

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2011

11-2156

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR MICHAEL RAWLINGS, PRESIDING

PRESENT: [15] Rawlings, Jasso, Medrano, Griggs, Caraway (*9:05 a.m.), Hill, Alonzo, Davis (*9:11 a.m.), Atkins, Kadane, Allen, Koop, Greyson, Margolin, Hunt (*1:04 p.m.)

ABSENT: [0]

The meeting was called to order at 9:03 a.m.

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

The invocation was given by Thomas Kinkaid, Reverend, Church of the Incarnation.

Councilmember Koop led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 3:50 p.m.

Mayor

ATTEST:

Acting 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.**

9/14/2011 9:53:19 AM

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2157

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: Kirstem James, 10022 Robin Hill Ln.
REPRESENTING: Arts Community
SUBJECT: City Budget

SPEAKER: Roy Williams, 5881 Preston View Blvd.
REPRESENTING: 40 Acres and A Mule
SUBJECT: State of Redistricting Commission

SPEAKER: Jay Lorch, 11219 St. Judes Dr.
REPRESENTING: Office of Cultural Affairs
SUBJECT: Budget pertaining to the Arts

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

SPEAKER: Robert Ceccarelli, 5302 Harry Hines Blvd.
SUBJECT: Homelessness and Education

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
REPRESENTING: GOD
SUBJECT: Mayor & security assaulted me on 12-8-10

SPEAKER: Otis Fagan, 2247 Scotland Dr.
REPRESENTING: Clean & Environmental Justice
SUBJECT: West Dallas lead

SPEAKER: Carl McKenzie, 2741 Marsalis Ave.
SUBJECT: Family violence issues

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Agenda items 4, 5 and 18

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

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: R. A. W.
SUBJECT: Black history in Dallas

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J. B. Jackson, Jr. Institute
SUBJECT: 1965 Voting Rights Act

By general consensus of the city council, the rules were suspended in accordance with Section 6.3 of the Council Rules of Procedure to allow the following citizen to speak at the end of the meeting:

SPEAKER: Michael Peoples, 1818 Corsicana St.
REPRESENTING: The Peoples
SUBJECT: The Bridge Homeless Shelter

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2158

Item 1: Approval of Minutes of the August 10, 2011 City Council Meeting

Councilmember Kadane moved to adopt the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2159

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-67, and addendum addition consent agenda items 1-5, was presented for consideration.

Councilmember Margolin requested that consent agenda item 48 be considered as an individual item. Mayor Rawlings stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Councilmember Hill moved to adopt all items on the consent agenda with the exception of consent agenda item 48 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2160

Item 2: Authorize **(1)** a Passenger Facility Charge (PFC) Application No. 4 to the Federal Aviation Administration to provide funding for fourteen new capital improvement projects at Dallas Love Field; and **(2)** an amendment to the City's PFC Application No. 3 to allow additional PFC collections to fund four projects, previously approved by the FAA under application No. 3, the PFC will remain at the current rate of \$4.50 per enplaned passenger - Estimated Revenue: \$53,449,998

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2161

Item 3: Authorize **(1)** an Agreement For Donation and Assignment to accept EAN Holdings, LLC's donation and conveyance to the City of all rights, title and interest in those certain items of tangible personal property, and services to be incorporated in or used for the construction of improvements purchased by EAN Holdings, LLC as required under the EAN Holdings, LLC lease at Dallas Love Field; and **(2)** an amendment to the lease with EAN Holdings, LLC, to provide that the City will not recall all, or any portion of, the leased premises during the initial two years of the lease term and provide for rental rate escalations based on the consumer price index - Financing - No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2162

Item 4: Authorize a one-year master agreement for the purchase of park amenities - The Playwell Group, Inc. in the amount of \$192,653, Most Dependable Fountains, Inc. in the amount of \$101,881, Victor Stanley, Inc. in the amount of \$38,275, Adrite in the amount of \$29,610, Recreation Consultants of Texas in the amount of \$24,500 and Sybertech Waste Reduction Limited in the amount of \$8,233, lowest responsible bidders of seven - Total not to exceed \$395,152 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2163

Item 5: Authorize **(1)** a two-year master agreement for the purchase of fitness equipment - Comm-Fit L.P. in the amount of \$452,994, Body Works Fitness Equipment, Inc. in the amount of \$175,052 and Sport Supply Group, Inc. in the amount of \$16,755; **(2)** a two-year master agreement for the purchase of fitness equipment - Fitco Fitness Center Outfitters in the amount of \$200,000 through Buyboard, a Texas Local Government Purchasing Cooperative, and **(3)** a two-year service contract for repair of fitness equipment for Police, Fire and Equipment and Building Services facilities - Leah A. Wheeler dba Service First in the amount of \$34,810, lowest responsible bidders of four - Total not to exceed \$879,611 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2164

Item 6: Authorize a three-year master agreement for parts, support and upgrades for the Supervisory Control and Data Acquisition and the Automated Local Evaluation in Real Time System for monitoring and control of flood incidents - HSQ Technology, A Corporation in the amount of \$108,750 and HydroLynx Systems, Inc. in the amount of \$52,125, lowest responsible bidders of two - Total not to exceed \$160,875 - Financing: Stormwater Drainage Management Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2165

Item 7: Authorize a three-year master agreement for the purchase of pedestrian street light structures - Wesco Distribution, Inc., lowest responsible bidder of three - Not to exceed \$365,500 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2166

Item 8: Authorize a three-year master agreement for the purchase of temporary traffic signs, permanent sign posts and installation hardware - Allied Tube & Conduit in the amount of \$196,980, Centerline Supply, LTD in the amount of \$176,251, HD Supply Facilities Maintenance LTD dba USA Bluebook in the amount of \$57,720, Custom Products Corp. in the amount of \$23,680, DYNA Engineering, LTD in the amount of \$20,181, Pathmark Traffic Products of Texas, Inc. in the amount of \$3,840 and Roadrunner Traffic Supply, Inc. in the amount of \$225, lowest responsible bidders of nine - Total not to exceed \$478,877 - Financing: Current Funds (\$335,778) and Water Utilities Current Funds (\$143,099)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2167

Item 9: Authorize **(1)** a three-year master agreement for original equipment manufacturer parts to repair and maintain City vehicles and equipment - Metro Fire Apparatus Specialists, Inc. in the amount of \$351,500, Waterblasting Technologies, Inc. in the amount of \$310,700, Carl M. Wells, Inc. dba Action Suzuki in the amount of \$135,000, Friendly Chevrolet LTD in the amount of \$120,000, Park Cities Ford in the amount of \$110,000, Quality Fire Truck Parts, LLC in the amount of \$81,000, Kirby-Smith Machinery, Inc. in the amount of \$10,140 and Witch Equipment Co., Inc. in the amount of \$5,100; and **(2)** a three-year service contract for repair of City vehicles and equipment - Southwest International Trucks, Inc. in the amount of \$1,159,350, Friendly Chevrolet LTD in the amount of \$746,740, Industrial Power Isuzu Truck, Inc. in the amount of \$190,000, Texas Kenworth in the amount of \$150,660, Trash Truck Repair Service in the amount of \$26,000, Carl M. Wells, Inc. dba Action Suzuki in the amount of \$23,000, Bartholow Rental Company dba Barco Pump Co. in the amount of \$19,185, Landmark Equipment Co., Inc. in the amount of \$2,050 and Equipment Southwest, Inc. in the amount of \$1,900, lowest responsible bidders of fifteen - Total not to exceed \$3,442,325 - Financing: Current Funds (\$3,141,125) and Aviation Current Funds (\$301,200) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2168

Item 10: Authorize **(1)** rescinding the purchase of one regenerative air type sweeper with Texan Waste Equipment dba Heil of Texas, previously approved on June 22, 2011, by Resolution No. 11-1660; and **(2)** the purchase of one regenerative air type sweeper - Industrial Disposal Supply Company, Ltd., lowest responsible bidder of three - Not to exceed \$106,725 - Financing: Aviation Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2169

Item 11: Authorize settlement of the lawsuit styled Eldora Smith v. City of Dallas, Cause No. 10-02168-E - Not to exceed \$17,500 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2170

Item 12: Authorize Supplemental Agreement No. 1 to the professional services contract with Cathy E. Bennett & Associates, Inc. for additional consulting services in the lawsuit styled Doug Moore v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2171

Item 13: An ordinance amending Chapter 7 of the Dallas City Code to provide for reduced adoption fees for dogs and cats adopted from animal services under certain circumstances - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28335

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2172

Item 14: Ratify the purchase of janitorial services at City Hall and various locations - CTJ Maintenance, Inc. and Andrew's Building Service, Inc. - Not to exceed \$508,265 - Financing: Current Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2173

Item 15: Authorize payment to the Dallas County Community College District in the amount of \$172,000 and the University of Texas Southwestern Medical Center at Dallas in the amount of \$163,060 for mandatory Emergency Medical Services training of emergency medical technicians (EMT) basic level and paramedics advanced level for the period October 1, 2011 through September 30, 2012 - Total not to exceed \$335,060 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2174

Item 16: Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for the required services of a Medical Director for the period October 1, 2011 through September 30, 2012 - Not to exceed \$152,472 - Financing: Current Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2175

Item 17: Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic and emergency medical technician-Basic personnel for the period September 1, 2011 through August 31, 2012 - Not to exceed \$425,602 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2176

Item 18: Authorize a 10-year lease agreement with the County of Dallas for approximately 10,854 square feet of office space in the Dallas County Health and Human Services building located at 2377 North Stemmons Freeway, fourth floor, to be used as a Women, Infants and Children clinic office, call center, and regional training center for the period September 1, 2011 through August 31, 2021 - Total not to exceed \$1,492,371 - Financing: Department of State Health Services Grant Funds (subject to appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2177

Item 19: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Frazier Revitalization, Inc. for the construction of affordable houses; **(2)** the sale of four vacant lots from Dallas Housing Acquisition and Development Corporation to Frazier Revitalization, Inc.; **(3)** the exchange of deed restrictions from one lot proposed to be purchased from the Land Bank located at 4527 Imperial Street to one comparable lot owned by the developer located at 3729 Marshall Street; and **(4)** execution of a release of lien for any non-tax liens that may have been filed by the City (list attached) - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2178

Item 20: Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2179

Item 21: Authorize **(1)** a public hearing to be held October 26, 2011 to receive comments on the proposed City of Dallas FY 2011-12 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, **(2)** consideration of approval of the City of Dallas FY 2011-12 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2180

Item 22: Authorize the conveyance of a perpetual drainage and slope easement for improvements related to a roadway bridge replacement project to the City of Fort Worth on 2,607 square feet of land owned by both the City of Dallas and the City of Fort Worth located in the boundaries of the Dallas/Fort Worth International Airport (“Airport”) - Financing: No cost consideration to the City of Dallas

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2181

Item 23: Authorize **(1)** rejection of proposals received on August 26, 2010 for interior renovation, expansion, and HVAC system replacement at Beckley Saner Recreation Center; and **(2)** a contract for interior renovation and expansion, roof replacement and HVAC replacement at Beckley Saner Recreation Center located 114 West Hobson Avenue - J.C. Commercial, Inc., best value proposer of thirteen - Not to exceed \$2,211,810 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2182

Item 24: Authorize a contract for expansion and interior renovation at Harry Stone Recreation Center located at 2403 Millmar Drive - MCC and Associates, Inc., best value proposer of ten - Not to exceed \$1,624,516 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2183

Item 25: Authorize a contract for interior renovation and roof replacement at Campbell-Green Recreation Center located at 16600 Park Hill Drive - RoeschCo Construction, Inc., best value proposer of three - Not to exceed \$556,000 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2184

Item 26: Authorize a contract for restoration of the existing pavilion, parking lot improvements and site furnishings at Hamilton Park located at 12225 Willowdell Drive and interior renovation, roof replacement, renovation of open-air gymnasium, and parking lot improvements at Willie B. Johnson Recreation Center located at 12225 Willowdell Drive - C.D. Henderson Construction Group, LLC, best value proposer of ten - Not to exceed \$1,095,100 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2185

Item 27: Authorize a professional services contract with Freese and Nichols, Inc. for consulting services to include a survey of existing conditions, physical hydraulic model, analysis, coordination, and report for the Trinity Standing Wave (The Dallas Wave) located at 1900 East Eighth Street - Not to exceed \$76,648 - Financing: 2006 Bond Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2186

Item 28: Authorize a net decrease in the contract with J.C. Commercial, Inc. for a credit for the gymnasium floor at Kleberg-Rylie Recreation Center located at 1515 Edd Road - Not to exceed (\$32,163), from \$1,118,072 to \$1,085,909 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2187

Item 29: Authorize a net decrease in the contract with Prime Construction Company for a credit for the gymnasium floor, the addition of kitchen appliances, room signage, and other miscellaneous changes at Lake Highlands North Recreation Center located at 9940 White Rock Trail - Not to exceed (\$32,104), from \$725,220 to \$693,116 - Financing: 2003 Bond Funds (-\$31,477) and 2006 Bond Funds (-\$627)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2188

Item 30: Authorize an increase in the contract with Hasen Design Build and Development dba Hasen Construction Services for the replacement of non-ADA compliant pedestrian bridges, connecting sidewalks, rain garden, and other miscellaneous work at Lakewood Park located at 7000 Williamson Road - Not to exceed \$148,156, from \$691,390 to \$839,546 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2189

Item 31: Authorize an increase in the contract with Riverway Contractors and Management, Inc. for modifications to the scope of work to include additional trail, ADA ramp and gabion wall, temporary wooden bridge, and demolition of an existing abandoned drinking fountain at Bachman Lake Park located at 3500 Northwest Highway - Not to exceed \$35,328, from \$692,263 to \$727,591 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2190

Item 32: Authorize an increase in the contract with Wadsworth Golf Construction Company for additions to include a retaining wall around the water tank, separate electrical service for the cart barn and maintenance yard, canopy and improvements to the clubhouse, changes to the cart path, low fence around portions of the perimeter of the golf course, retaining wall adjacent to hole number two, and a credit for staining creek bank stabilization walls at Stevens Park Golf Course located at 1005 North Montclair Avenue - Not to exceed \$467,260, from \$7,997,917 to \$8,465,177 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2191

Item 33: Authorize Supplemental Agreement No. 3 to the professional services contract with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation, for additional services to include revisions to the shoreline design of the pond, storm sewer system, revisions to the entry sign, parking lot alternative reconfiguration, pond overlook, and additional plan preparation, surveying, and platting required by City of Dallas Building Inspection for permitting approval at NorthBark Park located at 4899 Gramercy Oaks Drive - Not to exceed \$72,740, from \$177,030 to \$249,770 - Financing: 2006 Bond Funds (\$52,885) and Capital Gifts, Donation, and Development Funds (\$19,855)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2192

Item 34: Authorize **(1)** the City of Dallas to assume responsibility for operation and maintenance of State Highway 180 (Davis Street) from IH 35E to Loop 12 in Dallas; and **(2)** a request to the Texas Department of Transportation to remove State Highway 180 from IH 35E to Loop 12 from the State Highway System - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2193

**Medical District Drive from IH 35E
to Southwestern Medical Avenue**

Note: Item Nos. 35 and 36
must be considered collectively.

Item 35: Authorize (1) a Project Supplemental Agreement to the Master Interlocal Agreement with Dallas County for the preliminary design of paving and drainage improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue; and (2) payment for the City's share of preliminary design costs - Not to exceed \$720,000 - Financing: 2006 Bond Funds (\$80,000) and Capital Projects Reimbursement Funds (\$640,000)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2194

**Medical District Drive from IH 35E
to Southwestern Medical Avenue**

Note: Item Nos. 35 and 36
must be considered collectively.

Item 36: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Medical District Drive from IH 35E to Harry Hines Boulevard; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$14,276,490; **(3)** an increase in appropriations in the amount of \$14,276,490 in the Capital Projects Reimbursement Fund; and **(4)** payment to Texas Department of Transportation for engineering review and construction oversight costs - Not to exceed \$235,484 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2195

Item 37: Authorize an increase in the construction contract with Lee Lewis Construction, Inc. for the purchase of furniture to be used in the Upper Level D Meeting Room Project and recarpeting of meeting rooms at the Dallas Convention Center - Not to exceed \$1,010,387, from \$12,749,996 to \$13,760,383 - Financing: 2009 Convention Center Revenue Bonds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2196

Item 38: Authorize an increase in the contract with Texas Standard Construction, Ltd. for the construction of additional erosion control improvements for Erosion Control Group 06-800 (list attached) - Not to exceed \$34,238, from \$471,773 to \$506,011 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2197

Item 39: Authorize **(1)** an increase in the contract with JRJ Paving, L.P., for the construction of Katy Trail, Phase III from McCommas Street to Sandhurst Street in an amount not to exceed \$95,020, from \$809,298 to \$904,318; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$76,016; and **(3)** an increase in appropriations in the amount of \$76,016 in the Capital Projects Reimbursement Fund - Total not to exceed \$95,020 - Financing: 2003 Bond Funds (\$19,004) and Capital Projects Reimbursement Funds (\$76,016)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2198

Item 40: Authorize Supplemental Agreement No. 3 to the professional services contract with Pacheco Koch Consulting Engineers for additional engineering services for streetscape/urban design improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard - Not to exceed \$154,375, from \$354,035 to \$508,410 - Financing: 2006 Bond Funds (\$140,625) and Water Utilities Capital Improvement Funds (\$13,750)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2199

Item 41: Authorize an ordinance granting a franchise to United Recycling & Waste Disposal for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code - Estimated Annual Revenue: \$2,000

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28336

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2200

Item 42: Authorize acquisition of four easements containing a total of approximately 21,643 square feet of land from Auto Latin, Inc. located near the intersection of Walton Walker Boulevard and Keeneland Parkway for the Fire Station No. 50 Project - Not to exceed \$104,804 (\$102,804 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2201

Item 43: Authorize acquisition from Sorcey Mountain Creek Joint Venture of approximately 16,470 square feet of land located near the intersection of Sorcey and Daniieldale Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$52,410 (\$49,410 plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2202

Item 44: Authorize acquisition from Alan T. Cooperman of approximately five acres of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$419,500 (\$412,000 plus closing costs and title expenses not to exceed \$7,500) - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2203

Item 45: Authorize acquisition from American Fund US Investment LP of approximately 280 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$23,280 (\$21,280 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2204

Item 46: Authorize acquisition from American Fund US Investment LP of approximately 590 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$47,840 (\$44,840 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2205

Item 47: Authorize acquisition from American Fund US Investment LP of approximately 2,240 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$179,000 (\$176,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2206

Item 48: Authorize acquisition from American Fund US Investment LP of approximately 282 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$399,000 (\$395,000 plus closing costs and title expenses not to exceed \$4,000) - Financing: 2006 Bond Funds

Councilmember Margolin requested that consent agenda item 48 be considered as an individual item. Mayor Rawlings stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Margolin's request.

Later in the meeting, consent agenda item 48 was brought up for consideration.

Councilmember Hill moved to pass the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2207

Item 49: A resolution authorizing the conveyance of an easement containing approximately 300 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of construction and maintenance of electric facilities across City-owned land located near the intersection of Harry Hines Boulevard and Community Drive - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2208

Item 50: A resolution authorizing the conveyance of an easement containing approximately 6,446 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of construction and maintenance of electric facilities across City-owned land located near the intersection of Luther and Keeler Streets - Financing: No cost consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2209

Item 51: Authorize moving expense and replacement housing payments for Thomas Wurtz and Teresa Wurtz as a result of an official written offer of just compensation to purchase real property at 7010 Toland Street for the Fire Station No. 32 Project - Not to exceed \$34,443 - Financing: 2006 Bond Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2210

Item 52: An ordinance abandoning portions of a sanitary sewer easement, a public utilities easement and a garbage collection easement to Corporation of the Episcopal Diocese of Dallas, the abutting owner, containing approximately 43,560 square feet of land located near the intersection of Douglas and Colgate Avenues - Revenue: \$5,400 plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28337

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2211

Item 53: An ordinance granting a private license to W2007 MVP DALLAS, LLC for the use of approximately 94 square feet of land to install and maintain permanent lighting over a portion of Olive Street near its intersection with Live Oak Street
- Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28338

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2212

Item 54: An ordinance granting a revocable license to 7-Eleven, Inc. for the use of approximately 533 square feet of land to install and maintain two blade signs, five awnings and a handicap accessible entrance on and over portions of Elm Street near its intersection with Austin Street - Revenue: \$5,000 one-time fee and \$3,509 annually, plus the \$20 ordinance publication fee

Adopted as part of the consent agenda.

Assigned ORDINANCE NO. 28339

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2213

Item 55: Authorize acquisition from Rhadames Solano of an unimproved tract of land containing approximately 23 acres located on Elam Road near its intersection with Pemberton Hill Road for the Trinity River Corridor Project - Not to exceed \$256,671 (\$252,671 plus closing costs and title expenses not to exceed \$4,000) - Financing: 1998 Bond Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2214

Item 56: Authorize acquisition from Tony Burescia and Minta Burescia, Co-Trustees of the Burescia Family Revocable Trust, of an unimproved tract of land containing approximately 50 acres located on Elam Road near its intersection with Pemberton Hill Road for the Trinity River Corridor Project - Not to exceed \$436,610 (\$430,610 plus closing costs and title expenses not to exceed \$6,000) - Financing: 1998 Bond Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2215

Item 57: Authorize an Interlocal Agreement with the North Texas Municipal Water District (NTMWD) and Tarrant Regional Water District (TRWD) to jointly study the feasibility of constructing shared infrastructure to divert return flows from the Trinity River and deliver such flows to locations that benefit each of the parties - Not to exceed \$50,000 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2216

Item 58: Authorize an Interlocal Agreement with the Trinity River Authority, City of Houston, North Texas Municipal Water District, and the Tarrant Regional Water District to conduct a zebra mussel operations study - Not to exceed \$50,000 - Financing: Water Utilities Capital Construction Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2217

Item 59: Authorize a professional services contract with Corrpro Companies, Inc. to provide engineering services for corrosion prevention design for two priority water transmission pipeline locations - Not to exceed \$932,686 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2218

Item 60: Authorize a contract for the construction of a new influent pump station at the Central Wastewater Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of five - Not to exceed \$49,060,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2219

Item 61: Authorize a contract for the construction of the East Side Water Treatment Plant expansion to 540 million gallons per day - Part A, Stage IV Sedimentation Basins - BAR Constructors, Inc., lowest responsible bidder of seven - Not to exceed \$30,320,000 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2220

Item 62: Authorize a contract for the installation of water and wastewater mains at 32 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of six - Not to exceed \$7,129,087 - Financing: Water Utilities Capital Improvement Funds (\$7,113,855) and 2003 Bond Funds (\$15,232)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2221

Item 63: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for additional work associated with the installation of a 20-inch recycled water main extension from the Cedar Crest Golf Course to the Dallas Zoo, Phase 1 - Not to exceed \$594,115, from \$2,892,958 to \$3,487,073 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2222

Item 64: Authorize (1) Supplemental Agreement No. 1 to the professional services contract with Camp Dresser & McKee, Inc. in the amount of \$3,760,000, from \$5,640,000 to \$9,400,000 to continue the advertising campaign and media placement for the promotion and reinforcement of water conservation initiatives and grease abatement program for the period October 2011 through September 2013; and (2) an increase in appropriations in the amount of \$2,760,000 in the Water Conservation Program Fund - Not to exceed \$3,760,000 - Financing: Water Conservation Program Funds (\$2,760,000) (subject to annual appropriations) and Water Utilities Current Funds (\$1,000,000) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2223

Item 65: Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. for additional engineering services for the Elm Fork Water Treatment Plant pre-sedimentation basins - Not to exceed \$1,080,000, from \$1,656,493 to \$2,736,493 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2224

Item 66: Authorize Supplemental Agreement No. 2 to the professional services contract with Freese and Nichols, Inc. to provide construction administration and application engineering services required for the construction of a new influent pump station at the Central Wastewater Treatment Plant - Not to exceed \$1,554,226, from \$7,898,113 to \$9,452,339 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2225

Item 67: Authorize Supplemental Agreement No. 3 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the East Side Water Treatment Plant and the Bachman Water Treatment Plant - Not to exceed \$3,321,598, from \$9,614,948 to \$12,936,546 - Financing: Water Utilities Capital Improvement Funds

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2226

Item 68: 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 acting city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2011-2013 board term updated through August 24, 2011.

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

Councilmember Alonzo moved to appoint a nominee to an "individual appointment" position in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2013.

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

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

11-5185 MLK MARTIN LUTHER KING JR COMMUNITY CENTER BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2227

Item 69: Authorize a three-year master agreement for emergency and non-emergency lights, equipment and parts - GT Distributors, Inc. in the amount of \$1,220,000, Wistol Supply, Inc. in the amount of \$631,500, Lone Star Products and Equipment LLC, in the amount of \$302,000, Defender Supply LLC in the amount of \$89,000, Earl Owen Company in the amount of \$132,000 or \$395,000 and Midway Auto Supply, Inc. in the amount of \$263,000 or \$0 (**Tie Bids-Group 5**), lowest responsible bidders of nine - Total not to exceed \$2,637,500 - Financing: Current Funds (\$2,581,000) and Water Utilities Current Funds (\$56,500)

The acting city secretary was notified by the city manager there were two bids that resulted in identical bid amounts. In accordance with Section 271.901 of the Texas Local Government Code, the municipality must select one of those bidders by casting lots. The casting of lots must be in a manner prescribed by the mayor of the municipality and must be conducted in the presence of the governing body of the municipality.

The acting city secretary announced the names of the two tying bidders had been placed in separate plain envelopes for Mayor Rawlings to select one of the bidders. Mayor Rawlings selected one of the sealed envelopes and after opening one announced the winner to be Earl Owens Company, Group 5, \$263,000, total bid award amount of \$395,000.

Deputy Mayor Pro Tem Atkins moved to adopt the item and award the tie bid to Earl Owens Company, Group 5, \$263,000, total bid award amount of \$395,000.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2228

Item 70: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Milton Lloyd Hill and Audrey Janette Hill of a tract of land containing approximately 21,347 square feet located near the intersection of Interstate Highway 20 and Ravenview Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$124,212 (\$121,212 plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds **(Requires Record Vote)**

The acting city secretary announced the item requires a motion that the Council of the City of Dallas adopt the item and authorize the use of power of eminent domain to acquire a tract of land containing approximately 21,347 square feet of land located near the intersection of Interstate Highway 20 and South Beltline Road in City of Dallas Block 8834, and more fully described in Exhibit A of the proposed written resolution for this item, for the Southwest 120 and 96 inch Water Transmission Pipeline Project.

Deputy Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill.

After discussion, Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' motion to adopt the item:

Voting Yes: [14] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway, Hill,
Alonzo, Davis, Kadane, Allen, Koop, Greyson, Margolin
Voting No: [0]
Absent when vote taken: [1] Hunt

Mayor Rawlings declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2229

DESIGNATED PUBLIC SUBSIDY MATTERS

PFSweb, Inc.

Note: Item Nos. 71 and 72
must be considered collectively.

Item 71: Authorize a Chapter 380 economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program with Priority Fulfillment Service, Inc., a wholly-owned subsidiary of PFSweb, Inc., related to the relocation of its prime customer contact center to 1201 Elm Street, Dallas, Texas 75202 - Not to exceed \$300,000 - Financing: Public/Private Partnership 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 Rawlings 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 Deputy Mayor Pro Tem Atkins and Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2230

DESIGNATED PUBLIC SUBSIDY MATTERS

PFSweb, Inc.

Note: Item Nos. 71 and 72
must be considered collectively.

Item 72: Authorize an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating Priority Fulfillment Service, Inc., a wholly-owned subsidiary of PFSweb, Inc., located at 1201 Elm Street, Dallas, Texas 75202 to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Rawlings 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 Deputy Mayor Pro Tem Atkins and Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2231

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 73: Authorize an economic development grant pursuant to the Public/Private Partnership Program to Borden Dairy Company, related to the relocation of its shared services and support functions to Dallas - Not to exceed \$100,000 - Financing: Public/Private Partnership 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 Rawlings 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 Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2232

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 74: Authorize an economic development loan agreement pursuant to the Public/Private Partnership Program with 16th Ave. Holdings, LLC, related to the improvements to certain property located within the City of Dallas - Not to exceed \$230,000 - Financing: Public/Private Partnership 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 Rawlings 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 Griggs moved to postpone the item until the September 14, 2011 voting agenda meeting of the city council.

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

Later in the meeting, Councilmember Griggs moved to reconsider the vote on the item to record his amendment to the item.

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

Mayor Rawlings declared the motion to reconsider was adopted and that item 74 was before the city council for reconsideration.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-2232

Page 2

After discussion, Councilmember Griggs moved to amend the resolution to include the following changes:

- 1) 2% annual interest rate
- 2) Loan to be secured by the lease and personal guarantee to repay

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2233

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 75: Authorize **(1)** the first of four twelve-month renewal options to the contract with the Southern Dallas Development Corporation to administer the Community Development Block Grant (CDBG) Business Revolving Loan Program for the purpose of serving and making loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and **(2)** any unexpected balances of program income from prior contract years be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Rawlings 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 Atkins moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2234

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 76: A resolution authorizing (1) an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG), detailing project roles and responsibilities for a Sustainable Development Grant Program grant in the amount of \$100,000 in RTC local funds to be administered by NCTCOG, for the Skillman/LBJ Urban Planning Initiative Study; and (2) transfer of funds to NCTCOG from the Skillman Corridor TIF in the amount of \$25,000 serving as a local match, and return of any unused local match fund balance to the Skillman Corridor TIF - Not to exceed \$25,000 - Financing: Skillman Corridor TIF District Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Rawlings 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 Kadane moved to adopt the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2235

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 77-79, was presented for consideration.

Agenda item 77: Zoning Case Z101-243(RB)
Agenda item 78: Zoning Case Z101-247(MG)
Agenda item 79: Zoning Case Z101-259(MW)

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

The following individuals addressed the city council:

Audra Buckley, 2814 Main St., representing TX INTOWN HOMES, spoke on Item 78
Trina Triche, 1818 Corsicana St., spoke on Item 78

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2236

Item 77: Zoning Case Z101-243(RB)

The consent zoning docket, consisting of agenda items 77-79, was presented for consideration.

A public hearing was called on zoning case Z101-243(RB), an application for and an ordinance granting an amendment to Specific Use Permit No. 1140 for a Municipal Service Center on property zoned an MU-3 Mixed Use District, on both sides of Worcola Street, south of SMU Boulevard

(The staff and city plan commission recommended Approval, 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. 28340

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2237

Item 78: Zoning Case Z101-247(MG)

The consent zoning docket, consisting of agenda items 77-79, was presented for consideration.

A public hearing was called on zoning case Z101-247(MG), an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 357, the Farmer's Market Special Purpose District, on property bounded by Young Street, South Pearl Expressway, South Cesar Chavez Boulevard, and Marilla Street

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

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

The following individuals addressed the city council:

Audra Buckley, 2814 Main St., representing TX INTOWN HOMES
Trina Triche, 1818 Corsicana St.

Adopted as part of the consent zoning docket.

Assigned ORDINANCE NO. 28341

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2238

Item 79: Zoning Case Z101-259(MW)

The consent zoning docket, consisting of agenda items 77-79, was presented for consideration.

A public hearing was called on zoning case Z101-259(MW), an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store of less than 3,500 square feet on property zoned a CS-D-1 Commercial Services District with a D-1 Liquor Control Overlay on the northeast corner of C. F. Hawn Freeway and South Belt Line Road

(The staff and city plan commission recommended Approval, for a two-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 NO. 28342

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2239

Item 80: Zoning Case Z101-256(MG) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z101-256(MG), an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store of less than 3,500 square feet on property zoned a RR-D Regional Retail District with a D Liquor Control Overlay on the east line of South Hampton Road, northwest of Marvin D. Love Freeway

(The staff recommended Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions and city plan commission recommended Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year time period, subject to a site plan and conditions)

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

Arlinda Whitaker, 6644 Talbot Pkwy, representing Elderwoods Homeowners Association
Kermit Mitchell, 5659 Marblehead Dr., Vice President, Twin Oaks Neighborhood Association

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

Santos Martinez, 900 Jackson St., representing the applicant

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

Motion seconded by Councilmember Hunt.

After discussion, Mayor Rawlings called for a vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Caraway and Councilmember Davis voting "No."

Assigned ORDINANCE NOS. 28343 AND 28344

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2240

Item 81: Zoning Case Z101-169(JH) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z101-169(JH), an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of Jim Miller Road

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

Note: This item was considered by the City Council at a public hearing on June 22, 2011, and was taken under advisement until August 24, 2011, with the public hearing open.

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

Trina Triche, 1818 Corsicana St.

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

Santos Martinez, 900 Jackson St., representing the applicant

Councilmember Davis moved to close the public hearing, adopt the recommendation of the city plan commission with the following change:

- Approval for two-year period without automatic renewal

and pass the ordinance.

Motion seconded by Councilmember Caraway and unanimously adopted.

Assigned ORDINANCE NO. 28345

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2241

Item 82: Zoning Case Z101-211(JH) - DESIGNATED ZONING CASES - INDIVIDUAL

A public hearing was called on zoning case Z101-211(JH), an application for a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) for a bowling alley on property zoned Planned Development District No. 842 for CR Community Retail District uses, on property bounded by Greenville Avenue, Lewis Street, Hope Street, and La Vista Court

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2242

Item 83: Zoning Case Z101-213(MW) - DESIGNATED ZONING CASES - INDIVIDUAL

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

A public hearing was called on zoning case Z101-213(MW), an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant with drive-in or drive-through service on property zoned a RR-D Regional Retail District with a D Liquor Control Overlay on the east line of South Hampton Road, northwest of Marvin D. Love Freeway

(The staff recommended Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions and city plan commission recommended Denial)

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

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

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

Kermit Mitchell, 5659 Marblehead Dr., representing Twin Oaks Neighborhood Association

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-2242

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

Santos Martinez, 900 Jackson St., representing the applicant

Dallas Cothrum, 900 Jackson St., representing the applicant

Councilmember Hill moved to close the public hearing, adopt the recommendation of staff to change the D overlay to a D-1 overlay and approve the Specific Use Permit with the ordinances to come back on the September 14, 2011 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Atkins and Councilmember Margolin.

After discussion, Mayor Rawlings called for a vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Caraway voting "No." (Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2243

DESIGNATED ZONING CASES – INDIVIDUAL

Item 84: A public hearing was called on zoning case Z101-264(MW), an application and an ordinance granting the creation of a new subdistrict within the Downtown Special Provision Sign District, in an area generally bounded by R.L. Thornton Freeway, Hotel Street, Jefferson Boulevard Viaduct/Market Street, Jackson Street and Wood Street, and Akard Street t

(The staff and city plan commission recommended Approval)

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

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

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

Mayor Pro Tem Medrano moved to close the public hearing, adopt the recommendation of the city plan commission with the following changes:

1. Define the convention center complex as the convention center and buildings attached to the convention center, including a convention center hotel; and
2. Allow the convention center complex to have accent lighting consisting of LED or similar technology that changes colors and brightness that displays images, symbols, logos, or words associated with an event taking place at the convention center complex or within the Downtown Special Provision Sign District.

and pass the ordinance.

Motion seconded by Councilmember Jasso and Councilmember Hunt.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-2243

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After discussion, Mayor Rawlings called for a vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Greyson voting "No."

Assigned ORDINANCE NO. 28346

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2244

DESIGNATED ZONING CASES – INDIVIDUAL

Item 85: A public hearing to receive comments regarding an application for and an ordinance granting amendments to the Downtown Special Provision Sign District, Section 51A-900 of the Dallas City Code, to amend the requirements for construction barricade signs, district activity videoboard signs and supergraphic wallscape signs in an area generally bounded by Woodall Rodgers Freeway, Interstate 45/US 75, Interstate 30/R. L. Thornton Freeway and Interstate 35/Stemmons Freeway

(The staff and city plan commission recommended Approval)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Rawlings 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:

Jim Wood, 2200 Ross Ave., representing Downtown Dallas Inn

Councilmember Hunt moved to close the public hearing, adopt the recommendation of the city plan commission with the following change:

- No videoboards and no supergraphic signs are permitted on building facades that face Main Street Garden or Belo Garden.

and pass the ordinance.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Greyson.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-2244

Page 2

After discussion, Mayor Rawlings called for a vote on the motion.

Mayor Rawlings declared the motion adopted on a divided vote, with Councilmember Caraway voting "No."

Assigned ORDINANCE NO. 28347

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2245

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

Item 86: Zoning Case Z101-199(MW)

A public hearing was called on zoning case Z101-199(MW), an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the ~~northeast side of Maple Avenue, southwest of Inwood Road~~ east side of Maple Avenue between Inwood Road and Butler Street

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

Note: This item was considered by the City Council at a public hearing on August 10, 2011, and was taken under advisement until August 24, 2011, with a public hearing open.

Corrected on the addendum to the agenda.

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 Rawlings read the following certification into the record:

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

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

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

Suzan Kedron, 901 Main St., representing the applicant

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

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

Assigned ORDINANCE NO. 28348

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2246

Item 87: Zoning Case Z089-163(MD) - DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z089-163(MD), a City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District in an area generally bounded by Plymouth Road, Atlantic Street and Hampton Road with consideration given to and an ordinance granting a Conservation District

(The staff and city plan commission recommended Approval of the Conservation District and approval of the Conceptual Plan)

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

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

Councilmember Jasso moved to continue the public hearing and hold under advisement until the September 28, 2011 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2247

Item 88: Zoning Case Z101-146(JH) - DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

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

A public hearing was called on zoning case Z101-146(JH), an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of greater than 3,500 square feet on property zoned Subdistrict 1 within Planned Development District No. 366 with a D Liquor Control Overlay, at the northwest corner of South Buckner Boulevard and Cordell Drive

(The staff recommended Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use of greater than 3,500 square feet for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions and city plan commission recommended Denial)

Note: This item was considered by the City Council at public hearings on May 25 and June 22, 2011, and was taken under advisement until August 24, 2011, with the public hearing open.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-2247

Page 2

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

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

Dallas Cothrum, 900 Jackson St., representing the applicant

Councilmember Caraway moved to close the public hearing, adopt the recommendation of staff with the ordinance to come back on the September 14, 2011 voting agenda meeting of the city council with no automatic renewal.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

MISCELLANEOUS HEARING

11-2248

Item 89: A public hearing to receive comments on the proposed FY 2011-12 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Ernest Mason, 1900 S. Ewing Ave., representing Dallas Youth Council

Trina Triche, 1818 Corsicana St.

Essie Reed, 1025 Pinedale Ln., representing Senior Source The Aged

Frances Rizo, 3910 Harry Hines Blvd., representing Senior Citizens – The Senior Source

Jearldine McDaniels, 2515 Sylvan, representing Senior Affairs Commission

Gwain Wooten, 1000 Grigsby Ave., representing R. A. W.

John VanBuskirk, 2450 Wildoak Dr., representing Friends of the Dallas Public Library

Tim Keeney, 3515 Indianola St., representing Mechanics at Parkdale I. C. Harris Service Center

Claire Turner, 5811 Mercedes Ave., representing Senior Employment Program

Ralph Blackburn, 12519 Matisse Ln., representing Dallas Area Cultural Advocacy Coalition

Oleavia Holmes, 1619 Vail Meadow Ln., representing senior citizen

Councilmember Caraway moved to close the public hearing.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

Closed Session [**11-2249**]

6ES

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

- Doug Moore v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O

At 9:34 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Doug Moore v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O

Mayor Rawlings reconvened the city council meeting after the closed session at 1:04 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2250

Addendum addition 1: Authorize a five-year service contract for access to a web-based applicant tracking system utilized by Human Resources for the new hire process and the City Secretary's Office for Boards and Commissions - Governmentjobs.com dba NeoGov, Inc. - Sole Source - Not to exceed \$382,572 - Financing: Current Funds (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2251

Addendum addition 2: Authorize Supplemental Agreement No. 1 to increase the service contract with Federal Signal Corporation to acquire, install and maintain eight additional sirens for the upgrade and expansion of the outdoor warning system sirens citywide through June 30, 2014 - Not to exceed \$180,888, from \$2,683,410 to \$2,864,298 - Financing: 2006 Bond Funds (\$135,666) and Urban Area Security Initiative Grant Funds (\$45,222) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2252

Addendum addition 3: Authorize **(1)** an amendment to Dallas Water Utilities' Ordinance No. 25714, approved on August 25, 2004 and previously amended on August 27, 2008, to amend the Credit Agreement with Bank of America, N.A. to extend the term of the agreement for an additional three-year period from September 28, 2011 through September 30, 2014 and add JPMorgan Chase Bank N.A. to the Credit Agreement for the City of Dallas, Texas Waterworks and Sewer System Series B short-term obligations in an aggregate principal amount not to exceed \$200,000,000; and **(2)** an amendment to Dallas Water Utilities' Ordinance No. 25715, approved on August 25, 2004 and previously amended on August 27, 2008, to amend the Credit Agreement with Bank of America, N.A. to extend the term of the agreement for an additional three-year period from September 28, 2011 through September 30, 2014 and add JPMorgan Chase Bank N.A. to the Credit Agreement for the City of Dallas, Texas Waterworks and Sewer System Series C short-term obligations in an aggregate principal amount not to exceed \$100,000,000 - Total not to exceed \$6,407,358 - Financing: Water Utilities Current Funds (\$299,500 upfront closing costs plus annual fee of \$2,035,953 for a total 3-year cost of \$6,407,358) (subject to annual appropriations)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2253

Addendum addition 4: Authorize an increase in the contract with Rogers-O'Brien Construction Company, Ltd. for the redesign of the wastewater and water main line utility system for additional work to include additional utility costs for water, wastewater and dual containment high-density polyethylene pipes, gaskets, fittings, and embedment; and the extension of the water and wastewater lines to Spangler Road as required by DWU; and additional conduits, sleeving, and trenching to bury utilities at Elm Fork Athletic Complex located at the 2100 Walnut Hill Lane - Not to exceed \$422,428, from \$15,289,695 to \$15,712,123 - Financing: 2006 Bond Funds (\$273,620) and Water Utilities Capital Improvement Funds (\$148,808)

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2254

Addendum addition 5: Authorize Quitclaim of Collection to the Museum of the
American Railroad at Fair Park - Financing - No cost
consideration to the City

Adopted as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 24, 2011

11-2255

DESIGNATED PUBLIC SUBSIDY MATTERS

Addendum addition 6: A resolution consenting to the City of Irving entering into two, nine-year Chapter 380 economic development grant agreements with Aviall Services, Inc. providing incentives in an amount equal to: **(1)** 40 percent of the taxes paid on incremental business personal property; and **(2)** 100 percent of taxes paid on "Freeport" eligible personal property inventory associated with the company operating a warehouse/distribution center at 2700 Regent Boulevard, Dallas/Fort Worth International Airport, Texas 75261 - Financing: No cost consideration to the City

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Rawlings 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 Atkins moved to adopt the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2011

EXHIBIT C