

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, DECEMBER 8, 2010

10-2980  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar (\*9:04 a.m.), Davis, Atkins (\*9:04 a.m.), Kadane, Allen, Koop, Natinsky, Margolin, Hunt (\*9:28 a.m.)

ABSENT: [0]

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

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

The invocation was given by Mike Middlebrooks, Chaplin, Dallas Police Department.

Councilmember Hill led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 2:12 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Assistant 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, DECEMBER 8, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, DECEMBER 8, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2981

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: Lisa Goodwin, 5901 Vickery Blvd.  
SUBJECT: Fraud, corruption in Dallas Family Courts

SPEAKER: Robert Ceccarelli, 408 Park Ave.  
SUBJECT: Homeless, Bridge

SPEAKER: O. B. Mathis Jr., 3346 Ridgemoor Cir.  
SUBJECT: Misconduct and unfair treatment

SPEAKER: Gina E. Abio, 3447 Granada Ave., **University Park, TX**  
REPRESENTING: National Alliance for Family Court Justice  
SUBJECT: Legal abuse of children, fraud, corruption, etc.

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Jeremy Gall, 4004 Brownstone Ct.  
REPRESENTING: Neighbors concern  
SUBJECT: Discuss construction on Haskell Ave.

SPEAKER: Patsy Gillham, 13110 Chaville, **Cypress, TX**  
REPRESENTING: Plastic Pollution Texas  
SUBJECT: Deposit legislation on beverage containers

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

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

SPEAKER: Trina Triche, 1818 Corsicana St.  
SUBJECT: Why am I still homeless?

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2982

Item 1: Approval of Minutes of the November 10, 2010 City Council Meeting.

Councilmember Atkins moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2983

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-50 and addendum addition consent agenda items 1-23, was presented for consideration.

Councilmember Neumann requested that consent agenda item 28 and addendum addition consent agenda items 3 and 19 be considered as individual items. Mayor Leppert stated that consent agenda item 28 and addendum addition consent agenda items 3 and 19 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Margolin requested that addendum addition consent agenda item 19 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 19 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Hunt requested that consent agenda item 37 be considered as an individual item. Mayor Leppert stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Neumann moved to approve all items on the consent agenda with the exception of consent agenda items 28, 37 and addendum addition consent agenda items 3 and 19 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2984

Item 2: Authorize a second amendment to Lease No. 1 and third amendment to Lease No. 2 with Signature Flight Support to reduce the annual rental revenue in the amount of approximately \$513,387 from the pre-November 1, 2009 rate of \$2,045,028 to approximately \$1,531,641 in consideration of \$7,000,000 in capital improvements to be expended within ten years and reimburse, through rental credits over the next year, with signature payments in the amount of approximately \$1,059,050 at Dallas Love Field - Estimated Annual Revenue: \$1,531,641

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2985

Item 3: Authorize a three-year service contract for inspection, maintenance and repair of the existing fire alarm system at Dallas Love Field Airport - SimplexGrinnell, LP through the Texas Multiple Award Schedule contract - Not to exceed \$187,905 - Financing: Aviation Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2986

Item 4: Authorize the purchase of audio and visual equipment to replace the video wall system in the Fusion Center at Jack Evans Police Headquarters - Audio Fidelity Communication Corp. dba The Whitlock Group, through the Department of Information Resources, State of Texas Cooperative Contract - Not to exceed \$311,495 - Financing: U. S. Department of Homeland Security Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2987

Item 5: Authorize settlement of the lawsuit styled Julie Anne London v. The City of Dallas, Cause No. 10-00794-D - Not to exceed \$12,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2988

Item 6: Authorize settlement of the lawsuit styled Braulio Xolio v. City of Dallas, Cause No. 10-01780-C - Not to exceed \$13,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2989

Item 7: Authorize settlement of the lawsuit styled Claudette Drake, Individually and as Next Friend of Sashambry Hollins, a minor v. City of Dallas, Cause No. 10-03831-B - Not to exceed \$21,500 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2990

Item 8: Authorize payment of annual software maintenance in support of the CityLaw performance-based tracking system from Cycom Data Systems, Inc. for the period November 1, 2010 through October 31, 2011 - Not to exceed \$51,745 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2991

Item 9: Authorize Supplemental Agreement No. 1 to the professional services contract with The Lawton Law Firm, P.C., for additional expert services related to the request by Atmos Pipeline - Texas (Atmos), a division of Atmos Energy Corporation, to increase its city gate service (CGS) and pipeline transportation (PT) rates filed September 17, 2010 with the Railroad Commission of Texas - Not to exceed \$49,000, from \$25,000 to \$74,000 - Financing: Current Funds (the full amount is reimbursable by Atmos subject to approval by the Railroad Commission of Texas)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2992

Item 10: Authorize the City Manager to enter into an Interlocal Agreement with the Dallas/Fort Worth International Airport Board and the cities of Euless and Fort Worth to share revenue derived from the Euless municipal hotel occupancy tax collected from hotels located at Dallas/Fort Worth International Airport - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2993

- Item 11: Authorize modifications to the Permanent Supportive Housing (PSH) Program Statement to: **(1)** remove references to a goal to create an exact number of PSH units; **(2)** provide for City consideration of assistance for PSH units when existing units have been absorbed and services for existing units are stabilized; **(3)** encourage developers and applicants to brief key neighborhood and community groups; **(4)** provide for staff to notify the City Council when staff receives PSH project proposals seeking City assistance; and **(5)** provide maximum level of funding per PSH unit and a minimum percentage of PSH units required for multifamily projects for developers willing to provide PSH units and seeking assistance from City programs - Financing: No cost consideration to the City

The assistant city secretary announced Councilmember Margolin deferred consent agenda item 11 in accordance with Subsection 7.11 of the City Council Rules of Procedures.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2994

Item 12: Authorize **(1)** the acceptance of a grant from the U. S. Department of Justice to provide substance abuse treatment and re-integration services to adult ex-offenders with minor children and families for the period October 1, 2010 through September 30, 2012; **(2)** the establishment of appropriations in the amount of \$291,690; and **(3)** execution of the grant agreement - Not to exceed \$291,690 - Financing: U. S. Department of Justice Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2995

Item 13: Authorize **(1)** the acceptance of a grant from the U. S. Department of Justice to provide re-entry services (pre-release and post-release) to adult and juvenile ex-offenders, ages 18 years and older for the period October 1, 2010 through September 30, 2011; **(2)** execution of a contract between the City of Dallas and Safer Dallas Better Dallas/DOORS; and **(3)** execution of the grant agreement - Not to exceed \$1,000,000 - Financing: U. S. Department of Justice Grant Funds (\$750,000) and Current Funds (\$250,000)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2996

Item 14: Authorize **(1)** Supplemental Agreement No. 1 to the contract with Metro Dallas Homeless Alliance. previously approved on April 14, 2010, by Resolution No. 10-0864, to provide use of software and to retrieve information from the system provide training and technical support on the Homeless Management and Information System; and **(2)** the revised contract term from April 1, 2010 through June 30, 2012 - Not to exceed \$60,889, from \$75,000 to \$135,889 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2997

Item 15: Authorize Supplemental Agreement No. 1 to the contract with The Family Place, Inc. for emergency shelter services to provide a safe haven for victims of family violence while locating permanent housing for the period October 1, 2010 through September 30, 2011 - Not to exceed \$15,200, from \$44,900 to \$60,100 - Financing: 2010-11 Emergency Shelter Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2998

Item 16: Authorize Supplemental Agreement No. 2 to the Homelessness Prevention and Rapid Re-Housing contract with Legal Aid of NorthWest Texas, Inc. to reduce the contract amount for the period October 1, 2009 through September 30, 2011 - Not to exceed (\$65,000), from \$207,025 to \$142,025 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-2999

Item 17: Authorize Supplemental Agreement No. 2 to increase the contract with Nexus Recovery Center, Inc. previously approved on August 26, 2009, by Resolution No. 09-2075, for the period October 1, 2010 through September 30, 2011 - Not to exceed \$65,000, \$358,519 to \$423,519 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3000

Item 18: Authorize the fifth amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2009 through December 1, 2010 - Not to exceed \$693,847, from \$16,221,474 to \$16,915,321 - Financing: Department of State Health Services Grant Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3001

Item 19: Authorize a contract with Dallas Area Rapid Transit for the purchase of 384 annual passes in support of the City's clean air initiative - Not to exceed \$157,752 - Financing: Current Funds (to be reimbursed by participating employees)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3002

Item 20: Authorize renewal of the professional service contract for initial registration and re-registration of City departments to International Organization for Standardization 9001:2008, 14001:2004 and OHSAS 18001:2007 standards with Bureau Veritas Certification North America for the period November 2010 through November 12, 2013 - Not to exceed \$574,275 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3003

Item 21: Authorize a contract for a new loop trail and connecting sidewalks at Tietze Park located at 3700 Skillman Street - LDM Investments, Inc. dba LDM Design and Construction, lowest responsible bidder of twelve - Not to exceed \$254,808 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3004

Item 22: Authorize a contract for a new pavilion and site furnishings at Cotillion Park located at 3600 Barnes Bridge Road - RoeschCo Construction, Inc., best value proposer of five - Not to exceed \$282,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3005

Item 23: Authorize a contract for a new pavilion at Umphress Park located at 7700 Umphress Road - MetalMan Design/Build Corporation, best value proposer of five - Not to exceed \$281,854 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3006

Item 24: Authorize a contract for a playground replacement and replacement of the existing multi-use court at Walford Park located at 1700 North Haskell Avenue - Henneberger Construction, Inc., lowest responsible bidder of eleven - Not to exceed \$107,730 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3007

Item 25: Authorize a contract for Phase II for a trail reconstruction to include erosion control improvements, new asphalt loop trail, and landscaping at Bachman Lake Park located at 3500 Northwest Highway - Riverway Contractors and Management, Inc., lowest responsible bidder of seven - Not to exceed \$604,600 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3008

Item 26: Authorize a contract for relocation and restoration of the WPA-era stone pavilion to include removal of the existing parking lot and driveway; and replacement with new parallel parking; construction of new sidewalks; and repair and restoration of stone benches, tables and walls Stevens Park located at 1005 North Montclair Avenue - Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of thirteen - Not to exceed \$457,758 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3009

Item 27: Authorize a contract for restoration of historic WPA stone walls, stairs, terraces, tables, fireplaces and walkways; and reconstruction of the existing vehicular entry road with a new gateway at Reverchon Park located at 3505 Maple Avenue - Hasen Design Build and Development dba Hasen Construction Services, best value proposer of six - Not to exceed \$1,446,121 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3010

Item 28: Authorize Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. for preparation of an aquatic facilities master plan to guide programming, site locations, renovations, new construction and a transition plan for aquatic facilities - Not to exceed \$185,000, from \$23,900 to \$208,900 - Financing: 2006 Bond Funds

Councilmember Neumann requested that consent agenda item 28 be considered as an individual item. Mayor Leppert stated that consent agenda item 28 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 28 was brought up for consideration.

Councilmember Neumann moved to adopt the item.

Motioned seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3011

Item 29: Authorize Supplemental Agreement No. 3 to the professional services contract with McAfee3 Architects for reimbursable expenses, additional irrigation design and roof consulting at Samuell-Grand Tennis Center located at 6200 East Grand Avenue - Not to exceed \$7,504, from \$122,560 to \$130,064 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3012

Item 30: Authorize application for and acceptance of the 2010-12 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Office of Justice Programs for partial reimbursement of approved bulletproof vest purchases for the period April 1, 2010 through August 31, 2012 - Not to exceed \$199,617 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3013

Item 31: Authorize **(1)** an application for and the acceptance of the Community Oriented Policing Services (COPS) Child Sexual Predator Program (CSPP) from the U. S. Department of Justice Grant Funds to improve sex offender management for the period of September 1, 2010 through August 31, 2012; and **(2)** the execution of the grant agreement - Not to exceed \$419,971 - Financing: U. S. Department of Justice, Office of Community Oriented Policing Services Grant Funds

Adopted as part of the consent.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3014

Item 32: Authorize a contract with Ark Contracting Services, LLC, lowest responsible bidder of five, for the construction of Bridge Repair and Modification Group 10-01 (list attached) - Not to exceed \$1,293,670 - Financing: 2006 Bond Funds (\$316,416) and Water Utilities Capital Improvement Funds (\$977,254)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3015

Item 33: Authorize a professional services contract with Fitzgerald Collaborative for architectural and engineering services for design and construction administration services of the Bexar Street Redevelopment Investment Center located at the southwest corner of Bexar Street and Hooper Street - Not to exceed \$164,953 - Financing: 2010 Certificates of Obligation

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3016

Item 34: Authorize **(1)** the acceptance of a grant from the North Central Texas Council of Governments in the amount of \$60,000 to conduct the second phase of the heavy bulk and brush study; and **(2)** an increase to the contract with R. W. Beck, previously approved by Administrative Action No. 09-2894 on November 17, 2009, for a bulk and brush study - Not to exceed \$80,000, from \$24,900 to \$104,900 - Financing: North Central Texas Council of Governments Solid Waste Grant Funds (\$60,000) and Current Funds (\$20,000)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3017

Item 35: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Estate of Valrie Campbell, Russell Pattinson and Catalinga Zuniga of 3 tracts of land containing a total of approximately 20,400 square feet located on Peabody Avenue between Edgewood and Kimble Streets for the construction of Fire Station No. 6 - Not to exceed \$201,000 (\$196,000 plus closing costs not to exceed \$5,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3018

Item 36: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TKD Mapleshade, LLC of 3 tracts of land containing a total of approximately 49,649 square feet of land located near Creek and Crosstimbers Drives for the Upper McKamy Flood Control Improvements - Not to exceed \$302,394 (\$297,894 plus closing costs not to exceed \$4,500) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3019

Item 37: Authorize **(1)** support for the proposed Texas Department of Transportation (TxDOT) design for I-35E from I-635 to U.S. 380 which includes managed toll lanes; **(2)** the use of innovative financing mechanisms, including public private-partnerships, to complete the I-35E improvements in five to seven years; **(3)** statutory authority for TxDOT to enter into public-private partnerships for the purpose of seeking competitive proposals and awarding the construction of the planned improvements for I-35E; and **(4)** expedited approval of authorization for TxDOT to enter into public-private partnerships with an effective date in the first quarter of calendar year 2011 - Financing: No cost consideration to the City

Councilmember Hunt requested that consent agenda item 37 be considered as an individual item. Mayor Leppert stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, consent agenda item 37 was brought up for consideration.

Councilmember Koop moved to adopt the item.

Motioned seconded by Councilmember Salazar.

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

Voting Yes: [13] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar,  
Atkins, Kadane, Allen, Koop, Natinsky, Margolin  
Voting No: [1] Hunt  
Absent when vote taken: [1] Davis

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3020

Item 38: A resolution authorizing conveyance of a storm drainage easement containing approximately 18,550 square feet of land to the State of Texas for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Henry M. Chandler Drive and Farm to Market Road 740 - Revenue: \$44,525

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3021

Item 39: Authorize moving expense and rental assistance payments for Rosalba Zavala in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 710 Packard Street for future City facilities - Not to exceed \$16,100 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3022

Item 40: Authorize moving expense and replacement housing payments for Nora Gonzalez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 803 Buick Avenue for future City facilities - Not to exceed \$33,800 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3023

Item 41: Authorize moving expense and replacement housing payments for Frances Pedroza in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2939 Gloyd Street for future City facilities - Not to exceed \$39,900 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3024

Item 42: Authorize moving expense and replacement housing payments for Benjamin Gomez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 911 Pontiac Avenue for future City facilities - Not to exceed \$41,600 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3025

Item 43: Authorize moving expense and replacement housing payments for Lillian Ford in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2836 Alex Street for future City facilities - Not to exceed \$42,900 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3026

Item 44: An ordinance abandoning a portion of CityPlace West Boulevard to Blackburn Central Holdings, L.P., the abutting owner, containing approximately 1,452 square feet of land located near its intersection with U.S. Highway 75, authorizing the quitclaim, and providing for the dedication of approximately 16,997 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28063

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3027

Item 45: An ordinance abandoning a portion of Forest Springs Drive to DFS-Villas at Castle Hills, LLC, SRE-Villas at Castle Hills, LLC, and DLM-Villas at Castle Hills, LLC, the abutting owners, containing approximately 66,537 square feet of land located near the intersection of Forest Springs Drive and Abrams Road, authorizing the quitclaim, and providing for the dedication of approximately 66,537 square feet of land needed for public open space - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28064

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3028

Item 46: Authorize a Master Utility Adjustment Agreement with LBJ Infrastructure Group LLC and Trinity Infrastructure, LLC for water and wastewater main relocations and adjustments in Interstate Highway 635 (Lyndon B. Johnson Freeway) from Luna Road to U.S. Highway 75 (Central Expressway) and in Interstate Highway 35E (Stemmons Freeway) from Northwest Highway to Valwood Parkway - Not to exceed \$240,000 - Financing: Water Utilities Current Funds (to be reimbursed by LBJ Infrastructure Group LLC and Trinity Infrastructure, LLC)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3029

Item 47: Authorize a thirty-year contract with the City of The Colony to continue providing treated water for the period November 5, 2010 through November 4, 2040 - Estimated Annual Revenue: \$1,500,000

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3030

Item 48: Authorize an Advanced Funding Agreement with the Water Research Foundation to fund the City's cost share as part of a multi-agency collaboration on a Water Quality Improvements pilot project study entitled "Optimizing Engineered Biofiltration" - Not to exceed \$150,000 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3031

Item 49: Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a lake evaporation station on Lake Lewisville, a pharmaceutical and personal care products water quality study, and a Zebra Mussel Study on Lake Ray Hubbard from December 8, 2010 through September 30, 2011 - \$329,404 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3032

Item 50: Authorize **(1)** an eighteen-month master agreement for water and wastewater small services installations in the amount of \$2,419,295; **(2)** a contract for the installation of water and wastewater mains at 7 locations in the amount of \$2,597,300 (list attached); and **(3)** an eighteen-month master agreement for water and wastewater mainline extensions and emergency mainline installations at various locations in the amount of \$1,799,450 with Atkins Bros. Equipment Co., Inc., lowest responsible bidder of seven - Total not to exceed \$6,816,045 - Financing: Water Utilities Capital Improvement Funds (\$2,597,300) and Water Utilities Capital Construction Funds (\$4,218,745)

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3033

Item 51: 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 assistant 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 DECEMBER 10, 2010.

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

Councilmember Allen 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 Margolin and unanimously adopted.

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

**10-5293 RDC REDISTRICTING COMMISSION**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3034

Item 52: An ordinance amending Chapter 31 of the Dallas City Code to: **(1)** define terms; **(2)** prohibit multiple registered sex offenders from residing in the same dwelling unit, with certain defenses; **(3)** update references to state law in current city restrictions on specified sex offenders; **(4)** clarify crimes that cause a person to be designated as a specified sex offender; **(5)** provide a grandfather clause; and **(6)** provide a penalty not to exceed \$500 - Financing: No cost consideration to the City

Councilmember Koop moved to pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 28065

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3035

Item 53: Authorize an appeal of the City Plan Commission's decision to approve a minor amendment to the development plan and landscape plan for Planned Development District No. 771 on the south line of Lovers Lane, west of Inwood Road and east of Linwood Avenue - M090-057 - Financing: No cost consideration to the City

Councilmember Hunt moved to adopt the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3036

Item 54: An ordinance amending Section 43-136 of Chapter 43 of the Dallas City Code to authorize the Director of Public Works and Transportation to promulgate regulations and operational standards governing the shared use of the public right-of-way by transportation uses (including streetcars) and public service providers - Financing: No cost consideration to the City

Councilmember Atkins moved to pass the ordinance.

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

Assigned ORDINANCE NO. 28066

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3037

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 55: Authorize a nine-month Chapter 380 grant agreement, with four one-year renewal options, with World Affairs Council of Dallas / Fort Worth, the most advantageous proposer of two, for economic development and protocol services for the period January 1, 2011 through September 30, 2011 - Not to exceed \$150,000 - Financing: Public/Private Partnership Funds (subject to annual appropriations)

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

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

Councilmember Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3038

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 56: Authorize an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with International Bazaar, Inc., related to the remodeling of the Big T Plaza Shopping Center located at 4515 Village Fair Drive - Not to exceed \$200,000 - Financing: 2006 Bond Funds

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

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

Councilmember Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

DESIGNATED PUBLIC SUBSIDY MATTERS

10-3039

Item 57: Authorize an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Bishop Arts Village, LLC, related to the acquisition of real estate and development of certain property within the City of Dallas - Not to exceed \$2,000,000 - Financing: 2006 Bond Funds

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

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

Councilmember Jasso moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3040

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 58: Authorize the reconstruction on-site of three homes in accordance with the Reconstruction/SHARE Program Statement requirements for properties located at 4107 Furey Street in the amount of \$93,400; 1551 East Ohio Avenue in the amount of \$93,400 and 1215 Woodview Lane in the amount of \$93,400 - Total not to exceed \$280,200 - Financing: 2009-10 Community Development Block Grant Reprogramming 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 Mayor Pro Tem Caraway and Deputy Mayor Pro Tem Medrano and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3041

Item 59: Zoning Case Z090-248 (MG) - INDIVIDUAL

A public hearing was called on zoning case Z090-248 (MG), an application for and an ordinance granting an LI Light Industrial District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District located on the northwest corner of Waterview Parkway and Cullum Street

(The staff and city plan commission recommended Approval subject to deed restrictions volunteered by the applicant)

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

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

Bill Dahlstrom, 3 Grantley Ct., representing the applicant

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

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

Assigned ORDINANCE NO. 28067

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3042

Item 60: Zoning Case Z090-232 (OTH) - INDIVIDUAL

A public hearing was called on zoning case Z090-232 (OTH), an application for and an ordinance granting the renewal of Specific Use Permit No. 1419 for an Industrial (outside) use for an asphalt batching plant on property zoned an IM Industrial Manufacturing District, at the terminus of Z Street, east of Luna Road

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

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 Atkins and unanimously adopted. (Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3043

Item 61: Zoning Case Z090-225 (WE) - INDIVIDUAL

A public hearing was called on zoning case Z090-225 (WE), an application for and an ordinance granting an amendment to the Tract V portion of Planned Development District No. 314, the Preston Center Special Purpose Center, and an ordinance granting an amendment to the site plan for Specific Use Permit No. 744 for a bank with a drive-in window on the north line of Weldon Howell Parkway between Douglas Avenue and Westchester Drive

(The staff recommended Approval of an amendment to the Tract V portion of Planned Development District No. 314, subject to a revised development plan and staff conditions and approval of an alternate site plan to Specific Use Permit No. 744, subject to a site plan B and city plan commission recommended Approval of an amendment to the Tract V portion of Planned Development District No. 314, subject to a revised development plan and conditions and approval of an alternate site plan to Specific Use Permit No. 744, subject to a site plan B)

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

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

Anthony Natalicchio, 5409 Amherst Cir. #207, representing Homeowners of 8181 Douglas Condos  
David Karr, 2200 Ross Ave., representing the applicant

Councilmember Margolin moved to close the public hearing, adopt the city plan commission recommendation with the following changes to the Plan Development ordinance:

- Property in Tract V must comply with the mandatory landscaping requirements of Section 51P-314.112(e) with the following changes:
  - Sidewalks, street trees, and pedestrian scale lighting must be provided and located between three and 25 feet from the back of the street curb.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-3043

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- Street trees must be spaced no less than 15 feet apart and no more than 35 feet apart, measured from trunk to trunk, excluding driveways and required visibility triangles.
- Drive lanes and structured parking adjacent to Douglas Avenue must be screened from all adjacent public streets and residential properties by a wall or evergreen hedge. Screening from adjacent public streets must be at least three feet in height, while screening from adjacent residential properties must be at least six feet in height.
- Any lot having frontage on Douglas Avenue must provide a minimum of 18 linear feet of seating area and 200 square feet of courts and plazas in the front yard adjacent to Douglas Avenue.
  - Replacement trees may be planted in the right-of-way adjacent to the lot where protected trees were removed or injured.

and pass the ordinances.

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

Assigned ORDINANCE NOS. 28068 AND 28069

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3044

Item 62: Zoning Case Z090-183 (WE) - 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)

Note: This item was considered by the City Council at public hearings on September 22 and October 13, 2010, and was taken under advisement until December 8, 2010, with the public hearing open.

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3045

Item 63: Zoning Case Z067-284 (RB) - DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z067-284 (RB), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District Uses on property zoned an MU-3 Mixed Use District on the northeast corner of North Central Expressway and Twin Sixties Drive

(The staff recommended Approval, subject to a conceptual plan, Zone 2 development plan, a Zone 3 development plan, and staff's recommended conditions, and no change in zoning for that portion of the property under new ownership and city plan commission recommended Approval, subject to a conceptual plan, Zone 2 development plan, a Zone 3 development plan, and conditions, and no change in zoning for that portion of the property under new ownership)

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:

Vance Detwiler, 6060 N. Central Expressway, representing the applicant

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

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

Assigned ORDINANCE NO. 28070

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3046

Item 64: Zoning Case Z090-211 (WE) - DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z090-211 (WE), an application for and an ordinance granting a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on south side of Jefferson Boulevard, east of Hardy Road adjacent to the water canal in the westernmost quadrant of the Hensley Field Airport and Naval Base

(The staff recommended Approval, for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing site plan, operation plan for drilling, operation plan for production and conditions and city plan commission recommended Denial)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3047

DESIGNATED ZONING CASES – INDIVIDUAL

Item 65: A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning relative to appropriate sign standards in the Arts District Special Provision Sign District including, but not limited to, provisions to allow video board signs, LED signs, and construction barricade signs in an area generally bounded by Harwood Street to the southwest, Woodall Rodgers Freeway to the northwest, Routh Avenue to the east, and Ross Avenue to the southeast and an ordinance granting revisions to the Arts District Special Provision Sign District

(The staff and city plan commission recommended Approval for an eight-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 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:

Suzan Kedron, 901 Main St., representing the applicant

Councilmember Hunt moved to close the public hearing, adopt the city plan commission's recommendation with the following amendments:

- Adopt the ordinance amending the Arts District Sign District with the condition that streaming audio is not allowed for signs with digital displays.

and pass the ordinance.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
10-3047  
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Motion seconded by Councilmember Hill and Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 28071

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3048

DESIGNATED ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL

Item 66: A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street

(The staff and city plan commission recommended Approval of the MU-3 Mixed Use District and approval of the deed restrictions volunteered by the applicant)

Note: This item was considered by the City Council at a public hearing on October 26, 2010, and was taken under advisement until December 8, 2010, with the public hearing open.

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

Deputy Mayor Pro Tem Medrano moved to continue the public hearing and hold under advisement until the March 9, 2011 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3049

DEVELOPMENT CODE AMENDMENTS – CONSENT

Item 67: A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code providing that the Geographic Information System (GIS) shall be the official zoning map of the city; deleting airport flight overlay districts; and providing that height is restricted according to FAA regulations and an ordinance granting the revisions

(The staff recommended Approval and city plan commission recommended Approval, subject to the following change; under the definition of “Legal Height” adding “whichever is more restrictive” at the end of the definition)

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.

Mayor Pro Tem Caraway moved to close the public hearing, adopt the city plan commission's recommendation and pass the ordinance.

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

Assigned ORDINANCE NO. 28072

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3050

DEVELOPMENT CODE AMENDMENTS – CONSENT

Item 68: A public hearing to receive comments regarding consideration of amendments to Chapter 51, Chapter 51A and Chapter 51P, the Dallas Development Code, to change the name of Development Services to Sustainable Development and Construction; name the managing director of the Office of Environmental Quality as the director over municipal setting designations; and including the Department of Trinity Watershed Management in the municipal setting designation process and an ordinance granting the revisions

(The staff and city plan commission recommended Approval)

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.

Mayor Pro Tem Caraway moved to close the public hearing, adopt the city plan commission recommendation and pass the ordinance.

Motion seconded by Councilmember Kadane and unanimously adopted.

Assigned ORDINANCE NO. 28073

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3051

Item 69: A public hearing to receive comments on Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP); and at the close of the hearing, authorize final adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the NSP to: **(1)** 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; **(2)** the receipt and deposit of program income in an amount not to exceed \$2,200,000 generated from NSP activities; and **(3)** 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 - Estimated Revenue: \$2,200,000

No one addressed the city council regarding the item.

Councilmember Salazar 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

DECEMBER 8, 2010

10-3052

DESIGNATED PUBLIC SUBSIDY MATTERS

**Cypress Waters TIF District**

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

Item 70: A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Nineteen for the Cypress Waters area, to be known as the Cypress Waters TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

Item 71: An ordinance establishing Tax Increment Financing Reinvestment Zone Number Nineteen to be known as the Cypress Waters TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - 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."

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 28074

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3053

Addendum addition 1: Authorize execution of a Memorandum of Agreement with the U.S. Customs and Border Protection Agency for inspection services at Dallas Love Field - Total not to exceed \$250,000 - Financing: Aviation Current Funds (costs to be recovered through implementation of an International Arrivals Fee)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3054

Addendum addition 2: Authorize the purchase of three bulldozers - Holt Texas Ltd. through Texas Association of School Boards (BuyBoard) - Not to exceed \$1,769,697 - Financing: 2010 Equipment Acquisition Notes (\$1,142,502) and 2010 Certificates of Obligation (\$627,195)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3055

Addendum addition 3: Authorize **(1)** an acquisition contract for the purchase and implementation of software and hardware for an electronic citation system in the amount of \$509,676; **(2)** a five-year service contract for maintenance and support for an electronic citation system in the amount of \$93,900, and **(3)** a five-year master agreement for additional hardware and software for the expansion of the electronic citation system in the amount of \$4,751,446 - Brazos Technology Corporation, most advantageous proposer of two - Total not to exceed \$5,355,022 - Financing: Current Funds (\$4,835,446) (subject to annual appropriations) and 2010 Certificates of Obligation (\$519,576)

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

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

Councilmember Neumann moved to adopt the item.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3056

Addendum addition 4: Authorize **(1)** a one-year contract, with four renewal options, with the Southern Dallas Development Corporation, most advantageous proposer of one, to administer the Business Revolving Loan Program, for the purpose of servicing and making loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and **(2)** any unexpended balances of program income and allocations from prior contract years be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3057

Addendum addition 5: Authorize a service contract to provide logistics workforce training curriculum through a Workforce Investment Act Grant for the period May 1, 2010 through October 31, 2011 - The Manufacturing Skills Standards Council (MSSC), most advantageous proposer of three - Not to exceed \$56,600 - Financing: U.S. Department of Labor, Employment and Training Administration Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3058

Addendum addition 6: An ordinance amending Chapter 31 of the Dallas City Code to: **(1)** define terms; **(2)** establish the Central Business District solicitation-free zone, the Deep Ellum solicitation-free zone, the Uptown solicitation-free zone, and the Victory solicitation-free zone; **(3)** ban outdoor solicitations in solicitation-free zones, with certain defenses; and **(4)** provide a penalty not to exceed \$500 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3059

Addendum addition 7: Authorize adjustments to appropriations for various multi-year funds and to authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3060

Addendum addition 8: A resolution **(1)** confirming that a public hearing was held on December 8, 2010 for the Mission Economic Development Corporation (the MEDC) with respect to the issuance of bonds in an aggregate principal amount not to exceed \$55,000,000 by the MEDC to finance or refinance the cost of acquiring, constructing, rehabilitating, developing, improving and equipping certain capital improvements, infrastructure and equipment relating to the McCommas Bluff landfill gas processing facilities, and **(2)** requesting MEDC exercise its powers within the City for the purpose of issuing bonds to finance or refinance the project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3061

Addendum addition 9: Authorize the acceptance of a grant from the U.S. Department of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2009 through September 30, 2010 - Not to exceed \$180,338 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3062

Addendum addition 10: An ordinance authorizing the Dallas/Fort Worth International Airport Board to act as an agent of the City for the limited purpose of creating and issuing a Temporary North Texas Regional Limousine Permit/Decal for Super Bowl XLV and the waiver of certain provisions of Chapter 10A of the Dallas City Code to allow for such temporary permitting - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28076



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3063

Addendum addition 11: Authorize **(1)** an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$99,984 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods, for the period December 21, 2010 through September 5, 2011; **(2)** a City match of pension and Federal Insurance Contributions Act costs in the amount of \$27,496 and indirect costs in the amount of \$7,011; and **(3)** execution of the grant agreement - Total not to exceed \$134,491 - Financing: Current Funds (\$34,507) and Texas Department of Transportation Grant Funds (\$99,984)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3064

Addendum addition 12: Authorize a contract with Phoenix 1 Restoration and Construction, Ltd. for repairs to the Concert Hall pocket doors at the Meyerson Symphony Center located at 2301 Flora Street - Not to exceed \$72,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3065

Addendum addition 13: Authorize a contract with JC Commercial, Inc., best value proposer of six, for the construction of the new White Rock Hills Branch Library located at 9150 Ferguson Road - Not to exceed \$4,255,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3066

Addendum addition 14: Authorize a contract with Lee Lewis Construction, Inc., lowest responsible bidder of four, for the construction of Upper Level D Meeting Rooms at the Dallas Convention Center - Not to exceed \$12,609,000 - Financing: 2009 Convention Center Revenue Bonds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3067

Addendum addition 15: Authorize an increase in the contract with Texas Standard Construction, Ltd. to the Bridge Repair and Modification Group 09-01 project for the construction of three additional bridge repair and modification locations (list attached) - Not to exceed \$256,556, from \$1,510,648 to \$1,767,204 - Financing: 2003 Bond Funds (-\$8,214) and 2006 Bond Funds (\$264,770)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3068

Addendum addition 16: Authorize **(1)** Supplemental Agreement No. 9 to the professional services contract with HNTB Corporation to provide additional engineering design services for the Taxiway "L" extension, Taxiway "C" reconstruction, the Runway Safety Area Phase II Project, Taxiways "A", "B" and "D" reconstruction, and Runway 13L/31R joint reseal and pavement rehabilitation at Dallas Love Field Airport in the amount of \$962,661, from \$3,422,230 to \$4,384,891; and **(2)** an increase in appropriations in the amount of \$1,240,661 in the Federal Aviation Administration Airport Improvement Program Grant Fund for testing, city administration and other owner's expenses - Not to exceed \$962,661 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$640,067), Aviation Passenger Facility Charge Funds (\$572,964) and Aviation Capital Construction Funds (\$27,629)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3069

Addendum addition 17: Authorize a five-year License Agreement with Aids Arms, Inc., as licensee, for the license and non-exclusive use of 30 parking spaces situated on approximately 13,250 square feet of city-owned land located at 210 Sunset Avenue - Annual Revenue: \$7,200

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3070

Addendum addition 18: Authorize the deposit of a Special Commissioners' Award and settlement of the condemnation suit City of Dallas v. Thomas Wurtz and Teresa Wurtz, et al, Cause No. cc-10-01184-a, in County Court at Law No. 1, for acquisition from Thomas Wurtz and Teresa Wurtz of approximately 18,956 square feet of land improved with a 1,799 square foot single family residence located near the intersection of Jim Miller Road and Toland Street for the replacement Fire Station No. 32 - \$114,500 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3071

Addendum addition 19: Authorize execution of a Reciprocal Access Agreement with the Dallas Convention Center Hotel Corporation with respect to the connector bridge between the Dallas Convention Center and the Dallas Convention Center Hotel, providing for: **(1)** the granting of an easement to permit construction and use of a portion of the connector bridge over City property; and **(2)** the purchase of an easement from the Dallas Convention Center Hotel Corporation defining the rights of the City to access and use the connector bridge - Not to exceed \$2,895,276 - Financing: 2009 Convention Center Revenue Bonds

Councilmember Neumann and Councilmember Margolin requested that addendum addition consent agenda item 19 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Margolin's request.

Later in the meeting, addendum addition consent agenda item 19 was brought up for consideration.

Councilmember Natinsky moved to adopt the item.

Motion seconded by Councilmember Margolin and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3072

Addendum addition 20: An ordinance providing for the closure and vacation of a portion of an alley, containing approximately 1,145 square feet of land located near the intersection of Sylvan Avenue and Canada Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28077

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3073

Addendum addition 21: An ordinance abandoning a portion of an alley to the City of Dallas, the abutting owner, for the Oncor transition facility containing approximately 2,186 square feet of land located near the intersection of Sylvan Avenue and Canada Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 28078

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3074

Addendum addition 22: Authorize Supplemental Agreement No. 2 to the professional services contract with Birkhoff, Hendricks and Carter, L.L.P. to provide additional engineering and survey services for Alley Reconstruction Group 06-2027 (list attached) - Not to exceed \$35,000, from \$208,039 to \$243,039 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3075

Addendum addition 23: Authorize a contract with the North Texas Municipal Water District to purchase a short-term, interim untreated water supply for the period December 1, 2010 through December 31, 2010 - Estimated Revenue: \$482,276

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3076

**Chalk Hill Road from West Davis Street  
to Singleton Boulevard**

**Note:** Addendum Item Nos. 24 and 25  
must be considered collectively.

Addendum addition 24: Authorize Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc., for additional engineering and survey services on Chalk Hill Road from West Davis Street to 800 feet south of IH 30 eastbound frontage road - Not to exceed \$54,552, from \$464,096 to \$518,648 - Financing: 2006 Bond Funds

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

Councilmember Neumann moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Koop abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3077

**Chalk Hill Road from West Davis Street  
to Singleton Boulevard**

**Note:** Addendum Item Nos. 24 and 25  
must be considered collectively.

Addendum addition 25: Authorize Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc., for additional engineering and survey services on Chalk Hill Road from IH 30 westbound frontage road to Singleton Boulevard - Not to exceed \$181,487, from \$507,618 to \$689,105 - Financing: 2006 Bond Funds (\$176,519) and Water Utilities Capital Improvement Funds (\$4,968)

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

Councilmember Neumann moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Koop abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3078

Addendum addition 26: Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Bank of America, N.A. as Trustee, et al, Cause No. cc-10-02807-A, pending in the County Court at Law No. 1, for acquisition from Bank of America, N.A. as Trustee for Earle Clark Caruth of approximately 29 acres located near the intersection of Spangler Road and Manana Drive for the Elm Fork Athletic Complex Project - \$2,400,000 - Financing: 1998 Bond Funds (\$608,791), 2006 Bond Funds (\$1,041,209), 2003 Bond Funds (\$250,000) and Texas Parks and Wildlife Grant Funds (\$500,000)

Councilmember Salazar moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3079

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 27: Authorize a second amendment to the development agreement with INCAP Master Development, LLC, previously approved on May 28, 2008, by Resolution No. 08-1585, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** extend the completion deadline for the design of the median improvements component from December 31, 2010 to December 31, 2011; **(2)** extend the completion deadline for the median improvements from December 31, 2011 to December 31, 2012; **(3)** allow the funds designated for median improvements to be used for streetscape or other public improvements at an alternative location within the Davis Garden TIF District subject to the Davis Garden TIF Board's approval; and **(4)** approve the assignment of the development agreement from INCAP to Stratford Land Fund III, L.P. or its affiliates or any other party approved by the Director without obligation to own or develop the six apartment complex sites that comprise approximately thirty acres of land located in the Davis Garden TIF District - Financing: No cost consideration to the City

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

10-3079

Page 2

Councilmember Neumann moved to adopt the item with Section 1 of the resolution be amended to read:

**Section 1.** That the City Manager, upon approval as to the form by the City Attorney is hereby authorized to execute a second amendment to the development agreement with INCAP Master Development, LLC, previously approved on May 28, 2008, by Resolution No. 08-1585, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) extend the completion deadline for the design of the median improvements component from December 31, 2010 to December 31, 2011; (2) extend the completion deadline for the median improvements from December 31, 2011 to December 31, 2012; (3) allow the funds designated for median improvements to be used for streetscape or other public improvements at an alternative location within the Davis Garden TIF District subject to the **recommendation of the** Davis Garden TIF Board **and City Council** approval; and (4) approve the assignment of the development agreement from INCAP to Stratford Land Fund III, L.P. or its affiliates or any other party approved by the Director without obligation to own or develop the six apartment complex sites that comprise approximately thirty acres of land located in the Davis Garden TIF District.

Motion seconded by Mayor Pro Tem Caraway and Councilmember Natinsky and unanimously adopted. (Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3080

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 28: Authorize an amendment to Resolution No. 07-0522, previously approved on February 14, 2007, to: **(1)** allow the assignment of the agreement to Frazier HS, LP; and **(2)** increase the grant amount with Frazier HS, LP to further environmental remediation and demolition in the Frazier-Scyene area in the amount of \$275,000, from \$750,000 to \$1,025,000 - Not to exceed \$275,000 - Financing: 2006 Bond Funds

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

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

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3081

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Addendum addition 29: A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code, to create a new convenience store with drive-through use, appropriate standards for the use and amendments to other uses to clarify what establishments would be classified as a convenience store with drive-through use

(The staff and city plan commission recommended Approval)

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.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 8, 2010

10-3082

**NOTICE OF DEFERRED OR DELETED ITEMS**

CITY COUNCIL MEETING

DECEMBER 8, 2010

POSTED ON FRIDAY, DECEMBER 3, 2010

THE FOLLOWING AGENDA ITEMS HAVE BEEN DEFERRED AND/OR DELETED ON THE CITY COUNCIL VOTING AGENDA MEETING BY A MEMBER(S) OF THE COUNCIL AND/OR CITY MANAGER IN ACCORDANCE WITH RULE 7.11 OF THE CITY COUNCIL RULES OF PROCEDURE:

**Agenda 11:** Authorize modifications to the Permanent Supportive Housing (PSH) Program Statement to: **(1)** remove references to a goal to create an exact number of PSH units; **(2)** provide for City consideration of assistance for PSH units when existing units have been absorbed and services for existing units are stabilized; **(3)** encourage developers and applicants to brief key neighborhood and community groups; **(4)** provide for staff to notify the City Council when staff receives PSH project proposals seeking City assistance; and **(5)** provide maximum level of funding per PSH unit and a minimum percentage of PSH units required for multifamily projects for developers willing to provide PSH units and seeking assistance from City programs - Financing: No cost consideration to the City [**10-2993; DEFFERED BY COUNCILMEMBER MARGOLIN**]

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, DECEMBER 8, 2010

EXHIBIT C