Course for renovation in the amount of \$186,713 - Total not to exceed \$8,184,630 - Financing: 2003 Bond Funds (\$1,000,000), 2006 Bond Funds (\$3,497,917), Stevens Park Golf Course Improvement Funds (\$3,500,000) and Golf Improvement Funds (\$186,713)

Mayor Pro Tem Caraway and Councilmember Atkins requested that addendum addition consent agenda item 12 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Caraway and Councilmember Atkins' request.

Later in the meeting, addendum addition consent agenda item 12 was brought up for consideration.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
10-2871
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Councilmember Neumann moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2872

Addendum addition 13: Authorize **(1)** the application for and acceptance of the 2010 Project Safe Neighborhood/Anti-Gang initiative grant in the amount of \$50,000 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for gang unit officer and Southeast Division patrol officer overtime reimbursement to combat gangs, and guns and drug activity for the period October 1, 2010 through September 30, 2011; **(2)** an In-kind contribution match in the amount of \$14,475; and **(3)** execution of the grant agreement - Total not to exceed \$64,475 - Financing: U.S. Department of Justice Grant Funds (\$50,000) and In-Kind Contributions (\$14,475)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2873

Addendum addition 14: Authorize **(1)** an application for and acceptance of the Criminal Justice Projects Grant from the Office of the Governor, Criminal Justice Division, to provide aid in finding crime linkages and provide additional resources to the 10-70-20 Crime Reduction Program for the period of September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$155,255 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2874

Addendum addition 15: Authorize **(1)** a professional services contract with BDS Technologies, Inc. for land surveying services to plat the Dallas Love Field Airport in an amount not to exceed \$605,178; and **(2)** an increase in appropriations in the amount of \$670,178 in the Aviation Capital Construction Fund - Total not to exceed \$670,178 - Financing: Aviation Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2875

Addendum addition 16: Authorize a contract with Ken-Do Contracting, L.P., lowest responsible bidder of ten, for the reconstruction of sidewalks, curb and gutter, drive approaches and water and wastewater adjustments for Sidewalk Replacement Group 02-2010 (list attached) - Not to exceed \$373,803 - Financing: 2006 Bond Funds (\$347,953) and Water Utilities Capital Construction Funds (\$25,850)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2876

Addendum addition 17: Authorize **(1)** a contract with Trane U.S., Inc., best value proposer of four, for lighting, heating ventilation and air conditioning control system upgrades at 96 City facilities in the amount of \$1,800,000 (list attached); **(2)** the receipt and deposit of rebate funds in an amount not to exceed \$300,000 from Oncor; and **(3)** an increase in appropriations for the deposit of rebate funds in the amount of \$300,000 in the Energy Management Fund - Not to exceed \$1,800,000 - Financing: Energy Efficiency Conservation Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2877

Addendum addition 18: Authorize Supplemental Agreement No. 1 to the professional services contract with Wallace Roberts & Todd, LLC to provide engineering design and surveying services for intersection improvements at North Beckley Avenue and West Commerce Street - Not to exceed \$477,811, from \$24,975 to \$502,786 - Financing: 1998 Bond Funds (\$404,751) and Water Utilities Capital Improvement Funds (\$73,060)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2878

Addendum addition 19: Authorize Supplemental Agreement No. 1 to the design-build contract with MYCON General Contractors, Inc. for the construction of improvements at the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Boulevard and the West Dallas Multipurpose Center located at 2828 Fish Trap Road - Not to exceed \$2,762,806, from \$344,322 to \$3,107,128 - Financing: 2006 Bond Funds (\$250,000) and 2008-09 Community Development Block Grant - Recovery Funds (\$2,512,806)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2879

Addendum addition 20: Authorize **(1)** Supplemental Agreement No. 1 to the design-build contract with Schneider Electric Buildings America, Inc. for Light Emitting Diode lighting retrofits at Thanksgiving Square, City Hall, Central Library, Meyerson Symphony Center and Jack Evans Police Headquarters in the amount of \$998,180; **(2)** the receipt and deposit of incentive funds in the amount of \$300,000; and **(3)** an increase in appropriations for the deposit of incentive funds in the amount of \$300,000 in the Energy Management Fund - Not to exceed \$998,180, from \$320,000 to \$1,318,180 - Financing: U.S. Department of Energy Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2880

Addendum addition 21: An ordinance adopting a boundary adjustment agreement with the City of Balch Springs on property located east of Cheyenne Road between Elam Road and Lake June Road -
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28061

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2881

Addendum addition 22: An ordinance abandoning portions of a water main easement, a drainage easement, three storm sewer easements, Redfield Street, Lofland Street, Tex-Oak Avenue, a street easement and an alley to Dallas County Hospital District d/b/a Parkland Health and Hospital System, the abutting owner, containing a total of approximately 83,225 square feet of land located near the intersection of Harry Hines Boulevard and Lofland Street, authorizing the quitclaim, and providing for the dedication of approximately 9,433 square feet of land needed for street right-of-way - Revenue: \$1,197,015 plus the \$20 ordinance publication fee

The City Secretary requested that addendum addition consent agenda item 22 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that addendum addition consent agenda item 22 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Deputy Mayor Pro Tem Medrano requested that addendum addition consent agenda item 22 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Medrano's request.

Later in the meeting, addendum addition consent agenda item 22 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Susan Kedron, 901 Main St., representing Parkland Hospital
Eddie Vassallo, 3710 Rawlins St., representing LAZ Parking

Deputy Mayor Pro Tem Medrano moved to adopt the item with the following two amendments to the ordinance:

- Section 9 of the ordinance should be amended to delete "Prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein" and replaced with "within 180 days of the effective date of the ordinance."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-2881

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- Section 10 of the ordinance should be amended to extend the dedication time period from 120 days to 180 days.

and pass the ordinance.

Motion seconded by Councilmember Koop and unanimously adopted. (Salazar absent when vote taken)

Assigned ORDINANCE NO. 28062

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2882

Addendum addition 23: Authorize **(1)** execution of a Cooperating Technical Partners (CTP) Agreement with the Federal Emergency Management Agency (FEMA) for FY 2010-2011 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(2)** the receipt and deposit of funds in an amount not to exceed \$675,000 from FEMA; **(3)** an increase in appropriations in the amount of \$675,000 in the Capital Projects Reimbursement Fund; and **(4)** a professional services contract with Halff Associates, Inc. in the amount of \$900,000 for updating certain flood studies in accordance with the Cooperating Technical Partners (CTP) Agreement with the FEMA for Fiscal Year 2010-11 - Total not to exceed \$900,000 - Financing: 2005 Certificates of Obligation (\$225,000) and Capital Projects Reimbursement Funds (\$675,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2883

Addendum addition 24: Authorize settlement in lieu of proceeding further with condemnation in City of Dallas v. Carback's Valley View, L.P., et al, Cause No. cc-07-03884-c, pending in the County Court at Law No. 3, for acquisition from Carback's Valley View, L.P., et al of two tracts of land for a total of approximately 1,879 square feet located near the intersection of Alpha Road and Montfort Drive for the Alpha Road Improvement Project and the Montfort Drive Improvement Project - \$169,235 - Financing: 1998 Bond Funds

Councilmember Koop moved to adopt the item.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2010

10-2884

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 25: Authorize an amendment to the Home Repair Program Statement for the Reconstruction/SHARE Program, previously approved on September 22, 2010 by Resolution No. 10-2465, to clarify policies for the refinancing of secured housing liens in compliance with federal regulations - 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 Koop moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 10, 2010

EXHIBIT C