

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 12, 2011

11-0150

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

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill (\*9:28 a.m.),  
Salazar, Davis (\*9:16 a.m.), Atkins, Kadane, Allen, Koop, Natinsky,  
Margolin, Hunt (\*9:33 a.m.)

ABSENT: [0]

The meeting was called to order at 9:04 a.m.

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

The invocation was given by David Smith, Chaplin of Dallas Fire-Rescue.

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 3:17 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

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

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

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

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

**\*\*Absent on city business**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 12, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 12, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0151

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: Linda Bates, 4144 Tram Dr.  
REPRESENTING: Citizens for Environmental Justice  
SUBJECT: Living with contamination

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: County judges/KKK/DPD

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.  
SUBJECT: \$500 million hotel, \$5000 chairs, \$8 light bulbs...

SPEAKER: D. J. Mayfield, 1818 Corsicana St.  
SUBJECT: Jesus

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0152

Item 1: Approval of Minutes of the December 8, 2010 City Council Meeting

Deputy Mayor Pro Tem Medrano moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0153

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-38, and addendum addition consent agenda items 1-3, was presented for consideration.

Councilmember Hill moved to adopt all items on the consent agenda.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0154

Item 2: Authorize a five-year concession contract, with three one-year renewal options, for parking services and capital improvements at the Dallas Convention Center - Ace Parking Management, Inc., most advantageous proposer of six - Estimated Annual Revenue: \$734,915

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0155

Item 3: Authorize a one-year master agreement for the purchase of hydrofluosilicic acid (fluoride) to be used for the treatment of potable water - Pencco, Inc., lowest responsible bidder of four - Not to exceed \$979,223 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0156

Item 4: Authorize a three-year service contract for maintenance and support of Orion Communications software applications for Police - Orion Communications, Inc., Sole Source - Not to exceed \$223,870 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0157

Item 5: Authorize a three-year service contract for non-destructive underground leak detection survey services - Pressure Pipe Inspection Company (USA), Inc. in the amount of \$7,073,280 and Pure Technologies in the amount of \$1,478,000, lowest responsible bidders of two - Total not to exceed \$8,551,280 - Financing: Current Funds (\$432,200) and Water Utilities Current Funds (\$8,119,080) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0158

Item 6: Authorize settlement of the lawsuit styled Grand Homes 2005, L.P. v. City of Dallas, et al., Cause No. 08-14769-K - Not to exceed \$19,000 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0159

Item 7: Authorize settlement of the lawsuit styled David Jones and Veronica Jones v. City of Dallas, Cause No. 06-12363-F - Not to exceed \$145,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0160

Item 8: Authorize the optional redemption of the Sports Arena Project Taxable Special Tax Revenue Bonds, Series 1998B on February 15, 2011 in an amount not to exceed \$8,455,000 in principal - Not to exceed \$8,455,000 - Financing: Sports Arena Project Surplus Debt Redemption Funds (\$7,549,937) and Sports Arena Debt Service Reserve Funds (\$905,063)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0161

Item 9: Authorize **(1)** an extension of an HIV/AIDS Health Improvement for Re-entering Ex-Offenders Initiative Grant from the U.S. Department of Health and Human Services to continue coordinating a pre- and post-release system for 525 HIV/AIDS diagnosed Impact Offenders in the City of Dallas for the period September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$247,311 - Financing: U.S. Department of Health and Human Services Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0162

Item 10: Authorize the issuance of tax-exempt educational facilities bonds to be issued by the Red River Education Finance Corporation (RREFC) in an aggregate principal amount not to exceed \$11,000,000 for the benefit of Jesuit College Preparatory School - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0163

Item 11: Authorize **(1)** rescinding the contract with Lambeth Home Builders, Inc., previously authorized on September 22, 2010, by Resolution No. 10-2384, for playground replacements at J.P. Hawn Park located at 2600 St. Augustine Road and Holcomb Park located at 1044-1114 Holcomb Road; and **(2)** the re-advertisement for bids - Financing: No cost consideration to the City

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0164

Item 12: Authorize a development and maintenance agreement for a term of twenty-three years, with a one five-year renewal option, with Uptown Dallas, Inc. to reimburse costs for the construction of improvements to Griggs Park located at 2200 Hugo Street, in accordance with the Park Development Plan - Not to exceed \$317,400 - Financing: 2003 Bond Funds (\$10,941) and 2006 Bond Funds (\$306,459)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0165

Item 13: Authorize a contract for a new playground and park improvements at Lochwood Park located at 11000 Lippitt Avenue - Primestar Development Corporation dba Primestar Construction, lowest responsible bidder of eight - Not to exceed \$131,953 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0166

Item 14: Authorize a contract for interior renovation and expansion of the existing recreation center at Churchill Recreation Center located at 6906 Churchill Way - Speed Fab-Crete Corporation, best value proposer of ten - Not to exceed \$1,537,449 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0167

Item 15: Authorize a contract for interior renovation and expansion of the existing recreation center at Jaycee/Zaragoza Recreation Center located at 3114 Clymer Street - Speed Fab-Crete Corporation, best value proposer of nine - Not to exceed \$944,196 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0168

Item 16: Authorize an increase in the contract with Phoenix I Restoration and Construction, Ltd. for emergency roof repairs to the Fair Park Livestock Arena located at 1419 South Washington Avenue - Not to exceed \$85,782, from \$9,407,971 to \$9,493,753 - Financing: Fair Park Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0169

Item 17: Authorize an increase in the contract with Prime Construction Company for water remediation and gym floor replacement at Lake Highlands North Recreation Center located at 9940 White Rock Trail - Not to exceed \$111,182, from \$614,038 to \$725,220 - Financing: 2003 Bond Funds (\$107,202) and 2006 Bond Funds (\$3,980)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0170

Item 18: Authorize an additional payment to the Texas Department of Transportation for the City's share of final construction and right-of-way costs for paving, drainage and bridge improvements on Churchill Way from Coit Road to the northbound U.S. 75 service road - Not to exceed \$98,044 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0171

Item 19: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Robert L. Kelsoe of approximately 2,173 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$7,432 (\$5,432 plus closing costs not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0172

Item 20: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from The City or Town of Hutchins, Inc. of approximately 85,669 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$75,319 (\$72,819 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0173

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rosendo Roel of approximately 29,795 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$124,680 (\$119,180 plus closing costs not to exceed \$5,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0174

Item 22: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Diane S. Lacey, William L. Odell, Melissa Ann Orr, Nancy Lynne Orr, Patti Tessman Rea, Diann Tessman Slaton, Montell O. Tessman, Jr. and Jerry G. Tessman of approximately 28 acres of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$184,002 (\$180,852 plus closing costs not to exceed \$3,150) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0175

Item 23: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eunice R. Hill of approximately 49,894 square feet of land located near the intersection of IH 20 and Ravenview Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$230,000 (\$224,523 plus closing costs not to exceed \$5,477) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0176

Item 24: Authorize the quitclaim of 22 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$204,891

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0177

Item 25: Authorize moving expense and rental assistance payments for Jose Armando Martinez-Cedillo, Mayra Isabel Martinez-Montanez and Luis Enrique Martinez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 916 LaSalle Drive, formerly known as 922/924 LaSalle Drive, for future City facilities - Not to exceed \$13,690 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0178

Item 26: Authorize moving expense and replacement housing payments for Jose Cindo in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 903 LaSalle Drive for future City facilities - Not to exceed \$16,900 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0179

Item 27: An ordinance abandoning a portion of a sanitary sewer easement to Joseph Brian Walter and Karen Marie Walter, the abutting owners, containing approximately 3,904 square feet of land, located near the intersection of Chapel Hill Road and Axminster Court - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28080



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0180

Item 28: An ordinance granting a private license to the Board of Regents of The University of Texas System for the use of approximately 12,672 square feet of land to use and maintain an electrical distribution feeder under portions of Harry Hines Boulevard, Record Crossing and Inwood Roads and Medical Center Drive rights-of-way near the intersection of Harry Hines Boulevard and Inwood Road - Revenue: \$5,409 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28081

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0181

Item 29: An ordinance abandoning a portion of an alley to CWS Lemmon, L.P., the abutting owner, containing approximately 5,909 square feet of land located near the intersection of Lemmon Avenue East and Oak Grove Avenue and authorizing the quitclaim - Revenue: \$300,000 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28082

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0182

Item 30: An ordinance abandoning portions of St. Rita, St. Gabriel, St. Sebastian, St. Matthew, St. Agnes and St. Gerard Drives, 21 utility easements, six utility/transformer pad easements, nine drainage easements, two wall maintenance easements and two wastewater easements to the Dallas Independent School District, the abutting owner, containing a total of approximately 1,276,864 square feet of land, located near the intersection of St. Rita and St. David Drives, authorizing the quitclaim and providing for the dedication of a total of approximately 71,008 square feet of land needed for street right-of-way - Revenue: \$313,719, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28083

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0183

**Wholesale Wastewater Contracts**

**Note:** Item Nos. 31, 32 and 33  
must be considered collectively.

Item 31: An ordinance amending Chapters 19 and 49 of the Dallas City Code to: **(1)** define terms; **(2)** provide and revise regulations governing liquid waste accumulation, production, transport, and disposal; **(3)** provide and revise pretreatment regulations governing discharges into the wastewater system to comply with the Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) standards and requirements; **(4)** provide for enforcement of the pretreatment regulations; and **(5)** provide for a penalty not to exceed \$2,000 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28084

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0184

**Wholesale Wastewater Contracts**

**Note:** Item Nos. 31, 32 and 33  
must be considered collectively.

Item 32: Authorize Supplemental Agreement No. 2 to the Wholesale Wastewater Contract with the City of Hutchins to incorporate revised pretreatment standards and regulations - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0185

**Wholesale Wastewater Contracts**

**Note:** Item Nos. 31, 32 and 33  
must be considered collectively.

Item 33: Authorize Supplemental Agreement No. 3 to the Wholesale Wastewater Contract with the Dallas County Water Control and Improvement District No. 6 to incorporate revised pretreatment standards and regulations - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0186

Item 34: Authorize a professional services contract with EJES, Incorporated to provide engineering design services for the renewal of water and wastewater mains at 31 locations (list attached) - Not to exceed \$1,049,890 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0187

Item 35: Authorize a professional services contract with DAL-TECH Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 34 locations (list attached) - Not to exceed \$928,166 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0188

Item 36: Authorize a professional services contract with Kimley-Horn and Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 43 locations (list attached) - Not to exceed \$1,911,608 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0189

Item 37: Authorize a professional services contract with Burgess & Niple, Inc. to provide engineering design services for the renewal of water and wastewater mains at 44 locations (list attached) - Not to exceed \$1,756,085 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0190

Item 38: Authorize an increase in the agreement with the State of Texas, acting through the Texas Department of Transportation for water and wastewater main improvements and adjustments in Harry Hines Boulevard (Loop 354) from Royal Lane to Farmers Branch Lane - Not to exceed \$60,644, from \$10,597,328 to \$10,657,972 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0191

Item 39: 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 JANUARY 12, 2011.

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

Councilmember Neumann moved to appoint a nominee to an "individual appointment" position in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2011.

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

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

**11-5064 BOA BOARD OF ADJUSTMENT**  
**11-5065 CDC COMMUNITY DEVELOPMENT COMMISSION**  
**11-5066 RDC REDISTRICTING COMMISSION**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0192

Item 40: Authorize acceptance of a zoning application on property with delinquent taxes located at 5214 South Lamar Street - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Medrano moved to adopt the item.

Motion seconded by Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0193

Item 41: 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

Councilmember Margolin moved to refer this item to the Housing Council Committee for further consideration.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0194

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 42: Authorize an amendment to Resolution No. 09-1965, previously approved on August 12, 2009, to increase the loan amount by \$275,000 on an existing economic development loan with City Wide Community Development Corporation (CWCDC) for the acquisition of improved and unimproved properties located within the Lancaster Corridor, including associated relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial or mixed-use redevelopment as part of the Economic Development Plan for the Lancaster Corridor - Not to exceed \$275,000, from \$1,000,000 to \$1,275,000 - 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."

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

JANUARY 12, 2011

11-0195

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 43: Authorize an amendment to Resolution No. 10-2770, previously approved on October 26, 2010, to change the contractor awarded to reconstruct one home located at 4749 Burma Road, in accordance with the requirements of the Reconstruction/SHARE Program Statement - Total not to exceed \$93,400 - 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 Davis moved to adopt the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0196

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 44-47, was presented for consideration.

Agenda item 44: Zoning Case Z090-210(MG)

Agenda item 45: Zoning Case Z090-217(WE)

Agenda item 46: Zoning Case Z090-251(MG)

Agenda item 47: Zoning Case Z090-212(OTH)

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

The following individual addressed the city council:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0197

Item 44: Zoning Case Z090-210(MG)

The consent zoning docket, consisting of agenda items 44-47, was presented for consideration.

A public hearing was called on zoning case Z090-210(MG), an application for and an ordinance granting a Planned Development District for a public school other than an open enrollment charter school and R-7.5(A) Single Family District use on property zoned an R-7.5(A) Single Family District with a D-1 Liquor Control Overlay on a portion and a CR Community Retail District on the northwest corner of Military Parkway and Prairie Creek Road

(The staff and city plan commission recommended Approval, subject to a development plan, traffic management plan and conditions with retention of the D-1 Overlay on a portion)

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

The following individual addressed the city council:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28085

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0198

Item 45: Zoning Case Z090-217(WE)

The consent zoning docket, consisting of agenda items 44-47, was presented for consideration.

A public hearing was called on zoning case Z090-217(WE), an application for and an ordinance granting an amendment to, and an expansion of, Planned Development Subdistrict No. 11 and a Specific Use Permit for an off-premise sign on property zoned Planned Development Subdistrict No. 11 and an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast corner of Houston Street and Lyte Street

(The staff and city plan commission recommended Approval, of the amendment to, and expansion of, Planned Development Subdistrict No. 11 subject to conditions and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions)

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

The following individual addressed the city council:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28086 AND 28087

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0199

Item 46: Zoning Case Z090-251(MG)

The consent zoning docket, consisting of agenda items 44-47, was presented for consideration.

A public hearing was called on zoning case Z090-251(MG), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an A(A) Agricultural District at the northeast corner of Oakwood Drive and Prater Road

(The staff and city plan commission recommended Approval)

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

The following individual addressed the city council:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28088

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0200

Item 47: Zoning Case Z090-212(OTH)

The consent zoning docket, consisting of agenda items 44-47, was presented for consideration.

A public hearing was called on zoning case Z090-212(OTH), an application for and an ordinance granting an amendment to the Tract II portion of Planned Development District No. 314, the Preston Center Special Purpose District, on the southeast corner of Sherry Lane and North Dallas Tollway Frontage Road

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

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

The following individual addressed the city council:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28089

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0201

Item 48: Zoning Case Z090-141(RB) – INDIVIDUAL

A public hearing was called on zoning case Z090-141(RB), an application for and an ordinance granting an IM Industrial Manufacturing District for the northeastern portion of the site zoned an IR Industrial Research District and an ordinance granting a Specific Use Permit for a Metal salvage facility on property zoned an IM Industrial Manufacturing District and an IR Industrial Research District (that portion being requested for rezoning to an IM Industrial Manufacturing District), on the north and west lines of Tantor Road, south of Rhome Street

(The staff and city plan commission recommended Approval of an IM Industrial Manufacturing District on that portion of the site zoned an IR Industrial Research District, and approval of a Specific Use Permit for a Metal salvage facility for a five-year period, with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions)

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

Councilmember Salazar 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. (Hunt absent when vote taken)

Assigned ORDINANCE NO. 28090 AND 28091

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0202

Item 49: Zoning Case Z090-204(WE) – INDIVIDUAL

A public hearing was called on zoning case Z090-204(WE), an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center on property zoned an IR Industrial Research District, on the southeast corner of Shady Trail and Andjon Drive

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.

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

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

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

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

Assigned ORDINANCE NO. 28092

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0203

Item 50: Zoning Case Z090-124(WE) – UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z090-124(WE), 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

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.

(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)

Note: This item was considered by the City Council at a public hearing on November 10, 2010, and was taken under advisement until January 12, 2011, with the public hearing open.

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

Councilmember Salazar 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 Natinsky and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0204

Item 51: Zoning Case Z090-232(OTH) – UNDER ADVISEMENT - 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:

Ron Kopplin, 1760 Z St., representing Martin Marietta Materials/Meridian Aggregates

Councilmember Salazar moved to close the public hearing and adopt the renewal of Specific Use Permit No. 1419 for a ten year period an asphalt batching plant with the condition that this Specific Use Permit expires on January 12, 2016 but is eligible for automatic renewal for additional five-year periods.

Motion seconded by Councilmember Atkins and unanimously adopted.

Later in the meeting, Councilmember Salazar moved to reconsider the previous vote on the item to allow him to amend the item.

Motion seconded by Councilmember Koop.

Mayor Leppert declared the motion to reconsider adopted and item 51 was before the council for reconsideration.

Councilmember Salazar moved to close the public hearing and adopt the renewal of Specific Use Permit No. 1419 for a **five** year period for an asphalt batching plant with the condition that this Specific Use Permit expires on January 12, 2016 but is eligible for automatic renewal for additional five-year periods.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 28093

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0205

Item 52: 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 the 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

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.

(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 without prejudice)

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.

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

11-0205

Page 2

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

William Cothrum, 900 Jackson St., representing the applicant

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

Frederick Allen, 1929 Courtside Dr., **Grand Prairie, TX**

Marc McCord, 7660 La Bolsa Dr.

Ed Meyer, 6015 Fox Point Trl.

Claudia Meyer, 6015 Fox Point Trl.

Julie Schaar, 3515 Haynie Ave., **University Park, TX**

Jim Schermbeck, P. O. Box 253, **Slaton, TX**

Daniel Packer, 10705 Lipan Trl., **Ft. Worth, TX**, representing American Assoc. of  
Black in Energy

Molly Rooke, 5825 Palm Ln.

Gary Stuard, 6344 Goliad Ave.

Jennifer Land, 3905 Weeburn Dr.

Kathryn Rowe, 4425 Gilbert Ave.

Alisa Livingstone, 4207 Live Oak St.

Joshua B. Rollins, 7575 Frankford Rd.

Erin Crowdus, 211 Murray Ln., **Richardson, TX**

Councilmember Neumann moved to continue the public hearing and hold under advisement until the January 19, 2011 briefing meeting of the city council.

Motion seconded by Mayor Pro Tem Caraway and Councilmember Salazar unanimously adopted. (Natinsky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0206

Item 53: Zoning Case Z090-214 (RB) DESIGNATED ZONING CASES –INDIVIDUAL

A public hearing was called on zoning case Z090-214 (RB), an application for and an ordinance granting an amendment to the conditions for Planned Development District No. 742 for RR Regional Retail District Uses and Multifamily uses at the north corner of Northwest Highway and Skillman Street

(The staff and city plan commission recommended Approval, subject to 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."

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

Lori Damon, address not provided

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

Councilmember Kadane 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 Councilmember Hill unanimously adopted.

Assigned ORDINANCE NO. 28094

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0207

Item 54: Zoning Case Z090-221(WE) DESIGNATED ZONING CASES –INDIVIDUAL

A public hearing was called on zoning case Z090-221(WE), an application for and an ordinance granting a Planned Development District for a Fraternal Organization and office use on property zoned an R-10(A) Single Family District with consideration given to a Specific Use Permit for a Fraternal Organization on property on the west side of Stults Road, south of Forest Lane

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.

(The staff recommended Approval of a Planned Development District for a Fraternal Organization and office use, subject to the conditions and approval of Specific Use Permit for a Fraternal Organization for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, landscape plan and conditions and city plan commission recommended Denial)

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

11-0207

Page 2

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

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

Robert Baldwin, 6035 Vanderbilt, representing the applicant

Councilmember Allen moved to continue the public hearing and hold under advisement until the February 9, 2011 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0208

Item 55: Zoning Case Z090-250(MG) DESIGNATED ZONING CASES –INDIVIDUAL

A public hearing was called on zoning case Z090-250(MG), an application for and an ordinance granting an HC Heavy Commercial Subdistrict on property zoned an I-2 Industrial Subdistrict within Planned District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Harwood Street and Hunt Street

(The staff and city plan commission recommended Approval)

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:

Tim Cogswell, 507 Magnolia, representing the applicant  
Mark Shekter, 3111 Wellborn, representing the applicant

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

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

Assigned ORDINANCE NO. 28095

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

Closed Session [**11-0209**]

6ES

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

- Leanne Siri v. City of Dallas, et al., Civil Action No. 3:10-CV-0036-M

At 9:28 a.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.)

- Leanne Siri v. City of Dallas, et al., Civil Action No. 3:10-CV-0036-M

Councilmember Natinsky announced he had a conflict of interest and would abstain from voting or participating in any discussion for agenda item 52. Councilmember Natinsky left the city council chamber.

"Agenda item 52 - 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 the 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"

Mayor Leppert reconvened the city council meeting after the closed session and lunch at 1:15 p.m. No other matters were discussed during the closed session.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0210

Addendum addition 1:           A resolution designating an absence by Councilmember Jerry Allen as being for "official city business" - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0211

Addendum addition 2: Authorize **(1)** preliminary adoption of Substantial Amendment No. 1 to the FY 2010-11 Consolidated Plan for the Neighborhood Stabilization Program 3 (NSP3) including: **(a)** acceptance of grant funds from the U.S. Department of Housing and Urban Development in an amount of \$2,356,962 pursuant to the Housing and Economic Recovery Act of 2008 (HERA), as amended on July 21, 2010 under the Dodd-Frank Act; **(b)** approval of the Program Statement, Attachment A; **(c)** the addition of staff positions and reimbursement for existing positions to provide for the administration, planning, oversight, reporting, and implementation of the NSP 3 projects over a three year period; **(d)** execution of the grant agreement; **(e)** the receipt and deposit of program income in an amount not to exceed \$1,020,000 generated from NSP activities; and **(f)** the establishment of appropriations in an amount not to exceed \$1,020,000 in the NSP Program Income Fund to be used for other eligible activities; and **(2)** a public hearing to be held on February 9, 2011 to receive comments on Substantial Amendment No. 1 to the FY 2010-2011 Consolidated Plan for the NSP 3 - Total not to exceed \$3,376,962 - Financing: 2010-11 Neighborhood Stabilization Program 3 Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0212

Addendum addition 3: Authorize **(1)** Supplemental Agreement No. 1 to the contract with Safer Dallas Better Dallas to provide additional services to ex-offenders; and **(2)** extension of the contract term through September 30, 2011 - Not to exceed \$250,000, from \$489,993 to \$739,993 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0213

Addendum addition 4: Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Places 1, 5 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees in the City Secretary's Office)

Mayor Leppert announced that consideration of appointments to the Dallas /Fort Worth International Airport Board of Directors for Places 1 and 5 only.

Councilmember Koop moved to reappoint the following individuals to the Dallas/Fort Worth International Airport Board of Directors, with the term to expire January 31, 2013:

- Place 01, Betty Culbreath
- Place 05, Ben Muro

Motion seconded by Councilmember Neumann.

Later in the meeting, Councilmember Salazar moved to substitute Councilmember Koop's motion to defer the appointment of Places 1, 5 and 11 to the Dallas/Fort Worth International Airport until January 19, 2011 briefing meeting of the city council.

Motion seconded by Councilmember Atkins.

After discussion, Mayor Leppert called the vote on Councilmember Salazar's substitute motion to defer the appointment of Places 1, 5 and 11 to the Dallas/Fort Worth International Airport until January 19, 2011 briefing meeting of the city council:

Voting Yes: [9] Leppert, Caraway, Medrano, Hill, Salazar, Davis, Atkins, Margolin, Hunt

Voting No: [6] Jasso, Neumann, Kadane, Allen, Koop, Natinsky

Mayor Leppert declared the motion adopted to defer the appointment of Places 1, 5 and 11 to the Dallas/Fort Worth International Airport until January 19, 2011 briefing meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0214

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 5: Authorize the release of lien on real property located at 435 Sparks Street held as collateral for a loan made by the South Dallas/Fair Park Trust Fund to Sylvia Alexander Leonard dba Alexander's Barbeque (hereafter Sylvia Alexander Leonard)  
- 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 Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 12, 2011

11-0215

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

Addendum addition 6: A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A, the "Dallas Development Code," and Chapter 52, "Administrative Procedures for the Construction Codes," to amend and establish certain fees for zoning, development and building permit applications, deleting provision exempting schools from payment of SUP fees, amending provisions exempting other governmental entities from payment of zoning fees and amending requirements for contractor registration and an ordinance granting the revisions

(The staff and city plan commission recommended Approval)

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

Manny Ybarra, 10440 N. Central, representing TREC  
Bob Weiss, 3033 Swiss Ave., representing Meadows Foundation  
Jon Napper, 9430 Hathaway, representing NAIOP North Texas Chapter  
Katherine Seale, 2922 Swiss Ave., representing Preservation Dallas  
Melissa Kingston, 5901 Palo Pinto Ave., representing Belmont Addition Conservation  
District and Lower Greenville Homeowner Association  
Bob Stimson, 707 Tenna Loma Ct.  
William Cothrum, 900 Jackson St.  
Robert Reeves, 900 Jackson St.

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

Councilmember Davis moved to close the public hearing and adopt the item with the following changes:

- Building Inspection: Approve the Building Inspection fees briefed to Economic Development Committee but add language to the ordinance to specify that hourly rates will only be charged for in-person meetings unless otherwise agreed.
- Historic Fees: Omit reference to any new fees for historic preservation or conservation districts.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-0215

Page 2

- Zoning Fees: Omit all fees except those that amend the charges for Planned Development Districts and to eliminate any fee exceptions for other public agencies.

and pass the ordinance.

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

Assigned ORDINANCE NO. 28096

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 12, 2011

EXHIBIT C