

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 23, 2011

11-0510

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

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill (*9:03 a.m.),
Salazar (*9:19 a.m.), Davis (*9:18 a.m.), Atkins, Kadane, Allen,
Koop, Natinsky (*9:03 a.m.), Margolin, Hunt

ABSENT: [0]

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

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

The invocation was given by Councilmember Kadane.

Deputy Mayor Pro Tem Medrano 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 2:39 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.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 23, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 23, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0511

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: Ester Davis, 2204 Millermore St.
SUBJECT: Key to the city

SPEAKER: Stephen Benavides, 7937 Woodshire Dr.
REPRESENTING: Freedom Road Socialist Organization
SUBJECT: Police brutality

SPEAKER: Molly Rooke, 5825 Palm Ln.
SUBJECT: Gas drilling

SPEAKER: Marc McCord, 7660 LaBolsa Dr.
REPRESENTING: All the people of Dallas
SUBJECT: Hydraulic fracturing

SPEAKER: Alfatih Amin, 3955 Fernando Dr., **Eules, TX**
SUBJECT: Taxi issues

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

SPEAKER: Juanita Wallace, 1409 S. Lamar St.
REPRESENTING: Dallas NAACP
SUBJECT: Compressed natural gas is harmful

SPEAKER: Robert Ceccarelli, 2144 Leacrest Dr.
SUBJECT: Immediate resignation of Mayor

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: RSR lead, KKK, Dallas City Council

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

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: R. A. W. – Real American Women
SUBJECT: Let the truth be told

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0512

Item 1: Approval of Minutes of the February 9, 2011 City Council Meeting

Mayor Pro Tem Caraway moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0513

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-68, and addendum addition consent agenda items 1-7, was presented for consideration.

Councilmember Atkins requested that consent agenda item 57 be considered as an individual item. Mayor Leppert stated that consent agenda item 57 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Koop requested that consent agenda item 31 be considered as an individual item. Mayor Leppert stated that consent agenda item 31 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Mayor Pro Tem Caraway moved to adopt all items on the consent agenda with the exception of consent agenda items 31 and 57 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0514

Item 2: Authorize **(1)** the acceptance of the Transportation, Community and System Preservation Grant Funds (TXDOT); **(2)** the establishment of appropriations for the Transportation, Community and System Preservation Grant Funds (TXDOT) in the amount of \$400,000; and **(3)** an eighteen-month professional services contract for the Complete Streets Initiative with Kimley-Horn and Associates, Inc. in the amount of \$795,000, most advantageous proposer of five - Total not to exceed \$795,000 - Financing: North Central Texas Council of Governments Grant Funds (\$400,000) and Transportation, Community and System Preservation Program Grant Funds (\$395,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0515

Item 3: Authorize a two-year master agreement for self-contained breathing apparatus, thermal imagers, parts and accessories for Dallas Fire-Rescue - Hoyt Enterprises, Inc. dba Hoyt Breathing Air Products in the amount of \$296,861 and Metro Fire Apparatus Specialists, Inc. in the amount of \$84,788, lowest responsible bidders of four - Total not to exceed \$381,649 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0516

Item 4: Authorize a three-year service contract for grounds maintenance at Hensley Field - Good Earth Corporation, lowest responsible bidder of five - Not to exceed \$185,250 - Financing: Current Funds (\$39,250) and Naval Air Station Redevelopment Funds (\$146,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0517

Item 5: Authorize settlement of the lawsuit styled Brady Johnson v. Ronald Brown and City of Dallas, Cause No. 09-06694-C - Not to exceed \$7,500 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0518

Item 6: Authorize settlement of the lawsuit styled Anthony Raye Lyles v. City of Dallas, Cause No. 10-05470-I - Not to exceed \$9,000 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0519

Item 7: Authorize settlement of the lawsuit styled Ken Jones and Douglas Holbert v. The City of Dallas, Cause No. 09-14503-H - Not to exceed \$23,900 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0520

Item 8: Authorize a New Markets Tax Credit (NMTC) transaction, between the Dallas Development Fund (DDF) and its subsidiaries, JPMorgan Chase, N.A. (JPMC) and its subsidiaries, and the Kroger Co. and its affiliates (Developer) for the redevelopment of property located at 4901 Maple Street into a full service grocery store - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0521

FY 2010 Tax Increment Financing Zone Annual Reports

Item 9: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0522

FY 2010 Tax Increment Financing Zone Annual Reports

Item 10: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0523

FY 2010 Tax Increment Financing Zone Annual Reports

Item 11: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0524

FY 2010 Tax Increment Financing Zone Annual Reports

Item 12: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0525

FY 2010 Tax Increment Financing Zone Annual Reports

Item 13: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0526

FY 2010 Tax Increment Financing Zone Annual Reports

Item 14: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0527

FY 2010 Tax Increment Financing Zone Annual Reports

Item 15: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0528

FY 2010 Tax Increment Financing Zone Annual Reports

Item 16: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0529

FY 2010 Tax Increment Financing Zone Annual Reports

Item 17: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0530

FY 2010 Tax Increment Financing Zone Annual Reports

Item 18: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0531

FY 2010 Tax Increment Financing Zone Annual Reports

Item 19: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0532

FY 2010 Tax Increment Financing Zone Annual Reports

Item 20: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0533

FY 2010 Tax Increment Financing Zone Annual Reports

Item 21: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0534

FY 2010 Tax Increment Financing Zone Annual Reports

Item 22: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0535

FY 2010 Tax Increment Financing Zone Annual Reports

Item 23: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0536

FY 2010 Tax Increment Financing Zone Annual Reports

Item 24: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0537

FY 2010 Tax Increment Financing Zone Annual Reports

Item 25: A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0538

Item 26: Authorize **(1)** an agreement with and acceptance of funds from OneStar Foundation, Inc. for the Texas Renewing Our Communities Account grant in the amount of \$40,000 to support capacity building initiatives for local nonprofit organizations for the period November 1, 2010 through September 30, 2011; **(2)** a contract between the City of Dallas and the Center for Nonprofit Management in the amount of \$36,000 to provide nonprofit capacity building services for the period November 1, 2010 through September 30, 2011; and **(3)** execution of the grant agreement - Not to exceed \$40,000 - Financing: Texas Renewing Our Communities Account Grant Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0539

Item 27: Authorize a ten-year lease agreement with Lancaster Crossing, L.L.C. for approximately 5,000 square feet of office space located at 8702 South Lancaster Road to be used as a Women, Infants and Children Clinic for the period of May 1, 2011 through April 30, 2021 - Not to exceed \$804,000 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0540

Item 28: Authorize **(1)** an extension through September 30, 2011 for Community Development Block Grant (CDBG) funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement; **(2)** preliminary adoption of the FY 2010-11 Consolidated Plan Reprogramming Budget #2 for the Community Development Block Grant Recovery (CDBG-R) Funds; and **(3)** a public hearing to be held on April 13, 2011 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0541

Item 29: Authorize a public hearing to be held on March 9, 2011 to receive comments in preparation of the FY 2011-12 Operating, Capital, Grant, and Trust budgets -
Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0542

Item 30: A resolution adopting the City's Federal Legislative Agenda for the 112th Congress - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0543

Item 31: A resolution repealing Resolution No. 07-1608, previously approved on May 23, 2007, authorizing the City Attorney and City Manager to settle the lawsuit styled Ash Grove Texas, L.P. v. City of Dallas, et al., Cause No. 3:08-CV-02114-O in the U. S. District Court for the Northern District of Texas, and establishing a policy to give a preferential bid evaluation of all cement produced by vendors who are in compliance with all applicable environmental standards for the emission of nitrogen oxides (NOx) and operate kilns with emissions that are a specific amount below the applicable state standard, depending on the type of kiln operated - Financing: No cost consideration to the City

Councilmember Koop requested that consent agenda item 31 be considered as an individual item. Mayor Leppert stated that consent agenda item 31 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Later in the meeting, consent agenda item 31 was brought up for consideration.

Councilmember Koop moved the city council meet in executive session to confer with the city attorney.

Motion seconded by Councilmember Atkins and unanimously adopted.

Mayor Leppert called a recess of the city council meeting at 9:26 a.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the City Attorney.

Mayor Leppert reconvened the city council meeting after the executive session at 10:13 a.m. then immediately recessed for lunch and reconvened at 1:32 p.m. No other matters were discussed during the executive session.

Councilmember Koop moved to postpone the item until the March 9, 2011 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0544

Item 32: Authorize a contract for fabrication and installation of interpretative historical signage for the Esplanade area at Fair Park located at 3809 Grand Avenue - Phoenix I Restoration and Construction, Ltd., best value proposer of two - Not to exceed \$302,000 - Financing: 2006 Bond Funds (\$151,000) and Preserve America Grant Funds (\$151,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0545

Item 33: Authorize a contract for interior renovation at Fretz Recreation Center located at 6950 Belt Line Road - The Warrior Group, Inc., best value proposer of seven - Not to exceed \$713,327 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0546

Item 34: Authorize a professional services contract with BRW Architects, Inc. to provide architectural and engineering services for design and construction administration of the Fire Station No. 32 replacement facility located at 7007 West Benning Avenue - Not to exceed \$395,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0547

Item 35: Authorize a professional services contract with VAI Architects, Inc. for architectural and engineering design services and construction administration of the Park Forest Branch Library replacement facility located at 3728 High Vista Drive - Not to exceed \$451,470 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0548

Item 36: Authorize **(1)** a contract with J.C. Commercial, Inc. for the construction of a new Snow and Ice Removal Facility at Dallas Love Field in an amount not to exceed \$3,577,277; and **(2)** an increase in appropriations in the amount of \$3,950,727 in the Aviation Capital Construction Fund for construction, testing, commissioning and other contract administration costs - Total not to exceed \$3,950,727 - Financing: Aviation Passenger Facility Charge Funds (\$3,000,000) and Aviation Capital Construction Funds (\$950,727)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0549

Item 37: Authorize a service agreement with ONCOR Electric Delivery for connecting new electrical services for pedestrian lights on Elm Street from Akard Street to Ervay Street - Not to exceed \$26,302 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0550

Item 38: Authorize an increase in the contract with Jeske Construction Company for the construction of additional paving and storm drainage improvements for Street Reconstruction Group 06-615 - Not to exceed \$203,113, from \$1,425,522 to \$1,628,635 - Financing: 2003 Bond Funds (\$52,766), 2005 Certificates of Obligation (\$109,378) and 2006 Bond Funds (\$40,969)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0551

Item 39: Authorize Supplemental Agreement No. 4 to the professional services contract with Hayden Consultants, Inc. for a wastewater study for Riverfront Boulevard from Commerce Street to Corinth Street - Not to exceed \$109,488, from \$1,813,656 to \$1,923,144 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0552

Item 40: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rhonda Martinez, Christine Soto and Roger Paul Cecil of approximately 1,751 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$4,427 (\$2,627 plus closing costs not to exceed \$1,800) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0553

Item 41: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tejas Investors of approximately 8,412 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$10,332 (\$8,832 plus closing costs not to exceed \$1,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0554

Item 42: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tejas Investors of approximately 19,967 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$22,965 (\$20,965 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

FEBRUARY 23, 2011

11-0555

Item 43: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lucille Joy Frank, Trustee of the David A. Frank Testamentary Trust, Katherine F. Gayle and Susan Gayle Needham, Co-Trustees of the Katherine F. Gayle Living Trust, Carolyn Parker Schum, Trustee of the Schum Living Trust and Sandra Parker Adams of approximately 19,714 square feet of land located near the intersection of Telephone and Ray Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$16,000 (\$13,800 plus closing costs not to exceed \$2,200) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0556

Item 44: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Isidoro Lopez of approximately 45,199 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$31,779 (\$29,379 plus closing costs not to exceed \$2,400) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0557

Item 45: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eung Pyo Choi, Heung Soon Choi and Heung Soo Lim of approximately 61,512 square feet of land located near the intersection of Lasater and Lawson Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$37,711 (\$35,511 plus closing costs not to exceed \$2,200) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0558

Item 46: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Edward L. Handlin and Lafaye Handlin of approximately 78,633 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$55,000 (\$51,111 plus closing costs not to exceed \$3,889) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0559

Item 47: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from G & G Development Partnership of approximately 89,744 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$69,808 (\$67,308 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

FEBRUARY 23, 2011

11-0560

Item 48: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from G & G Development Partnership of approximately 101,942 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$78,956 (\$76,456 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

FEBRUARY 23, 2011

11-0561

Item 49: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ruby Fay Dickey of approximately 22,493 square feet of improved land located near the intersection of Kleberg and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$140,000 (\$135,000 plus closing costs not to exceed \$5,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0562

Item 50: Authorize the execution of Quitclaim Deeds for 31 properties that were acquired by the taxing entities (the City of Dallas; the State of Texas; the County of Dallas; and Dallas Independent School District) from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$378,473

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0563

Item 51: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 86,218 square feet from Ola M. Redmon and Frank T. Hawkins located near the intersection of Wintergreen Road and Chapman Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$88,218 (\$86,218 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

FEBRUARY 23, 2011

11-0564

Item 52: Authorize moving expense and replacement housing payments for Hugo Rivera and Rosario Rivera in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 724 Packard Street for future City facilities - Not to exceed \$24,200 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0565

Item 53: Authorize moving expense and rental assistance payments for Maria Arellano in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1010 LaSalle Drive for future City facilities - Not to exceed \$10,200 - Financing: 2006 Bonds Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0566

Item 54: Authorize moving expense and replacement housing payments for Victor Lopez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1022 LaSalle Drive for future City facilities - Not to exceed \$24,600 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0567

Item 55: Authorize moving expense and replacement housing payments for Gabriel Monsivais and Mary Monsivais in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1026 LaSalle Drive for future City facilities - Not to exceed \$31,300 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0568

Item 56: Authorize moving expense and replacement housing payments for Olivia Rodriguez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1007 LaSalle Drive for future City facilities - Not to exceed \$38,700 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0569

Item 57: An ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the northeast line of Bonnie View Road, south of Highland Hills Drive - Z090-145 - Financing: No cost consideration to the City

Councilmember Atkins requested that consent agenda item 57 be considered as an individual item. Mayor Leppert stated that consent agenda item 57 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 57 was brought up for consideration.

Councilmember Atkins moved to postpone the item until the March 9, 2011 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0570

Item 58: An ordinance abandoning a portion of an alley to 10300 North Central, L.L.C., the abutting owner, containing approximately 328 square feet of land located near the intersection of Blair Road and North Central Expressway and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28128

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0571

Item 59: An ordinance abandoning a portion of Atwood Street to Gina Diane Bishop Corwin and Jeffrey Ray Bishop, the abutting owners, containing a total of approximately 9,244 square feet of land located near the intersection of Atwood and Corinth Streets, authorizing the quitclaim, and providing for the dedication of approximately 35,866 square feet of land needed for fire lane and water easements - Revenue: \$33,741 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28129

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0572

Item 60: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Wes Ratcliff of an unimproved tract of land containing approximately 7,175 square feet located on Comal Street at its intersection with Cliff Street for the Dallas Floodway Project - Not to exceed \$16,100 (\$14,300 plus closing costs not to exceed \$1,800) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0573

Item 61: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Fernando Martinez and Jose Jesus Martinez of an unimproved tract of land containing approximately 3.89 acres located on Canada Drive near its intersection with Winnetka Avenue for the Dallas Floodway Project - Not to exceed \$14,938 (\$12,438 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

FEBRUARY 23, 2011

11-0574

Item 62: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Loshel Company of an unimproved tract of land containing approximately 11.3 acres located on Lamar Street near its intersection with Emery Street for the Trinity Parkway portion of the Trinity River Corridor Project - Not to exceed \$398,400 (\$394,400 plus closing costs not to exceed \$4,000) - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0575

Item 63: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Loshel Company of three tracts of land containing a total of approximately 10.3 acres located near the intersection of Lamar and Marburg Streets for the Trinity Parkway portion of the Trinity River Corridor Project - Not to exceed \$1,137,600 (\$1,127,600 plus closing costs not to exceed \$10,000) - Financing: 1998 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0576

Item 64: Authorize a contract for the construction of erosion control improvements for Erosion Control Group 06-807 - Craig Olden, Inc., lowest responsible bidder of six - Not to exceed \$789,317 - Financing: Water Utilities Capital Improvement Funds (\$74,188) and 2006 Bond Funds (\$715,129)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0577

Item 65: Authorize an increase to the existing construction services contract with BAR Constructors, Inc. for additional drilled pier concrete reinforcement, removal of a concrete wing wall and additional pump discharge modeling on the Pavaho Pump Station of the Trinity River Corridor Project - Not to exceed \$90,382, from \$26,532,270 to \$26,622,652 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0578

Item 66: A resolution that: **(1)** expresses a commitment on behalf of the City of Dallas to provide adequate resources and funding to operate its Pretreatment Program; and **(2)** assures the Environmental Protection Agency and Texas Commission Environmental Quality that the City has sufficient funding resources and qualified technical and managerial personnel to carry out the functions, authorizations, and procedures specified in the City's pretreatment program as set forth in Article IV of Chapter 49 of the Dallas City Code, as amended - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0579

Item 67: Authorize a forty-year contract with Luminant Generation Company LLC, for untreated water service for the period January 1, 2011 through December 31, 2050 - Estimated Revenue: \$76,778,757

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0580

Item 68: Authorize Supplemental Agreement No. 3 to the professional services contract with HDR Engineering, Inc. to provide additional hydrologic and engineering services in support of an amendment to Dallas' Lake Ray Hubbard water rights permit - Not to exceed \$297,500, from \$568,000 to \$865,500 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0581

11-0582

Item 69: 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 FEBRUARY 23, 2011.

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

Councilmember Salazar moved to appoint Elizabeth Solender, Registered Voter, to the Reinvestment Zone Nineteen Board (Cypress Waters).

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

Councilmember Salazar moved to postpone consideration of Lee Kleinman as Vice-Chair for Park and Recreation Board until the March 9, 2011 voting agenda meeting of the city council.

Motion seconded by Councilmember Jasso and unanimously adopted.

Councilmember Allen moved to appoint Joan Graves Walne, Chair, to the Park and Recreation Board.

Motion seconded by Councilmember Salazar and unanimously adopted.

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

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted.

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

11-5117 RDC REDISTRICTING COMMISSION

11-5118 RZ19 REINVESTMENT ZONE NINETEEN BOARD (CYPRESS WATERS)

11-5119 BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0583

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 70: Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$850,000 to BOHUSA for acquisition and related acquisition costs of one improved property located at 2120 52nd Street for the rehabilitation of a 64-unit facility for affordable housing - Not to exceed \$850,000 - Financing: 2009-10 Community Development Block Grant 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 Hill moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0584

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 71-74, was presented for consideration.

Agenda item 72 was removed from the consent zoning docket, to be considered as individual hearing.

Agenda item 71: Zoning Case Z090-237(RB)

~~Agenda item 72: Zoning Case Z090-239(WE)~~ **[considered individually]**

Agenda item 73: Zoning Case Z090-244(RB)

Agenda item 74: Zoning Case Z090-253(RB)

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:

Michael Rodriguez, 6214 Covington

Councilmember Atkins 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 Salazar and unanimously adopted. (Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0585

Item 71: Zoning Case Z090-237(RB)

The consent zoning docket, consisting of agenda items 71-74, was presented for consideration.

A public hearing was called on zoning case Z090-237(RB), an application for and ordinance granting an amendment to the development plan and conditions for Planned Development District No. 543 for a Public school and R-7.5(A) Single Family District Uses, with Historic District Designation (H/53 and H/120) in an area generally bounded by Glasgow Drive, Reiger Avenue, Paulus Avenue, and Covington Lane

(The staff recommended Approval, subject to a development plan, traffic management plan, and conditions 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.

The following individual addressed the city council:

Michael Rodriguez, 6214 Covington

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28130

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0586

Item 72: Zoning Case Z090-239(WE)

The consent zoning docket, consisting of agenda items 71-74, was presented for consideration.

Councilmember Salazar requested that zoning consent item 72 be considered as an individual item. Mayor Leppert stated that zoning consent item 72 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

A public hearing was called on zoning case Z090-239(WE), an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District on the southeast corner of Marine Way and Stillwell Boulevard

(The staff and city plan commission recommended Approval)

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 Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0587

Item 73: Zoning Case Z090-244(RB)

The consent zoning docket, consisting of agenda items 71-74, was presented for consideration.

A public hearing was called on zoning case Z090-244(RB), an application for and an ordinance granting a Specific Use Permit for a Financial institution with drive-in window on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, located on the west corner of Riverfront Boulevard and Leslie Street

(The staff and city plan commission recommended Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan 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. 28131

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0588

Item 74: Zoning Case Z090-253(RB)

The consent zoning docket, consisting of agenda items 71-74, was presented for consideration.

A public hearing was called on zoning case Z090-253(RB), an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for a Potentially incompatible industrial use for Metal refining on the south line of Andjon Drive, west of Harry Hines Boulevard

(The staff 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 a Potentially incompatible industrial use for Metal refining 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.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NOS. 28132 AND 28133

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0589

Item 75: A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix of approximately 0.94 acres of the current 8.16 acres of land located at 7300 Valley View Lane within the floodplain of White Rock Creek; Fill Permit 10-01 - Financing No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0590

MISCELLANEOUS HEARINGS

Item 76: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Loshel Company located near the intersection of Lamar and Pine Streets and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Gold Metal Recyclers, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended Approval)

The Assistant City Secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

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

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

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 28134

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0591

Addendum addition 1: Ratify an emergency purchase of CRYOTECH E36® Liquid Runway Deicer (Potassium Acetate) and CRYOTECH NAAC® Solid Runway Deicer (Sodium Acetate - anhydrous) from Cryotech Deicing Technology which were used for deicing operations at Dallas Love Field and Executive Airport - Not to exceed \$139,009 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0592

Addendum addition 2: Authorize a six-month consultant contract for development of the Local Solid Waste Management Plan for Sanitation Services - HDR Engineering, Inc., most advantageous proposer of four - Not to exceed \$160,000 - Financing: Current Funds (\$80,000 to be reimbursed by the North Central Texas Council of Governments)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0593

Addendum addition 3: An ordinance abandoning a portion of an alley to Dallas Independent School District, the abutting owner, containing approximately 5,688 square feet of land located near the intersection of Garden Avenue and 2nd Avenue, authorizing the quitclaim and providing for the dedication of approximately 409 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28135

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0594

Addendum addition 4: An ordinance abandoning a portion of Hawes Street to GIC-1820, L.P., the abutting owner, containing approximately 362 square feet of land located near the intersection of Hawes Street and Mockingbird Lane and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28136

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0595

Addendum addition 5: An ordinance abandoning a portion of an alley to TGF Equities, LLC, 2705 Swiss Ave, John Martin Davis, Jr. and Stephen Earl Davis, the abutting owners, containing approximately 6,894 square feet of land located near the intersection of Cantegral Street and Swiss Avenue and authorizing the quitclaim - Revenue: \$179,244 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28137

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0596

Addendum addition 6: Authorize Supplemental Agreement No. 1 to the professional services contract with URS Corporation for additional design services on the 35% design plans for Charlie Pump Station, Delta Pump Station, Hampton Pump Station, Trinity-Portland Pump Station and Nobles Branch Culverts, to meet federal requirements of the Water Resources Development Act of 2007 - Not to exceed \$250,000, from \$3,600,000 to \$3,850,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0597

Addendum addition 7: Authorize Supplemental Agreement No. 3 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of the Jacobs Engineering Group, Inc., for additional design services on the Pavaho Pumping Station and Baker Pump Station to address Federal Emergency Management Agency (FEMA) and U.S. Army Corps of Engineers (USACE) requirements - Not to exceed \$2,145,000, from \$11,878,440 to \$14,023,440 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0598

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 8: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for 1400 Belleview located at 1401 Browder Street for the acquisition and new construction of the proposed 164-unit multifamily residential development for low income families - Financing: No cost consideration to the City

(The staff 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0599

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 9: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Brook Village Apartments located at 6852 Shady Brook Lane for the acquisition and rehabilitation of the proposed 213-unit multifamily residential development for low income families
- Financing: No cost consideration to the City

(The staff 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."

Councilmember Margolin moved to deny the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0600

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 10: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Champion Homes at Copperridge located at 5522 Maple Avenue for the acquisition and new construction of the proposed 200-unit multifamily residential development for mix income families
- Financing: No cost consideration to the City

(The staff 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0601

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 11: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Deaf Action Center located at 3115 Crestview Drive for the reconstruction of the proposed 36-unit multifamily residential development for low income families - Financing: No cost consideration to the City

(The staff 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0602

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 12: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for E2 Flats located at 211 North Ervay Street for acquisition and rehabilitation of the proposed 119-unit multifamily residential development for low income families - Financing: No cost consideration to the City

(The staff 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."

Councilmember Hunt moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0603

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 13: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Green Haus on the Santa Fe Trail located at 4611 East Side Avenue for the acquisition and new construction of the proposed 24-unit multifamily residential development for low income housing - Financing: No cost consideration to the City

(The staff 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0604

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 14: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Hatcher Square located at 4600 Scyene Road for the acquisition and new construction of the proposed 136-unit multifamily residential development for low income families - Financing: No cost consideration to the City

(The staff 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."

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0605

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 15: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Kleberg Commons located at 12700 Kleberg Road for the acquisition and new construction of the proposed 200-unit multifamily residential development for low income senior housing - Financing: No cost consideration to the City

(The staff 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."

Councilmember Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0606

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 16: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Peoples El Shaddai located at 2836 East Overton Road for the acquisition and rehabilitation of the proposed 100-unit multifamily residential development for low income families - Financing: No cost consideration to the City

(The staff 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."

Councilmember Davis moved to adopt the item.

Motion seconded by Councilmember Hill and Councilmember Salazar.

Later in the meeting, Mayor Pro Tem Caraway moved to reconsider the vote on the item to record his vote to deny the item.

Motion seconded by Councilmember Jasso and Councilmember Davis.

After further discussion, Mayor Leppert called the vote on Mayor Pro Tem Caraway's motion to reconsider the item to allow him to vote to deny the item.

Mayor Leppert declared the motion to reconsider the item was adopted. (Natinsky, Hunt absent when vote taken)

Mayor Pro Tem Caraway moved to deny the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0607

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 17: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Sphinx at Lawnview located at 4120 Lawnview Avenue for the acquisition and new construction of the proposed 120-unit multifamily residential development for low income senior housing - Financing: No cost consideration to the City

(The staff 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."

Councilmember Davis moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0608

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 18: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for St. Paul Apartments located at 1801 Young Street for the acquisition and new construction of the proposed 146-unit multifamily residential development for low income families - Financing: No cost consideration to the City

(The staff 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."

Deputy Mayor Pro Tem Medrano moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0609

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 19: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Tyler Street Manor located at 922 West Ninth Street for the acquisition and rehabilitation of the proposed 180-unit multifamily residential development for low income senior housing - Financing: No cost consideration to the City

(The staff 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."

Councilmember Jasso moved to postpone the item indefinitely.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 23, 2011

11-0610

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 20: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Veterans Place located at 4623 South Lancaster Road for the acquisition and new construction of the proposed 147-unit multifamily residential development for low income families - Financing: No cost consideration to the City

(The staff 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."

Councilmember Hill moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 23, 2011

EXHIBIT C