

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 26, 2011

11-0246

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

PRESENT: [15] Leppert, Caraway (*9:02 a.m.), Medrano, Jasso, Neumann, Hill (*9:35 a.m.), Salazar (*9:33 a.m.), Davis (*9:13 a.m.), Atkins (*9:04 a.m.), Kadane, Allen, Koop (*9:02 a.m.), Natinsky (*9:02 a.m.), Margolin, Hunt (*9:16 a.m.)

ABSENT: [0]

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

The assistant city secretary announced that a quorum of the city council was present at 9:03 a.m.

The invocation was given by Gordon Dabbs, Pastor of Prestoncrest Church of Christ.

Councilmember Jasso led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 2:30 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 meeting called to order.**

****Absent on city business**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 26, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 26, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0247

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: Yeharerwerk Gashaw, not provided
REPRESENTING: Dallas Area Independent Taxi Drivers
SUBJECT: Ahead of the line/taxi drivers to move companies

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

SPEAKER: Richard Sheridan, 3022 Forest Ln.
REPRESENTING: Some Citizens
SUBJECT: Mayor must resign immediately

SPEAKER: Billy MacLeod, 1409 S. Lamar St.
SUBJECT: Community workforce agreement; the Super Bowl

SPEAKER: Raymond Crawford, 2647 Southwood Dr.
REPRESENTING: Dallas Area Residents for Responsible Drilling
SUBJECT: Gas drilling within the City of Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Frank Ward, P. O. Box 50694
SUBJECT: Trinity Reunion

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
11-0247
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OPEN MICROPHONE – END OF MEETING – SPOKE IN THE LAST 30 DAYS:

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
SUBJECT: Be careful what you ask for

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0248

Item 1: Approval of Minutes of the January 12, 2011 City Council Meeting

Mayor Pro Tem Caraway moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0249

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-44, and addendum addition consent agenda items 1-5, was presented for consideration.

Councilmember Margolin requested that consent agenda item 16 be considered as an individual item. Mayor Leppert stated that consent agenda item 16 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Hunt requested that consent agenda item 16 be considered as an individual item. Mayor Leppert stated that consent agenda item 16 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Mayor Pro Tem Caraway moved to approve all items on the consent agenda with the exception of consent agenda item 16 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0250

Item 2: Authorize a three-year master agreement for industrial equipment, tools and supplies - SID Tool Co., Inc. dba MSC Industrial Supply Co. in the amount of \$1,275,560, Colonial Hardware Corporation in the amount of \$889,300, Fort Worth Bolt & Tool Company LLP in the amount of \$579,300, Nationwide Supply in the amount of \$309,400, Matthew Opperman Co., Inc. in the amount of \$347,920, Midway Auto Supply Co. in the amount of \$149,200, W. W. Grainger, Inc. in the amount of \$109,700, Hilti, Inc. in the amount of \$28,500 and Simba Industries in the amount of \$6,900, lowest responsible bidders of ten - Total not to exceed \$3,695,780 - Financing: Current Funds (\$1,955,080) and Water Utilities Current Funds (\$1,740,700)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0251

Item 3: Authorize a three-year service contract for farrier services for the Police Department's mounted squad - Eddie D. Oglesby, lowest responsible bidder of two - Not to exceed \$118,363 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0252

Item 4: Authorize a three-year service contract for pump maintenance, repair and overhaul services - Anytime Pump Service Company dba CIE in the amount of \$1,484,858, ITT Water & Wastewater U.S.A., Inc. in the amount of \$987,174 and Kenney Industries, Inc. in the amount of \$229,442, lowest responsible bidders of five - Total not to exceed \$2,701,474 - Financing: Current Funds (\$325,727) and Water Utilities Current Funds (\$2,375,747) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0253

Item 5: Authorize a five-year service contract for janitorial services at specific Water Utilities locations and the City Store - Members Building Maintenance, LTD in the amount of \$903,040 and Andrew's Building Service, Inc. in the amount of \$459,849, lowest responsible bidders of eight - Total not to exceed \$1,362,889 - Financing: Current Funds (\$5,821) and Water Utilities Current Funds (\$1,357,068) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0254

Item 6: Authorize **(1)** an acquisition contract for the purchase, installation, and training for a digital in-car camera and recording systems in the amount of \$407,337; **(2)** a five-year maintenance and support contract in the amount of \$140,000; and **(3)** a five-year master agreement for the purchase of additional in-car hardware, software and related maintenance in the amount of \$7,889,600 - L3 Communications Mobile-Vision, Inc., most advantageous proposer of nine - Total amount not to exceed \$8,436,937 - Financing: Current Funds (\$6,640,000) (subject to annual appropriations) and 2008 Equipment Acquisition Contractual Obligation Notes (\$1,796,937)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0255

Item 7: Authorize the purchase of three sewer cleaner truck bodies and one sewer cleaner truck chassis for Water Utilities - Texas Underground, Inc. in the amount of \$190,590 and Houston Freightliner/Sterling in the amount of \$67,335 through the Houston-Galveston Area Council of Governments - Total not to exceed \$257,925 - Financing: Water Utilities Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0256

Item 8: Authorize the sale of one D9R bulldozer through a public auction on January 4, 2011 to J.J. Scheckel Corporation, highest bidder - Revenue: \$81,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0257

Item 9: Authorize settlement of a claim filed by Eneida Martinez, Claim No. 10271686
- Not to exceed \$8,750 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0258

Item 10: Authorize settlement of the lawsuit styled Benjamin Booker, III v. City of Dallas, Cause No. 10-04250-H - Not to exceed \$13,500 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0259

Item 11: Authorize Supplemental Agreement No. 1 to the professional services contract with CRRG, Inc., for additional title research to determine the owners and others having interests in properties and for related services for collection, eminent domain, code compliance, and other lawsuits and claims - Not to exceed \$90,000, from \$25,000 to \$115,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0260

Item 12: Authorize **(1)** an application for and acceptance of the Community Challenge Planning Grant from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development for a three year period; and **(2)** establishment of appropriations for the grant - Not to exceed \$2,225,000 - Financing: U.S. Department of Housing and Urban Development Office of Sustainable Housing and Communities Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0261

Item 13: Authorize the twelve-month renewal option with Torres Construction to provide contractor labor for minor home repairs for the People Helping People Program for the period January 27, 2011 through January 26, 2012 - Not to exceed \$123,640 - Financing: 2010-11 Community Development Block Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0262

Item 14: Authorize Supplemental Agreement No. 1 to the contract with Health Services of North Texas, Inc. to provide additional scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2010 through September 30, 2011 - Not to exceed \$96,300, from \$422,650 to \$518,950 - Financing: 2010-11 Housing Opportunities for Persons with AIDS Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0263

Item 15: An ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2010-07-150 (which amends Chapters 1,2,3,6,7,8,9 and 10, the table of contents, and Appendix I of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board) and Dallas-Fort Worth International Airport Board Resolution No. 2010-09-220 (which amends Chapters 1,2,3,8 and 9 of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, as previously amended by Resolution No. 2010-07-150) to: **(1)** define terms; **(2)** provide for the operation of vehicles in the movement area of the airport operations area; **(3)** establish areas at the airport where commercial photography and moving picture production are prohibited; **(4)** establish offenses related to airport security; **(5)** establish speed limits for two new roadways accessing the corporate aviation facility; **(6)** make certain non-substantive changes; and **(7)** provide a penalty not to exceed \$500 - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28097

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0264

Item 16: An ordinance approving (with the exception of a provision related to brackish water disposal) Dallas-Fort Worth International Airport Board Resolution No. 2010-08-171, which amends Parts One through Nine of the Dallas-Fort Worth International Airport Construction and Fire Prevention Standards Resolution to: **(1)** adopt the 2009 International Building Code, 2009 International Fire Code, 2008 National Electrical Code, 2009 International Mechanical Code, 2009 International Plumbing Code, 2009 International Fuel Gas Code, and 2009 International Energy Conservation Code, with specific local amendments; **(2)** amend airport regulations relating to oil and gas exploration and production, including requirements for the use of explosives on airport property and incorporation of Texas Railroad Commission regulations; and **(3)** provide a penalty not to exceed \$2,000 - Financing: No cost consideration to the City

Councilmember Margolin and Councilmember Hunt requested that consent agenda item 16 be considered as an individual item. Mayor Leppert stated that consent agenda item 16 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin and Councilmember Hunt's request.

Later in the meeting, consent agenda item 16 was brought up for consideration.

The following individual addressed the city council regarding the item:

John Terrell, representing Dallas-Fort Worth International Airport Board

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

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

Assigned ORDINANCE NO. 28098

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0265

Item 17: Authorize a three-year service agreement with the Boys and Girls Club of Greater Dallas to provide weekly programs for youth and teens at Arlington Park Recreation Center located at 1505 Record Crossing Road for the period January 1, 2011 to December 31, 2014 - Not to exceed \$90,000 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0266

Item 18: Authorize a contract for a new pavilion, repair and resurfacing of the existing parking lot at Daniieldale Park located at 500 West Wheatland Road - Wall Enterprises, best value proposer of eight - Not to exceed \$402,254 - Financing: 1998 Bond Funds (\$28,306) and 2003 Bond Funds (\$373,948)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0267

Item 19: Authorize **(1)** rescinding the contract with Lambeth Home Builders, Inc., previously authorized on September 8, 2010, by Resolution No. 10-2287, for erosion control and drainage improvements at Beckley Heights Park located at 6700 Starkey Street; and **(2)** a contract for erosion control and drainage improvements at Beckley Heights Park - Jonesplan of Texas, LLC, second lowest responsible bidder of eight - Not to exceed \$79,550 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0268

Item 20: Authorize renewal of the Interlocal Agreement with Dallas County, through the Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2010 through September 30, 2011 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$2,000,000) and Current Funds (\$1,800,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0269

Item 21: Authorize a contract for the construction of barrier free ramp improvements for Group 01-2011 (list attached) - Stark Built, Ltd. lowest responsible bidder of eight - Not to exceed \$354,325 - Financing: Capital Assessment Funds (\$328,915) and Water Utilities Capital Construction Funds (\$25,410)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0270

Item 22: Authorize a professional services contract with HKS, Inc. for architectural and engineering design services and construction administration services of the Forest Green Branch Library replacement facility located at 9619 Greenville Avenue - Not to exceed \$459,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0271

Item 23: Authorize a professional services contract with IDA Engineering, Inc. to provide engineering and design services to assess existing systems and design new fire protection and suppression systems at the Dallas Museum of Art located at 1807 Harwood Street - Not to exceed \$90,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0272

Item 24: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Brockbank Drive from Lombardy Lane to Bynum Avenue to 600 feet north of Wheelock Street; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on March 9, 2011 to receive comments - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0273

Item 25: Authorize an increase in the contract with Alta Construction Services, Inc. for the construction of additional paving and drainage improvements for Avenue A, Avenue B, Avenue C, Compton Street, Fran Way, Fiji Street, Sphinx Street, Tonga Street, and associated alleys - Not to exceed \$104,158, from \$1,818,799 to \$1,922,957 - Financing: Capital Projects Reimbursement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0274

Item 26: Authorize an increase in the contract with Mart, Inc. for the construction of a small café at the Oak Cliff Cultural Center located at 223 West Jefferson Boulevard - Not to exceed \$89,409, from \$779,082 to \$868,491 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0275

Item 27: Authorize the second amendment to the Interlocal Agreement with Dallas County to reduce the City's share of design and construction costs of bicycle and pedestrian enhancements on Kiestwood Trail from Kiest Park to Cockrell Hill Road - Not to exceed (\$79,000), from \$432,500 to \$353,500 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0276

Item 28: Authorize ordinances granting four franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$4,000

Adopted as part of the consent agenda.

Assigned ORDINANCE NOS. 28099, 28100, 28101 AND 28102

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0277

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from CJT Partnership of approximately 3,624 square feet of land located near the intersection of Elm Street and Central Expressway for the Central Expressway from Commerce to Live Oak Project - Not to exceed \$122,000 (\$120,000 plus closing costs not to exceed \$2,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0278

Item 30: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dallas 2224 Elm, LTD. of approximately 2,250 square feet of land located near the intersection of Elm Street and Central Expressway for the Central Expressway from Commerce to Live Oak Project - Not to exceed \$222,500 (\$220,000 plus closing costs not to exceed \$2,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0279

Item 31: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Hymie Schwartz Trust & Jeannette Schwartz Trust of approximately 2,250 square feet of land located near the intersection of Elm Street and Central Expressway for the Central Expressway from Commerce to Live Oak Project - Not to exceed \$403,500 (\$400,000 plus closing costs not to exceed \$3,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0280

Item 32: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tomaino Properties, LP of approximately 12,389 square feet of land located near the intersection of Elm Street and Central Expressway for the Central Expressway from Commerce to Live Oak Project - Not to exceed \$413,500 (\$410,000 plus closing costs not to exceed \$3,500) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0281

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Harvard Partners I, LLC of approximately 2,880 square feet of land located near the intersection of Elm Street and Central Expressway for the Central Expressway from Commerce to Live Oak Project - Not to exceed \$757,000 (\$750,000 plus closing costs not to exceed \$7,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0282

Item 34: A resolution authorizing the sale of an unwanted and unneeded City-owned land located near the intersection of Fran Way and Avenue B to SDC Sachse Senior Villas, LLC, the highest bidder - Revenue: \$2,600

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0283

Item 35: A resolution authorizing the sale of unwanted and unneeded City-owned land, improved with a one story building, located near the intersection of Bexar and Municipal Streets to City Build Community Development Corporation, the only bidder - Revenue: \$8,500

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0284

Item 36: Authorize settlement in lieu of proceeding further with condemnation in City of Dallas vs. Farah Real Estate Limited Partnership and Farah Financial, Inc., Cause No. cc-07-13259-e pending in the County Court at Law No. 5, for acquisition from Farah Real Estate, LP of approximately 66,363 square feet of land located near the intersection of Lake June and St. Augustine Roads for the Prairie Creek Branch Library Project - \$33,739 - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0285

Item 37: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 34,605 square feet from Must-Bon Realty Company located near the intersection of Adair and Race Streets for the CBD Fair Park Link Thoroughfare Project - Not to exceed \$855,000 (\$850,000 plus closing costs not to exceed \$5,000) - Financing: 2003 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0286

Item 38: Authorize a contract for the installation of water and wastewater mains at 28 locations (list attached) - Ark Contracting Services, LLC, lowest responsible bidder of nine - Not to exceed \$5,490,513 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0287

Item 39: Authorize a professional services contract with Brockett/Davis/Drake, Inc. to provide engineering design services for the renewal of water and wastewater mains at 19 locations (list attached) - Not to exceed \$534,862 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0288

Item 40: Authorize a professional services contract with Stream Water Group, Inc. to provide engineering design services for the renewal of water and wastewater mains at 20 locations (list attached) - Not to exceed \$636,860 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0289

Item 41: Authorize a professional services contract with Criado & Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 33 locations (list attached) - Not to exceed \$826,995 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0290

Item 42: Authorize a professional services contract with Gupta & Associates, Inc. to provide engineering design services associated with electrical improvements to the Dallas section of the Central Wastewater Treatment Plant - Not to exceed \$930,078 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0291

Item 43: Authorize a professional services contract with Mbroh Engineering, Inc. to provide engineering design services associated with electrical improvements to the White Rock section of the Central Wastewater Treatment Plant - Not to exceed \$1,026,745 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0292

Item 44: Authorize an increase in the contract with Archer Western Contractors, Ltd. for the installation of an Emergency Notification System at the Central Wastewater Treatment Plant - Not to exceed \$240,721, from \$7,826,000 to \$8,066,721 - Financing: Water Utilities Capital Improvement Funds (\$47,721) and Buffer Zone Protection Grant Funds (\$193,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0293

Item 45: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The 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 JANUARY 26, 2011.

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

Councilmember Neumann moved to appoint Robert L. Good, Levi Davis, Evan Beattie and Richie Butler, Agent of Property Owner, to the North Oak Cliff Municipal Management District.

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

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

11-5109 NOC NORTH OAK CLIFF MUNICIPAL MANAGEMENT DISTRICT

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0294

Item 46: Authorize a resolution appointing a representative to the Dallas Central Appraisal District Board of Directors - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Medrano moved to adopt the resolution appointing Sam Coats as the City of Dallas representative on the Dallas County Central Appraisal District Board of Directors with the term to expire on December 31, 2011.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0295

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 47-51 and addendum agenda item 6, was presented for consideration.

Agenda item 47: Zoning Case Z090-160(RB)
Agenda item 48: Zoning Case Z090-219(RB)
Agenda item 49: Zoning Case Z090-224(WE)
Agenda item 50: Zoning Case Z090-236(WE)
Agenda item 51: Zoning Case Z090-240(WE)
Addendum item 6 Zoning Case Z090-227(WE)

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0296

Item 47: Zoning Case Z090-160(RB)

The consent zoning docket, consisting of agenda items 47-51 and addendum agenda item 6, was presented for consideration.

A public hearing was called on zoning case Z090-160(RB), an application for and an ordinance granting a Planned Development District for R-5(A) Single Family District Uses on property zoned an R-5(A) Single Family District on the northwest line of Fellows Lane, north of the terminus of Kiska Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28103

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0297

Item 48: Zoning Case Z090-219(RB)

The consent zoning docket, consisting of agenda items 47-51 and addendum agenda item 6, was presented for consideration.

A public hearing was called on zoning case Z090-219(RB), 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 Uses on property zoned an R-7.5(A) Single Family District on property bounded by Gayglen Drive, Oklaunion Drive, Komalty Drive, and Longbranch Lane

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28104

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0298

Item 49: Zoning Case Z090-224(WE)

The consent zoning docket, consisting of agenda items 47-51 and addendum agenda item 6, was presented for consideration.

A public hearing was called on zoning case Z090-224(WE), 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 uses on property zoned an R-7.5(A) Single Family District on the northwest corner of Marsalis Avenue and Garza Avenue

(The staff and city plan commission recommended Approval subject to a development plan, traffic management plan, circulation map and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28105

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0299

Item 50: Zoning Case Z090-236(WE)

The consent zoning docket, consisting of agenda items 47-51 and addendum agenda item 6, was presented for consideration.

A public hearing was called on zoning case Z090-236(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

(The staff and city plan commission recommended Approval, subject to a revised development plan, traffic management plan, circulation map and conditions)

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28106

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0300

Item 51: Zoning Case Z090-240(WE)

The consent zoning docket, consisting of agenda items 47-51 and addendum agenda item 6, was presented for consideration.

A public hearing was called on zoning case Z090-240(WE), an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an IM Industrial Manufacturing District on the north corner of Malcolm X Boulevard and Dawson Street

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28107

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0301

Item 52: Zoning Case Z101-115(MG) DESIGNATED ZONING CASES –INDIVIDUAL

A public hearing was called on zoning case Z101-115(WE), an application for and an ordinance granting a Planned Development District for CR Community Retail District uses on property zoned an IR Industrial Research District located on the south corner of Medical District Drive and Maple Avenue

(The staff and city plan commission recommended Approval, subject to a development 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:

Barry Knight, 5400 Renaissance, representing the applicant

Deputy Mayor Pro Tem Medrano moved to close the public hearing, adopt the recommendation of the city plan commission for approval subject to an amended existing building landscape plan that shows enhanced landscaping in the parking lot and pass the ordinance.

Motion seconded by Councilmember Kadane and Councilmember Natinsky unanimously adopted.

Assigned ORDINANCE NO. 28108

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0302

Item 53: Zoning Case Z090-242 (CG) DESIGNATED ZONING CASES –INDIVIDUAL

A public hearing was called on zoning case Z090-242 (CG), regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned a CR Community Retail District with a Dry Liquor Control Overlay on a portion, Specific Use Permit No. 1289 for a bar, lounge, or tavern on a portion, Specific Use Permit No. 1544 for a tower/antenna for cellular communication on a portion, and deed restrictions on a portion; an MC-1 Multiple Commercial District with a Dry Liquor Control Overlay on a portion; and an LO-1 Limited Office District with consideration given to a Planned Development District on property on both sides of Greenville Avenue generally bounded by Belmont Avenue on the north, Hope Street on the east, Bryan Street on the south, Henderson Avenue on the southwest, Ross Avenue on the southwest, and Summit Avenue and an ordinance granting the Planned Development District with retention of SUP No. 1289, SUP No. 1544, and Dry Liquor Control Overlays and deed restrictions

(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."

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

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

Bruce Richardson, 5607 Richmond Ave., representing Lower Greenville West
Stephen Melendi, 5819 Lewis St., President of Belmont Neighborhood Association
Susan Reese, 8626 Douglas Ave., representing Lower Greenville Avenue Trust
Marc Andres, 7127 S. Janmar, representing Andres Properties
Erica Jones, 5611 Ross Ave., representing the Neighborhood
Brianna Jones, 5611 Ross Ave., representing the Neighborhood

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-0302

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

David Kindle, 6225 Goliad Ave., representing Lakewood Heights Neighborhood Association

Gay Hopkins, 6030 Monticello, representing Lower Greenville Neighborhood Association

Cheryl Kellis, 2007 Summit Ave., Lower Greenville Neighborhood Association

Patricia Carr, 5843 Vanderbilt Ave., President of Lower Greenville Homeowners Association

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 Mayor Pro Tem Caraway and Councilmember Hunt unanimously adopted.

Assigned ORDINANCE NO. 28109

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

Closed Session [**11-0303; HELD**]

6ES

Security Briefings (Sec. 551.076 T.O.M.A.)

- Security issues related to Super Bowl Events

At 10:50 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:

Security Briefings (Sec. 551.076 T.O.M.A.)

- Security issues related to Super Bowl Events

Mayor Leppert reconvened the city council meeting after the closed session and lunch at 1:31 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0304

Addendum addition 1: An ordinance amending Chapter 5 of the Dallas City Code to establish international arrival fees for certain aircraft landing at Dallas Love Field and using United States Customs and Border Protection Services - Estimated Annual Revenue: \$323,000

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28110

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0305

Addendum addition 2: Authorize **(1)** Supplemental Agreement No. 3 to increase the service contract to provide labor and materials for minor home repairs and upgrades for the American Recovery and Reinvestment Act, Weatherization Assistance Program with Integrity Texas Construction, Ltd. in the amount of \$222,263, from \$1,055,474 to \$1,277,737; **(2)** a one-year renewal option to the service contract previously approved on March 10, 2010, by Resolution No. 10-0677, to provide contract labor and materials for minor home repairs and upgrades for the American Recovery and Reinvestment Act, Weatherization Assistance Program with Integrity Texas Construction, Ltd. in the amount of \$1,277,737; Weatherization Management Group, LLC in the amount of \$500,000 reduced from the original contracted amount of \$1,206,588; and JL Advanced Energy & Construction, Ltd. Co. in the amount of \$500,000 reduced from the original contracted amount of \$1,206,588; and **(3)** assignment of the contract from Efficient Attic Systems dba Weatherization Management Group to Weatherization Management Group, LLC - Total not to exceed \$2,500,000 - Financing: Texas Department of Housing and Community Affairs Grant Funds (\$1,000,000) and U.S. Department of Energy Grant Funds (\$1,500,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0306

Addendum addition 3: A resolution suspending the effective date of the rate filing made by Oncor Electric Delivery Company LLC on January 7, 2011 for an additional 90 days - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0307

Addendum addition 4: Authorize the acceptance of a grant from the North Central Texas Council of Governments' Heavy-Duty Vehicle and Equipment Program to offset the purchase cost for two bulldozers for Sanitation Services - Not to exceed \$367,056 - Financing: North Central Texas Council of Governments' Heavy Duty-Vehicle & Equipment Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0308

Addendum addition 5: Authorize support for: **(1)** the proposed Texas Department of Transportation (TxDOT) design for S.H. 183 from S.H. 161 to I-35E which includes managed lanes; **(2)** the use of innovative financing mechanisms, including public private-partnerships, to complete the S.H. 183 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 S.H. 183; 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

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0309

Addendum addition 6: Zoning Case Z090-227(WE)

The consent zoning docket, consisting of agenda items 47-51 and addendum agenda item 6, was presented for consideration.

A public hearing was called on zoning case Z090-227(WE), an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard

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

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

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28111

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 26, 2011

11-0310

The Mayor recessed the meeting at 9:35 a.m. and reconvened the meeting at 1:31 p.m.

The City Council attended the Dallas Regional Chamber 2011 Annual Meeting Luncheon at the Fairmont Hotel, 1717 North Akard Street, Dallas, TX 75201.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 26, 2011

EXHIBIT C