

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2007

07-3270
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis,
Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

ABSENT: [0]

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

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

The invocation was given by Dr. Jerry I. Christian, Kirkwood Temple Christian Methodist Episcopal Church.

Deputy Mayor Pro Tem Caraway 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 3:15 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3271

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: Sean Paul Segura, 803 W. Davis
REPRESENTING: Community
SUBJECT: Unjust attempts to stop minority development and job creation in the southern section of Dallas

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

SPEAKER: William Hopkins, 2011 Leath
SUBJECT: Racism against Southwest District Police Substation

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Corrupt Dallas Police Officer, Criminal Justice System, past DA Prosecuting Attorney, Code Compliance Supervisor, and Dallas is a racist city

SPEAKER: Gwain Wooten, 4625 Bryan St.
REPRESENTING: CELF
SUBJECT: Are African Americans protected under the Constitution of the United States of America

SPEAKER: Frank Ward III, P. O. Box 50694
REPRESENTING: Community At Large
SUBJECT: Revelations, restitution, the trade for a river toll bridge. It took all kinds. Sold out and cover-up.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3272

Item 1: Approval of Minutes of the October 24, 2007 City Council Meeting

Councilmember Neumann moved to approve the minutes.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3273

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-59 and addendum addition consent agenda items 1-12, were presented for consideration.

The city secretary announced Councilmember Salazar deferred consideration of consent agenda items 16 and 44 until the next voting meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Mayor Pro Tem Garcia moved to suspend the rules in accordance with Subsection 7.11, of Council Rules of Procedures that allowed Councilmember Salazar to defer consideration of consent agenda item 44 until the next voting meeting of the council and request that consent agenda item 44 be held for further discussion.

Motion seconded by Deputy Mayor Pro Tem Caraway.

After discussion, Mayor Leppert called the vote on the motion to suspend the rules.

Mayor Leppert declared the motion adopted. (Salazar, Koop, Hunt absent when vote taken)

Mayor Pro Tem Garcia requested that consent agenda items 39 and 40 be considered as individual items. Mayor Leppert stated that consent agenda items 39 and 40 be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia s request.

Deputy Mayor Pro Tem Caraway requested that consent agenda item 13 be considered as an individual item. Mayor Leppert stated that consent agenda item 13 be considered as an individual item later in the meeting, there being no objection voiced Deputy Mayor Pro Tem Caraway's request.

Councilmember Davis requested that consent agenda items 13, 52 and 56 be considered as individual items. Mayor Leppert stated that consent agenda items 13, 52 and 56 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Davis' request.

Councilmember Atkins requested that addendum addition consent agenda item 12 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 12 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-3273

Page 2

Councilmember Rasansky requested that consent agenda items 2, 18, 23, 26, 32, 33, 37, 43, 48 and addendum addition consent agenda items 4, 7, 10 and 11 be considered as individual items. Mayor Leppert stated that consent agenda items 2, 18, 23, 26, 32, 33, 37, 43, 48 and addendum addition consent agenda items 4, 7, 10 and 11 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda items 2, 13, 16, 18, 23, 26, 32, 33, 37, 39, 40, 43, 44, 48, 52, 56, and addendum addition consent agenda items 4, 7, 10, 11 and 12 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3274

Item 2: Authorize a forty-eight-month master agreement for hats, caps, and accessories for the Dallas Police Department - C & G Police Supply dba C & G Wholesale in the amount of \$67,500, and GST Public Safety Supply, LLC. in the amount of \$14,628, lowest responsible bidders of two - Total not to exceed \$82,128 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 2 be considered as an individual item. Mayor Leppert stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 2 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3275

Item 3: Authorize a forty-eight-month master agreement for law enforcement equipment, such as holsters, handcuffs and batons for the Dallas Police Department - C & G Police Supply dba C & G Wholesale, lowest responsible bidder of five - Not to exceed \$904,770 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3276

Item 4: Authorize a thirty-six-month master agreement for fasteners - D.F. Sales, lowest responsible bidder of five - Not to exceed \$584,259 - Financing: Water Utilities Current Funds (\$455,620), Current Funds (\$128,639)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3277

Item 5: Authorize a thirty-six-month master agreement for water meter access hatches for the Dallas Water Utilities - U.S.F. Fabrication, Inc., only bidder - Not to exceed \$556,003 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3278

Item 6: Authorize a thirty-six-month professional services contract, with three additional twelve-month renewal periods at the City's option, for the registration of City departments to the International Organization for Standardization 9001, 14001 and Occupational Health and Safety Management Systems 18001 - Bureau Veritas Certification North America, most advantageous proposer of four - Not to exceed \$999,550 - Financing: Current Funds (\$352,000), Water Utilities Current Funds (\$15,000), Current Funds (\$632,550) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3279

Item 7: Authorize a twelve-month master agreement for submersible pumps - Hertz Service Pump & Compressor in the amount of \$57,800, and DXP Enterprises, Inc. in the amount of \$61,466, lowest responsible bidders of three - Total not to exceed \$119,266 - Financing: Current Funds (\$4,940), Water Utilities Current Funds (\$114,326)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3280

Item 8: Authorize the purchase of remote control terminal units and parts for Dallas Water Utilities major pump facilities and meter vaults - QEI, Inc., Sole Source - Not to exceed \$207,610 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3281

Item 9: Authorize a thirty-six-month master agreement for clamps, couplings and sleeves for the installation and repair of water mains - Municipal Water Works Supply, L.P. in the amount of \$504,257, National Water Works, Inc. dba HD Supply Waterworks, LTD, Inc. in the amount of \$95,151, and I-EUL dba Ferguson, Inc. in the amount of \$80,587, lowest responsible bidders of three - Total not to exceed \$679,995 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3282

Item 10: Authorize a thirty-six-month master agreement for electrical supplies to be used in new construction, maintenance and repairs at various City facilities - Summit Electric Supply in the amount of \$3,967,800, and Wesco Distribution in the amount of \$1,322,600, lowest responsible bidders of four - Total not to exceed \$5,290,400 - Financing: Water Utilities Current Funds (\$2,860,277), Current Funds (\$2,430,123)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3283

Item 11: Authorize a thirty-six-month master agreement for janitorial supplies to be used at various departments - Eagle Brush and Chemical, Inc., lowest responsible bidder of nine - Not to exceed \$523,142 - Financing: Current Funds (\$131,391), Water Utilities Current Funds (\$315,323), Aviation Current Funds (\$46,670), Convention and Event Services Current Funds (\$29,758)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3284

Item 12: Authorize a thirty-six-month master agreement for pump parts for existing equipment operated by the City - Master Pumps & Equipment in the amount of \$71,240, and Pierce Pump Co. LP in the amount of \$63,700, lowest responsible bidders of three - Total not to exceed \$134,940 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3285

Item 13: Authorize a thirty-six-month parking concession contract, with two twelve-month renewal options, for parking services at Fair Park - Parking Company of America, most advantageous bidder of three - City will receive 82.25% of gross revenues, less sales tax - Estimated Annual Revenue: \$227,666

Deputy Mayor Pro Tem Caraway and Councilmember Davis requested that consent agenda item 13 be considered as an individual item. Mayor Leppert stated that consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway and Councilmember Davis' request.

Later in the meeting, agenda item 13 was brought up for consideration.

Councilmember Davis move to defer the item until November 28, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins.

After discussion, Councilmember Rasansky moved to substitute for Councilmember Davis' motion to refer the item to the November 26, 2007 meeting of the Finance, Audit, and Accounting Council Committee.

Motion seconded by Councilmember Atkins.

Councilmember Davis withdrew her original motion to defer the item until November 28, 2007 voting agenda meeting of the city council.

After discussion, Mayor Leppert called the vote on Councilmember Rasansky's substitute motion.

Mayor Leppert declared the motion unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3286

Item 14: Authorize a thirty-six-month service contract for janitorial services at nine Park and Recreation sites - Cleaning Solutions Janitorial Service, lowest responsive bidder of seven - Not to exceed \$327,600 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3287

Item 15: Authorize a thirty-six-month service contract for janitorial services at ten Women, Infants and Children locations - Service Master Building Services, lowest responsible bidder of twelve - Not to exceed \$269,964 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3288

Item 16: Authorize a thirty-six-month service contract for janitorial services at the Dallas Convention Center, Reunion Arena and Farmers Market - Andrew's Building Service, Inc., lowest responsive bidder of seven - Not to exceed \$13,731,475 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

The city secretary announced Councilmember Salazar had deferred consideration of consent agenda items 16 until the next voting meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3289

Item 17: Authorize the purchase of two mobile emergency generators with trailers to be used by Dallas Water Utilities - National Electrical Systems, Inc., lowest responsible bidder of two - Not to exceed \$1,462,429 - Financing: USHS-Law Enforcement and Public Safety Equipment and Training Grant Funds (\$1,000,000), Water Utilities Capital Construction Funds (\$462,429)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3290

Item 18: Authorize **(1)** rescinding the sixty-month master agreement with Liberty Energy LLC, previously approved on August 22, 2007 by Resolution #07-2338, for Jet "A" fuel; and, **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 18 be considered as an individual item. Mayor Leppert stated that consent agenda item 18 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 18 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3291

Item 19: A resolution authorizing the rejection of a bid received from JS Funding, Ltd. for tax foreclosure property located at 4509 Luzon Street and its re-advertisement for sale - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3292

Item 20: Authorize acquisition, from Neal & FM548-1076 (Mann 1100), LLLP, and Terrell 400 CR250, LLLP, of approximately 26 acres of land in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3293

Item 21: Authorize settlement in lieu of proceeding with condemnation for a tract of land containing approximately 43,560 square feet from Steven L. Robertson and B. Lynn Robertson improved with a single-family residence located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$266,065 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3294

Item 22: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 9 properties improved with single family homes and 2 vacant lots in the Cadillac Heights neighborhood near the intersection of Cedar Crest and Kiest Boulevards for the proposed Dallas Police Academy (list attached) - \$400,600 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3295

Item 23: Authorize the quitclaim of 15 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$236,996

Councilmember Rasansky requested that consent agenda item 23 be considered as an individual item. Mayor Leppert stated that consent agenda item 23 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 23 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3296

Item 24: An ordinance abandoning a portion of a utility easement to Watermark Community Church, the abutting owner, containing approximately 2,570 square feet of land located near the intersection of I.H. 635 and Park Central Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26989.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3297

Item 25: An ordinance adopting a boundary adjustment agreement with the City of University Park on property located north of Northwest Parkway between Hillcrest Road and Airline Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26990.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3298

Item 26: An ordinance amending the Project Plan and Reinvestment Financing Plan for Tax Increment Financing Reinvestment Zone Number Five ("City Center TIF District") in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to **(1)** shift funds among budget categories by decreasing Streetscape/Pedestrian Linkages/Lighting/Streetlight Upgrades in the amount of (\$160,402) and increasing the Plan Implementation/Administration category in the amount of \$160,402, and **(2)** update Exhibit F and associated text of the Project Plan and Reinvestment Financing Plan, to reflect the changes in the base year value and increment projections - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 26 be considered as an individual item. Mayor Leppert stated that consent agenda item 26 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 26 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26991.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3299

Item 27: Authorize a public hearing to be held on November 28, 2007 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 68 located at property north of Interstate 20 and east of Mountain Creek Parkway; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 68; and **(2)** a 75 percent real property tax abatement for seven years with Medline Industries, Inc. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3300

Item 28: Authorize a secured, no interest, forgivable loan agreement with Legacy Counseling Center, Inc., to provide for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street for the period October 1, 2007 through September 30, 2008 - Not to exceed \$6,734 - Financing: 2007-08 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3301

Item 29: Authorize a secured, no interest, forgivable loan agreement with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, to provide for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue for the period October 1, 2007 through September 30, 2008 - Not to exceed \$29,706 - Financing: 2007-08 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3302

Item 30: Authorize **(1)** the discharge of the secured, no-interest, forgivable note with Goodwill Industries of Dallas, Inc. in the amount of \$200,000; and **(2)** the release of lien on real property located at the corner of Singleton and Westmoreland, Lots 1-6, Part of Block 7135 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3303

Item 31: Authorize a contract for the replacement of the heating, ventilation, and air conditioning system at Jaycee Zaragoza Recreation Center located at 3114 Clymer Street - American Mechanical Services of Texas, LLC, lowest responsible bidder of two - \$106,571 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3304

Item 32: Authorize acquisition of a vacant lot at 2444 Starks Avenue and a parcel improved with a vacant single-family residence at 2453 Starks Avenue for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$44,000 including estimated closing costs - Financing: 2002-03 Community Development Grant Funds (\$22,000); 2006-07 Community Development Grant Reprogramming Funds (\$22,000)

Councilmember Rasansky requested that consent agenda item 32 be considered as an individual item. Mayor Leppert stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 32 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3305

Item 33: Authorize an economic development loan agreement with Kaminski Holdings, Inc. for partial development financing to facilitate the construction of two mixed-use buildings at 2500 Macon Street, 2506 Macon Street, 5208 Bexar Street, 5212 Bexar Street, 5216 Bexar Street, 5502 Bexar Street, and 5504 Bexar Street located within the Neighborhood Investment Program Bexar Street Redevelopment Project - \$300,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds

Councilmember Rasansky requested that consent agenda item 33 be considered as an individual item. Mayor Leppert stated that consent agenda item 33 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 33 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Atkins.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3306

Item 34: Authorize **(1)** approval of Major Systems Repair Program and Reconstruction/SHARE Program; and **(2)** approval of Program Statements for those programs and execution of any necessary documents to implement those housing programs - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3307

Item 35: Authorize **(1)** adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #1 to reprogram \$5,616,780 of Community Development Grant funds from the Basic Home Repair Program, Minor Home Repair Program and the Replacement/SHARE Program to the Major Systems Repair Program and the Reconstruction/SHARE Program and \$492,378 of HOME funds from the Replacement Program to the Reconstruction/SHARE Program; and **(2)** a public hearing to be held on December 12, 2007 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3308

Item 36: Authorize **(1)** the acceptance of a transfer of funds in the amount of \$620,566 from the City Center Tax Increment Financing District Fund to the Affordable Housing Cost Participation Program (AHCP), and **(2)** an amendment to the AHCP program statement for nonprofit developer fee incentives and green building energy incentives - \$620,566 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3309

Item 37: Authorize **(1)** a public hearing to be held on November 28, 2007, in accordance with the provisions of House Bill 621, enacted during the 80th Session of the Texas State Legislature, to receive comments regarding whether goods-in-transit in warehouses within the Dallas City limits should remain subject to taxation by the City of Dallas; and, at the close of the hearing, **(2)** consideration of an ordinance that goods-in-transit in warehouses within the Dallas City limits should remain subject to taxation by the City of Dallas - Financing: No cost consideration to the City

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3310

Item 38: Authorize the acceptance of an award from the Atmos Energy Corporation through the Friends of the Dallas Public Library, Inc. for children's programming at Bookmarks, a Dallas Public Library, NorthPark/Dallas - \$75,000 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3311

Item 39: **Children's Center** **Note:** Item Nos. 39 and 40 must
at the J. Erik Jonsson Central Library be considered collectively.

Authorize the acceptance of an award from The Crystal Charity Ball through the Friends of the Dallas Public Library, Inc. for the expansion and renovation of the Children's Center at the J. Erik Jonsson Central Library - \$612,500 - Financing: Private Funds

Mayor Pro Tem Garcia requested that consent agenda item 39 be considered as an individual item. Mayor Leppert stated that consent agenda item 39 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 39 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3312

Item 40: **Children's Center
at the J. Erik Jonsson Central Library**

Note: Item Nos. 39 and 40 must
be considered collectively.

Authorize the acceptance of an award from The Young Foundation through the Friends of the Dallas Public Library, Inc. for the expansion and renovation of the Children's Center at the J. Erik Jonsson Central Library - \$75,000 - Financing: Private Funds

Mayor Pro Tem Garcia requested that consent agenda item 40 be considered as an individual item. Mayor Leppert stated that consent agenda item 40 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 40 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3313

Item 41: Authorize adoption of the 2008 City Calendar - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3314

Item 42: Authorize adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3315

Item 43: An ordinance amending Chapter 15D of the Dallas City Code to exempt certain governmental entities from the City's emergency wrecker service regulations under certain conditions - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Leppert stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 43 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the ordinance.

Motion seconded by Councilmember Koop and unanimously adopted.

Assigned ORDINANCE NO. 26992.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3316

Item 44: Authorize an Interlocal Agreement with Dallas County to allow the Dallas Sheriff's Office to assume primary responsibility for traffic enforcement and accident investigation on designated interstate highways and other roadways within the city limits of the City of Dallas for the period January 1, 2008, until this Agreement is terminated by either party - Estimated Annual Revenue Loss: \$600,000

The city secretary announced Councilmember Salazar had deferred consideration of consent agenda items 44 until the next voting meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Mayor Pro Tem Garcia moved to suspend the rules in accordance with Subsection 7.11, of Council Rules of Procedures that allowed Councilmember Salazar to defer consideration of consent agenda item 44 until the next voting meeting of the council and request that consent agenda item 44 be held for further discussion.

Motion seconded by Deputy Mayor Pro Tem Caraway.

After discussion, Mayor Leppert called the vote on the motion to suspend the rules in accordance with the Subsection 7.11 of the City Council Rules of Procedures that allowed Councilmember Salazar to defer consideration of consent agenda item 44 until the next voting meeting of the council and request that consent agenda item 44 be held for further discussion.

Mayor Leppert declared the motion adopted. (Salazar, Koop, Hunt absent when vote taken)

Later in the meeting, agenda item 44 was brought up for consideration

Councilmember Salazar moved to defer the item until November 28, 2007 voting agenda of the city council.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3317

Item 45: Authorize **(1)** the acceptance of the Sexual Assault/Stalking/6 Law Enforcement Training grant from the Office of the Governor, Criminal Justice Division to provide specialized training to detectives who investigate sexual assault and stalking offenses in the amount of \$26,000, for the period September 1, 2007 through August 31, 2008, **(2)** a local match in the amount of \$14,000, and **(3)** execution of the grant agreement - Total not to exceed \$40,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$26,000) and Current Funds (\$14,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3318

Item 46: Authorize a contract for the construction of sidewalk paving and barrier free ramp improvements for Sidewalk Group 03-131 (list attached) - Santos Construction, Inc., lowest responsible bidder of two - \$320,572 - Financing: 2003 Bond Funds (\$277,846), 2005-06 Community Development Grant Funds (\$17,726), Water Utilities Capital Construction Funds (\$25,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3319

Item 47: Authorize Supplemental Agreement No. 1 to Interlocal Agreement with the Texas Department of Transportation for the design and construction of the LBJ/Skillman DART station pedestrian bridge project - \$35,997 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3320

Item 48: Authorize **(1)** a contract for Union Station Wall Restoration with Frontier Waterproofing, Inc., lowest responsible bidder of three, in an amount not to exceed \$1,025,049; **(2)** assignment of the construction contract to Hunt - Woodbine Realty Corporation as the construction manager for all purposes, including contract administration, inspection, supervision and coordination of construction work; and **(3)** an increase in appropriations in the amount of \$1,225,049, in the Union Station Renovation Developer Advance Fund - Financing: Private Funds (to be reimbursed without interest from the proceeds of the future sale of General Obligation Bonds)

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3321

Item 49: Authorize **(1)** a decrease in the contract with Jennings Glass Contractors for window replacement related to the redevelopment of the Republic Center Tower I, located at 300 North Ervay Street, in an amount not to exceed (\$47,513), from \$1,360,750 to \$1,313,237, **(2)** an increase in the payment to Ervay Residential Limited Partnership, Inc. for design reimbursement in an amount not to exceed \$47,513, from, \$2,434,328 to \$2,481,841; and **(3)** assignment of the contract to Ervay Residential Limited Partnership, Inc. for construction management - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3322

Item 50: Authorize **(1)** an increase to the contract with AUI Contractors, L.P. for additional construction work necessary for the terminal apron repairs, Phase II for storm drainage repairs and modifications at Dallas Love Field in an amount not to exceed \$71,589, from, \$3,639,102 to \$3,710,691; and **(2)** an increase in appropriations in an amount not to exceed \$71,589 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$71,589 - Financing: Aviation Capital Construction Funds (\$17,897) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$53,692)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3323

Item 51: Authorize an increase in the contract with Sedalco, LP for a rainwater harvesting system which collects run-off from the roof and stores the water in tanks to be used for landscape irrigation at the Trinity River Audubon Center - \$100,714, from \$11,614,630 to \$11,715,344 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3324

Item 52: Authorize Supplemental Agreement No. 3 to the professional services contract with Schrickel, Rollins and Associates, Inc. for the completion of Section 404, Section 408 project approval process and Section 10 applications required by the United States Army Corps of Engineers to allow for the construction of the Trinity River standing wave at Moore Park located at 1900 East Eighth Street - \$55,701, from \$166,833 to \$222,534 - Financing: 1998 Bond Funds

Councilmember Davis requested that consent agenda item 52 be considered as an individual item. Mayor Leppert stated that consent agenda item 52 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 52 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3325

Item 53: Authorize a project name change and modification to the project description for a 2006 Bond Program trail development project currently listed as "Bellevue/McKee to Trinity Park" to the "Bellevue Connector Project" - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3326

Item 54: Authorize Supplemental Agreement No. 1 to an Interlocal Agreement with the Texas Department of Transportation for right-of-way acquisition and utility relocation for the Woodall Rodgers Extension (Spur 366) from IH 35E across the Trinity River to the intersection of Beckley Avenue and Singleton Boulevard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3327

Item 55: Authorize a Stream Mitigation Agreement with West Mud Reserve, LLC for the construction of an environmental mitigation project, to be constructed on 9 acres of City owned property along Lower White Rock Creek and execution of a deed restriction to dedicate the property as a stream mitigation area - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3328

Item 56: Authorize an increase in the contract with Archer Western Contractors, Ltd. for additional work associated with the construction of settling basin improvements at the Central Wastewater Treatment Plant - \$257,300, from \$17,804,000 to \$18,061,300 - Financing: Water Utilities Capital Construction Funds

Councilmember Davis requested that consent agenda item 56 be considered as an individual item. Mayor Leppert stated that consent agenda item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 56 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3329

Item 57: Authorize a contract for the cleaning and rehabilitation of the Elm Fork Water Treatment Plant Sludge Ponds A, B and C - Oscar Renda Contracting, Inc., lowest responsible bidder of two - \$3,770,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3330

Item 58: Authorize an Advanced Funding Agreement with the Texas Department of Transportation for water and wastewater improvements and adjustments in conjunction with the Spur 366 (Woodall Rodgers Freeway) six-lane extension over the Trinity River with ramps to Industrial Boulevard and direct connect to and from Interstate Highway 35E - \$1,405,123 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3331

Item 59: Authorize Supplemental Agreement No. 2 to the professional services contract with Jericho Consulting, Inc., for specific task orders associated with the implementation of recommendations in the 311 Call Center Study - Not to exceed \$80,000, from \$3,424,500 to \$3,504,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3332

07-3333

Item 60: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2007-2009 board term updated through November 12, 2007.

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

Deputy Mayor Pro Tem Caraway moved to appoint all nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions at the city for the term ending September 30, 2009.

Motion seconded by Councilmember Medrano and unanimously adopted.

Deputy Mayor Pro Tem Caraway moved to appoint Susan Oakey, Judy Hall and Mary Spencer, General Public, to the Animal Shelter Commission, Judy Pollock, Cultural Institutions Management, to the Cultural Affairs Commission, Bill "Bulldog" Cunningham, Insurance, to the Commission on Productivity and Innovation, Randall Scott, Dallas County Criminal Bar Association, to the Judicial Nomination Commission, Paul Ridley, Redevelopment with experience in redevelopment Commercial Historical Properties, to the Landmark Commission, Robert Edmonson, Dallas Member, to the Reinvestment Zone One Board (State-Thomas), Lisa Ross, Dallas Member, to the Reinvestment Zone Two Board (Cityplace Area), Ben Brown, Dallas Member, to the Reinvestment Zone Three Board (Oak Cliff Gateway), John Loveland, Dallas Member, to the Reinvestment Zone Six Board (Farmers Market), Laura Zane Aveton, Dallas Member, to the Reinvestment Zone Twelve Board (Deep Ellum), and Jim Slaughter, Dallas Member, to the Reinvestment Zone Thirteen Board (Grand Park South).

Motion seconded by Councilmember Medrano and unanimously adopted.

Deputy Mayor Pro Tem Caraway moved to appoint Judy Pollock, Chair, Cultural Affairs Commission, Bill "Bulldog" Cunningham, Chair, Commission on Productivity and Innovation, Randall White, Chair, Reinvestment Zone 15 (Fort Worth Avenue) and Joe Whitney, Chair, Reinvestment Zone 16 (Twelve Hills).

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3334

Item 61: Authorize a petition to the City Council of the City of McLendon-Chisholm, Texas, requesting approximately 56 acres of land owned by the City of Dallas located in Kaufman County, Texas, that is used for the construction, repair, maintenance, and operation of a Dallas water transmission line, be brought into the City of McLendon-Chisholm's extraterritorial jurisdiction - Financing: No cost consideration to the City

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3335

Item 62: An ordinance waiving the extraterritorial jurisdiction of the City of Dallas on approximately 265 acres of unincorporated land generally located north and west of Neil Road, south of Mann Road, in Kaufman County, in favor of the City of McLendon- Chisholm - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 26993.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3336

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

Agenda items 63, 64, 65 and 71 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 63: Zoning Case Z067-133(OTH) [considered individually]~~

~~Agenda item 64: Zoning Case Z067-217 (RB) [considered individually]~~

~~Agenda item 65: Zoning Case Z067-262 (OTH)[considered individually]~~

Agenda item 66: Zoning Case Z067-281 (MF)

Agenda item 67: Zoning Case Z067-300 (RB)

Agenda item 68: Zoning Case Z067-301 (OTH)

Agenda item 69: Zoning Case Z067-303 (OTH)

Agenda item 70: Zoning Case Z067-313 (WE)

~~Agenda item 71: Zoning Case Z067-319 (WE) [considered individually]~~

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

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

Councilmember Neumann moved to close the public hearing, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances, subject to a site plan and conditions submitted by the applicant as presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3337

Item 63: Zoning Case Z067-133 (OTH)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

Deputy Mayor Pro Tem Caraway requested that zoning consent item 63 be considered as an individual item. Mayor Leppert stated that zoning consent item 63 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

A public hearing was called on zoning case Z067-133 (OTH), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CR Community Retail District, on the west corner of Vermont Avenue and Ewing Avenue.

(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)

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

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

Deputy Mayor Pro Tem Caraway moved to continue the public hearing and hold under advisement until the November 28, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted. (Rasansky abstain; Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3338

Item 64: Zoning Case Z067-217 (RB)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 64 be considered as an individual item. Mayor Leppert stated that zoning consent item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

A public hearing was called on zoning case Z067-217 (RB), to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property within the Subarea 12 portion of Planned Development District No. 298, the Bryan Area Special Purpose District, with consideration being given to and an ordinance granting an amendment to require a Specific Use Permit for a Financial institution with drive-in window within Subarea 12 of Planned Development District No. 298.

(The staff and city plan commission recommended approval of permitting a Financial institution with drive-in window by Specific Use Permit within Subarea 12 of Planned Development District No. 298)

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

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

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

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

Assigned ORDINANCE NO. 26994.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3339

Item 65: Zoning Case Z067-262 (OTH)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

Councilmember Koop requested that zoning consent item 65 be considered as an individual item. Mayor Leppert stated that zoning consent item 65 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

A public hearing was called on zoning case Z067-262 (OTH), an application for and an ordinance granting an MU-3 Mixed Used District on property zoned an MO-1 Mid-range Office District, a resolution terminating the existing deed restrictions, and a resolution accepting new deed restrictions volunteered by the applicant, on the southeast corner of the LBJ Freeway and Forest Lane.

(The staff and city plan commission recommended approval of the MU-3 District subject to deed restrictions volunteered by the applicant and approval of the termination of the existing deed restrictions)

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

Councilmember Koop moved to close the public hearing, approve the change of zoning and accept the new deed restrictions, but not terminate the existing deed restrictions and pass the ordinance.

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

Assigned ORDINANCE NO. 26995.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3340

Item 66: Zoning Case Z067-281 (MF)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

A public hearing was called on zoning case Z067-281 (MF), an application for and an ordinance granting an amendment to Planned Development District No. 717 for single family uses on property on Oren Street and Westrock Drive south and west from Stults Road.

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26996.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3341

Item 67: Zoning Case Z067-300 (RB)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

A public hearing was called on zoning case Z067-300 (RB), an application for and an ordinance granting a CS Commercial Service District on property zoned an R-5(A) Single Family District on an internal parcel northeast of Shadow Creek Drive and Spikerush Court.

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26997.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3342

Item 68: Zoning Case Z067-301 (RB)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

A public hearing was called on zoning case Z067-301 (RB), an application for and an ordinance granting a CR Community Retail District on property zoned an LO-1-D Limited Office District with a Dry Liquor Control Overlay on the north side of Garland Road, southwest of Buckner Boulevard.

(The staff and city plan commission recommended approval with retention of the Dry Liquor Overlay)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26998.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3343

Item 69: Zoning Case Z067-303 (OTH)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

A public hearing was called on zoning case Z067-303 (OTH), an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an MF-2(A) Multifamily District located north of Garland Road, southwest of Buckner 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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26999.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3344

Item 70: Zoning Case Z067-313 (WE)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

A public hearing was called on zoning case Z067-313 (WE), an application for and an ordinance granting an amendment to the development plan and landscape plan within Subdistrict D, Subzone D-1 of Planned Development District No. 305, for residential and mixed uses, on the east line of McKinney Avenue, north of Noble Avenue.

(The staff and city plan commission recommended approval subject to a development plan and landscape plan)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27000.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3345

Item 71: Zoning Case Z067-319 (WE)

The consent zoning docket consisting of agenda items 63-71 were presented for consideration.

Councilmember Natinsky requested that zoning consent item 71 be considered as an individual item. Mayor Leppert stated that zoning consent item 71 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

A public hearing was called on zoning case Z067-319 (WE), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an LI Light Industrial District, south of President George Bush Turnpike at the terminus of Pear Ridge Drive.

(The staff and city plan commission recommended approval)

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

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

Kirk Williams, 5400 Renaissance Tower, representing the applicant

Councilmember Natinsky moved to close the public hearing and approve the zoning change with a resolution accepting deed restrictions offered by the applicant. The deed restrictions are in the form shown on the handout provided at this hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 27001.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3346

Item 72: Zoning Case Z056-220 (JH) INDIVIUAL

A public hearing was called on zoning case Z056-220 (JH), regarding an application for and an ordinance granting a Planned Development District for Single Family uses on property zoned an R-16(A) Single Family District, Planned Development District No. 108, and an LO-3 Limited Office District, on the east side of Walton Walker Boulevard, north of Country Creek Drive.

(The city plan commission recommended approval, subject to a development plan and conditions)

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

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

Kirk Williams, 5400 Renaissance Tower, representing the applicant

Councilmember Kadane moved to close the public hearing, and accept the recommendation of the city plan commission with the following changes:

- Amend section 51P-772.105(a) to read as follows:

“For single family uses, development and use of Property must comply with the preliminary plat/development plan (Exhibit 772A), subject to any required by the city for the final plat.”

and pass the ordinance.

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

Assigned ORDINANCE NO. 27002.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3347

Item 73: Zoning Case Z067-251 (RB) INDIVIDUAL

A public hearing was called on zoning case Z067-251 (RB), an application for and an ordinance granting a Specific Use Permit for an Alcoholic beverage establishment for a Private club-bar on property zoned a CR Community Retail District at the southeast corner of Midway Road and Frankford Road.

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

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

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

Assigned ORDINANCE NO. 27003.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3348

Item 74: Zoning Case Z067-263 (JH) INDIVIDUAL

A public hearing was called on zoning case Z067-263 (JH), an application for and an ordinance granting a Planned Development District for a private school use, R-7.5(A) Single Family District uses, CR Community Retail District uses with retention of the Dry Liquor Control Overlay on a portion and an ordinance granting the termination of Specific Use Permit No. 1179 on property zoned an MC-1 Multiple Commercial District, CR Community Retail District, CR-D Community Retail District with a Dry Liquor Control Overlay, an R-7.5(A) Single Family District with SUP No. 1179 for a private school use on a portion, P(A) Parking District, and a D(A) Duplex District with SUP No. 1179 for a private school use on a portion, on the south side of Lovers Lane, between Morton Street and Linwood Avenue.

(The staff and city plan commission recommended approval, subject to a development plan, landscape plan, traffic management plan, and conditions with retention of the Dry Liquor Control Overlay on a portion of the site and approval of the termination of Specific Use Permit No. 1179)

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

Amelia S. Perez, 4912 Kelton Dr., representing Lovers Lane Village Neighborhood Association
Gus A. Perez, 4912 Kelton Dr., representing Lovers Lane Village Neighborhood Association
Lubertha Cephus, 7719 Caillet St., representing Lovers Lane Village Neighborhood Association

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

Kirk Williams, 5400 Renaissance Tower, representing the applicant
Joyce Lockley, 4718 Wateka Dr., representing North Park/Love Field Civic League
Debra Moore, 7415 Caillet St., representing North Park Community Development Corp.
Thabiti Olatunji, 4634 Newmore Ave., representing North Park/Love Field Civic League
Ross Coulter, 3843 Echo Brook Lane, President of the Walnut Hill Homeowners Association
Rob Richardson, 5907 Royal Crest, representing Providence Christian School

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-3348

Page 2

Councilmember Hunt moved to close the public hearing and follow the city plan commission recommendation with the following changes:

- In Tract I, egress onto Caillet Street is limited to northbound egress only.
- Until a traffic study has been submitted and the director has determined that it is sufficient, enrollment in a private school or child-care facility is capped at 485 and no building permits may be issued for new buildings, including modular classroom buildings.
- After a traffic study has been submitted and the director has determined that it is sufficient, enrollment may not exceed 600, and maximum total number of students permitted at one time is 560 students.
- Drive A, Drive B, and the queue lanes must be completed by January 31, 2008.
- The initial traffic study evaluating the sufficiency of the traffic management plan must be submitted on or before April 1, 2008.
- If the property owner fails to submit an amended traffic management plan within 30 days of the date of the director's request, the director shall notify the city plan commission and city council for consideration of appropriate zoning amendments, including reducing enrollment to a level that will be accommodated by the queuing system.
- Replacement of Exhibits to show five queuing lanes in one area.

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

Assigned ORDINANCE NO. 27004 AND 27005.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3349

Item 75: Zoning Case Z067-286 (JH) 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 Z067-286 (JH), an application for an RR Regional Retail District with deed restriction volunteered by the applicant on property zoned a CR Community Retail District, on the northeast corner of Ann Arbor Avenue and Marsalis Avenue.

(The staff and city plan commission recommended denial)

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

Deputy Mayor Pro Tem Caraway moved to continue the public hearing and hold under advisement until the November 28, 2007 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3350

Item 76: Zoning Case Z067-296 (WE) INDIVIDUAL

A public hearing was called on zoning case Z067-296 (WE), an application for a Planned Development District for mixed uses on property zoned an IR Industrial Research District, on the west side of Market Center Boulevard, north of Turtle Creek Boulevard with consideration being given to and an ordinance granting the expansion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District.

(The staff and city plan commission recommended approval of expanding Planned Development District No. 621 in lieu of a Planned Development District for mixed uses)

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

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

Karl Crawley, 900 Jackson St., representing the applicant

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

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

Assigned ORDINANCE NO. 27006.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3351

Item 77: Zoning Case Z067-312 (WE) INDIVIDUAL

A public hearing was called on zoning case Z067-312 (WE), an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District, on the south side of Almazan Street between Marsh Lane and El Centro Drive.

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

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

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

Linda M. Porras, 3216 Townsend Dr.

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

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

Assigned ORDINANCE NO. 27007.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3352

Item 78: A public hearing to receive comments on the proposed use of a portion of Anderson-Bonner Park for roadway improvements to LBJ Freeway service road and Park Central Drive; and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Councilmember Koop moved to close the public hearing and approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3353

Item 79: A public hearing to receive comments, and Council action, on the proposed use of a portion of Valley View Park (654 square feet) for roadway improvements to LBJ Freeway service road and Park Central Drive; and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City.

The following individuals addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Councilmember Koop moved to close the public hearing and approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3354

Item 80: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements, for Project Group 03-3003, and, at the close of the hearing, authorize an ordinance levying assessments (list attached) - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to close the public hearing, and pass the ordinance.

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

Assigned ORDINANCE NO. 27008.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3355

Closed Session [**HELD**]

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

- City of Dallas and Texas Historical Commission v. TCI West End, Inc. & Weir Industries, Inc., Cause No. 06-04868-H
- City of Dallas v. Lee G. Brotherton aka Lee G. Bilal aka Malik Hanzalah Bilal Rabi, Deceased, Cause No. 03-00406-L
- In Re: McCommas LFG Processing Partners, LP and McCommas Landfill Partners, LP, Cause No. 07-32219-HDH-11
- Guadalupe Diaz et al v. The City of Dallas et al., Civil Action No. 3:05-CV-2084-G
Marilyn Ford v. City of Dallas, Civil Action No. 3:05-CV-1676-D

At 11:18 a.m. the Mayor 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.)

- City of Dallas and Texas Historical Commission v. TCI West End, Inc. & Weir Industries, Inc., Cause No. 06-04868-H
- City of Dallas v. Lee G. Brotherton aka Lee G. Bilal aka Malik Hanzalah Bilal Rabi, Deceased, Cause No. 03-00406-L
- In Re: McCommas LFG Processing Partners, LP and McCommas Landfill Partners, LP, Cause No. 07-32219-HDH-11
- Guadalupe Diaz et al v. The City of Dallas et al., Civil Action No. 3:05-CV-2084-G
Marilyn Ford v. City of Dallas, Civil Action No. 3:05-CV-1676-D

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

- City of Dallas v. Lee G. Brotherton aka Lee G. Bilal aka Malik Hanzalah Bilal Rabi, Deceased, Cause No. 03-00406-L

The following item was made a part of the closed session:

Addendum agenda item 14

The Mayor reconvened the city council after the closed session at 1:00 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3356

Addendum addition 1: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Bell, Nunnally & Martin L.L.P. for additional legal services necessary to represent the City in the lawsuit styled Roland R. Gamez v. The City of Dallas, Texas, Civil Action No. 2:06-CV-150-JTW - Not to exceed \$85,000, from \$400,000 to \$485,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3357

Addendum addition 2: Authorize an actual reasonable moving and related expenses-nonresidential payment for Jeff Keysock, dba Key Warehousing, who will be displaced as a direct result of real property acquisition of the property at 1301 McDonald Street, Bay #3, to be used in conjunction with the Trinity River Corridor Project to be paid once City has obtained proof that Key Warehousing has vacated the premises - Not to exceed \$28,560 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3358

Addendum addition 3: An ordinance abandoning a portion of a sanitary sewer easement to the Board of Regents of The University of Texas System, the abutting owner, containing approximately 1,962 square feet of land located near the intersection of Medical Center Drive and Motor Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27009.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3359

Addendum addition 4: **Deep Ellum Warehouses, Ltd.** **Note:** Item Nos. 4 and 5
must be considered collectively.

Authorize (1) the establishment of the Deep Ellum TIF District Grant Program (Grant Program) to implement the Project Plan and Reinvestment Zone Financing Plan (the Project Plan) for Tax Increment Financing Reinvestment Zone Number Twelve, (the Deep Ellum TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. (the Act) to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Deep Ellum TIF District; (2) the City Manager to execute a development agreement with Deep Ellum Warehouses, Ltd. to implement the Project Plan in an amount not to exceed \$515,000 plus interest payable as a grant in conformance with the Grant Program from future Deep Ellum TIF funds in consideration of Deep Ellum Warehouses, Ltd.'s redevelopment of the Olympia Arts Building, an office project located at 4000-4008 Eastside Avenue in the Deep Ellum TIF District; and (3) the Deep Ellum TIF District Board of Directors to dedicate up to \$515,000 plus interest payable as a grant from Deep Ellum TIF revenues in accordance with the development agreement - \$515,000 - Financing: To be funded solely from the Deep Ellum TIF District Funds

Councilmember Rasansky requested that addendum addition consent agenda item 4 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 4 was brought up for consideration.

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

Councilmember Koop moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3361

Addendum addition 6: Authorize **(1)** the application for and acceptance of a grant from the Texas Department of Housing and Community Affairs, Housing Trust Fund for the provision of tenant based rental assistance for Veterans through the Homeless Services Program for the period February 1, 2008 through May 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$250,000 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3362

Addendum addition 7: Authorize a one-time lump sum payment to the City Manager Mary K. Suhm in the amount of \$25,000 in addition to her base pay of \$267,750, plus the associated pension contribution in the amount of \$1,483 for a total annual additional cost of \$26,483 - Financing: Current Funds

Councilmember Rasansky requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 7 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3363

Addendum addition 8: Authorize a one-time lump sum payment to the City Attorney Thomas P. Perkins, Jr. in the amount of \$11,800, in addition to his base pay of \$236,000, plus the associated pension and Medicare contribution in the amount of \$871, for a total annual additional cost of \$12,671 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3364

Addendum addition 9: Authorize an increase in the annual base salary of City Secretary Deborah Watkins in the amount of \$6,840, from \$114,000 to \$120,840, plus the associated pension contribution in the amount of \$406 for a total annual additional cost of \$7,246 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3365

Addendum addition 10: Authorize **(1)** a contract for Union Station Vertical Transportation Upgrade - Elevator with A & F Elevator Company, Inc., lowest responsible bidder of three, in an amount not to exceed \$143,895; **(2)** assignment of the construction contract to Hunt - Woodbine Realty Corporation as the City's construction manager for all purposes, including contract administration, inspection, supervision and coordination of construction work; **(3)** the receipt and deposit of funds from Hunt - Woodbine Realty Corporation in an amount not to exceed \$163,895; and **(4)** an increase in appropriations in the amount of \$163,895, in the Union Station Renovation Developer Advance Fund - Financing: Private Funds (to be reimbursed without interest from the proceeds of the future sale of General Obligation Bonds)

Councilmember Rasansky requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 10 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3366

Addendum addition 11: Authorize **(1)** an increase in the contract with TMV LLC dba Triune Associates for the renovation of the Moorland YMCA building located at 2700 Flora Street for the Dallas Black Dance Theatre to provide furnishings in the amount of \$172,217, from \$4,250,420 to \$4,422,637; **(2)** the receipt and deposit of funds from Dallas Black Dance Theatre in an amount not to exceed \$172,217; and **(3)** an increase in appropriations in the amount of \$172,217 - Not to exceed \$172,217, from \$4,250,420 to \$4,422,637 - Financing: Private Funds

Councilmember Rasansky requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 11 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3367

Addendum addition 12: Authorize a contract with Diversity Management Strategists, LLC to perform an assessment and develop a training program to enhance workforce diversity and employee productivity - \$72,000 - Financing: Water Utilities Current Funds

Councilmember Atkins requested that addendum addition consent agenda item 12 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, addendum addition consent agenda item 12 was brought up for consideration.

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3368

Addendum addition 13: Authorize amendments to Resolution No. 03-3387, previously approved on December 8, 2003, for the Historic Development Program tax abatement for the redevelopment of the Republic Center Tower 1 located at 325 North St. Paul Street to extend the completion date from June 6, 2006 to November 3, 2007 - Financing: No cost consideration to the City

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3369

Addendum addition 14: Authorize Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for audit services of the City's financial operations and grant activities for the fiscal year ended September 30, 2006 - Not to exceed \$334,834, from \$950,000 to \$1,284,834 - Financing: Current Funds

During discussion, Mayor Leppert stated the item would be discussed during executive session as authorized by Section 551.071, Legal Advice, of the Texas Open Meetings Act (Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened at 1:00 p.m. in open session.

Later in the meeting, Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Hill.

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

Voting Yes: [11] Leppert, Garcia, Caraway, Medrano, Neumann, Hill,
Kadane, Allen, Koop, Natinsky, Hunt

Voting No: [1] Rasansky

Absent when vote taken: [3] Salazar, Davis, Atkins

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 12, 2007

07-3370

NOTICE OF DEFERRED OR DELETED ITEMS

In accordance with Paragraph (d) of Section 7.11 of the City Council Rules of Procedure, the attached notice of deferred or deleted items were posted in each entrance to the city council chamber in Room 6 E North, City Hall.

7.11(d) No later than 5:30 p.m. of the Friday before each city council meeting, the city secretary shall post a list of all items appearing on the regular agenda that were deferred by a city council member or deleted by the city manager. No later than 5:30 p.m. of the day before each city council meeting, the city secretary shall post a list of all items appearing on the addendum to the agenda that were deferred by a city council member or deleted by the city manager. The lists must be posted adjacent to each entrance to the city council chamber in Room 6 E North. The city secretary shall not include on these list any items described in Paragraph (a) (1), (2), (3), or (4).

Councilmember Salazar requested that consent agenda items 16 and 44 be deferred until the next voting agenda meeting of the city council as provided in Subsection 7.11 (a) of the City Council Rules of Procedure. Notice of deferral of these items was posted by the City Secretary as required in Subsection 7.11 (d) of the City Council Rules of Procedure.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2007

EXHIBIT C