

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 28, 2007

07-3480  
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 9:05 a.m.

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

The invocation was given by S. M. Wright II, Pastor of Peoples Missionary Baptist Church.

Councilmember Allen 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 4:34 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 28, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 28, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3481

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: Dennis Boyak, 10128 Estacado Dr.  
SUBJECT: Barking Dog Ordinance

SPEAKER: Mary Hasan, 3425 Hacienda Dr.  
REPRESENTING: Steelworkers Union  
SUBJECT: Civilian employees

SPEAKER: Albert Parker, 6318 Elam Rd.  
SUBJECT: City of Dallas Property: Resale, Resold, then Resold

SPEAKER: George Wilson, 2515 Perryton Dr.  
SUBJECT: City street repairs

SPEAKER: Preston Johnson, 4407 Hatcher St.  
REPRESENTING: Sanitation  
SUBJECT: More money

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Peter Johnson, 7405 Flameleaf Place  
REPRESENTING: Southern Christian Leadership  
SUBJECT: Contaminated toys

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

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: Minorities have no representation including African Americans

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3482

Item 1: Approval of Minutes of the November 12, 2007 City Council Meeting and the November 14, 2007 Special Called City Council Meeting.

Councilmember Rasansky moved to approve the minutes.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3483

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-23 and addendum addition consent agenda item 1, were presented for consideration.

The City Secretary requested that consent agenda items 6 and 14 be considered as individual items to allow citizens to speak. Mayor Leppert stated that consent agenda items 6 and 14 would be considered as individual items later in the meeting there being no objection voiced to the City Secretary's request.

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

Mayor Pro Tem Garcia requested that consent agenda item 14 be considered as an individual item. Mayor Leppert stated that consent agenda item 14 be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Councilmember Neumann requested that consent agenda items 2, 5 and 14 be considered as individual items. Mayor Leppert stated that consent agenda items 2, 5 and 14 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Hunt requested that consent agenda item 6 be considered as an individual item. Mayor Leppert stated that consent agenda item 6 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Rasansky requested that consent agenda items 2 and 22 be considered as individual items. Mayor Leppert stated that consent agenda items 2 and 22 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda 2, 5, 6, 12, 14, and 22 which would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3484

Item 2: Authorize a twelve-month master agreement with three twelve-month renewal options for commercial wireless communications service and equipment to the City of Dallas in the Dallas Metropolitan Statistical Area (MSA) through the Department of Information Resources, State of Texas Cooperative contract - Verizon Wireless - Not to exceed \$4,800,000 - Financing: Current Funds

Councilmember Neumann and 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 Neumann and Councilmember Rasansky's request.

Later in the meeting, agenda item 2 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 Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3485

Item 3: Authorize a thirty-six-month master agreement for ArvinMeritor brake, driveline, axle, clutch and suspension parts to be used for the maintenance and repair of the Dallas Fire-Rescue department fleet - U-Joints, Inc. dba Truck Parts Specialists in the amount of \$223,562 and E-ONE, Inc. in the amount of \$30,486, lowest responsible bidders of four - Total not to exceed \$254,048 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3486

Item 4: Authorize the purchase of one hazardous materials response vehicle to be used with Regional Urban Search and Rescue Task Force - Metro Fire Apparatus Specialists, through the Houston-Galveston Area Council of Governments - Not to exceed \$449,929 - Financing: USHS-Law Enforcement and Public Safety Equipment and Training Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3487

Item 5: Authorize **(1)** the purchase and installation of an Integrated Library System in the amount of \$896,218, and **(2)** a twenty-four-month maintenance agreement in the amount of \$479,046 - Gaylord Information Systems, Inc. dba Polaris Library Systems, most advantageous proposer of three - Total not to exceed \$1,375,264 - Financing: Library Automation Acquisition Funds (\$1,255,503), Current Funds (\$119,761) (subject to annual appropriations)

Councilmember Neumann requested that consent agenda item 5 be considered as an individual item. Mayor Leppert stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 5 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3488

Item 6: Authorize a thirty-six-month service contract to provide temporary industrial labor for Sanitation Services - CTJ Maintenance, Inc., lowest responsible bidder of seven - Not to exceed \$8,795,266 - Financing: Current Funds

Councilmember Hunt requested that consent agenda item 6 be considered as an individual item. Mayor Leppert stated that consent agenda item 6 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, agenda item 6 was brought up for consideration.

The following individual addressed the city council regarding the item:

Kenneth Stretcher, 3832 Mt. Pleasant St. representing SEIU, Local 100

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Rasansky.

After discussion, Mayor Leppert called the vote on Mayor Pro Tem Garcia's motion:

Voting Yes: [10] Leppert, Garcia, Caraway, Neumann, Hill, Kadane, Allen, Koop,  
Natinsky, Rasansky  
Voting No: [5] Medrano, Salazar, Davis, Atkins, Hunt  
Absent: [0]

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3489

Item 7: Authorize acquisition, from Stacie M. Uhrim, of approximately 3 acres of land improved with a single-family residence located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$130,830 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3490

Item 8: An ordinance abandoning a portion of a utility easement to 7-Eleven, Inc. (formerly known as The Southland Corporation), the abutting owner, containing approximately 882 square feet of land located near the intersection of Harry Hines Boulevard and Walnut Hill Lane - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27010.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3491

Item 9: An ordinance abandoning a portion of a water easement to First Operations, LP, the abutting owner, containing approximately 2,300 square feet of land located near the intersection of Eastpoint Drive and Big Town Boulevard - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27011.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3492

Item 10: An ordinance abandoning portions of water main easements to Dallas County Community College District, the abutting owner, containing a total of approximately 18,807 square feet of land located near the intersection of Illinois Avenue and Duncanville Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27012.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3493

Item 11: An ordinance abandoning portions of Parry and Gurley Avenues and an alley to Jubilee Park & Community Center Corporation, the abutting owner, containing a total of approximately 6,670 square feet of land located near their intersections with Bank Street, and authorizing the quitclaim - Revenue: \$11,339 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27013.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3494

Item 12: An ordinance abandoning a portion of an alley to Baylor Health Care System, the abutting owner, containing approximately 6,900 square feet of land located near the intersection of Haskell Avenue and Worth Street, and authorizing the quitclaim - Revenue: \$114,000 plus the \$20 ordinance publication fee

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

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Leppert abstain)

Assigned ORDINANCE NO. 27014.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3495

Item 13: An ordinance granting a CS Commercial Service District on the north side of Lawson Road, northeast of Lasater Road, and a resolution accepting deed restrictions volunteered by the applicant - Z067-269 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3496

Item 14: An ordinance amending Article XI of the Dallas Development Code previously approved on February 25, 2004, by Ordinance No. 25509, as amended, including tax exemptions, conservation easements, and transfer of development rights - Financing: No cost consideration to the City

Mayor Pro Tem Garcia and Councilmember Neumann requested that consent agenda item 14 be considered as an individual item. Mayor Leppert stated that consent agenda item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia and Councilmember Neumann's request.

Later in the meeting, agenda item 14 was brought up for consideration.

Mayor Pro Tem Garcia announced she had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Garcia left the city council chamber.

The following individuals addressed the city council regarding the item:

Katheryn Seale, 2922 Swiss Ave., representing Preservation Dallas

Veletta Lill, 622 Blair Blvd.

Jeff West, 1409 S. Lamar St., representing The South Side Quarter Development Corporation

Larry Hamilton, 1310 Elm St., representing Hamilton Properties

Chris Culak, 2502 Marvin Ave., representing Preservation Dallas

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Garcia abstain; Caraway absent when vote taken)

Assigned ORDINANCE NO. 27016.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3497

Item 15: Authorize a contract for the replacement of underground piping for the heating, ventilation and air conditioning system at the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Boulevard with Lassiter, Inc. lowest responsible bidder of four - Not to exceed \$385,765 - Financing: Capital Construction Funds (\$140,500) and 2006 Bond Funds (\$245,265)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3498

Item 16: Authorize an increase in the annual base salary of City Auditor Craig Daniel Kinton in the amount of \$12,000, from \$160,000 to \$172,000 plus the associated pension contribution in the amount of \$712 and Medicare contribution in the amount of \$174, for a total annual additional cost of \$12,886  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3499

Item 17: Authorize the acceptance of the 2007 Homeland Security Grant from the Department of Homeland Security which includes the Urban Areas Security Initiative, State Homeland Security Program, Law Enforcement Terrorism Protection Program, Metropolitan Medical Response System and Citizen Corps Program for the period October 12, 2007 through February 28, 2010 - Not to exceed \$8,682,942 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3500

Item 18: Authorize a ten-year contract with the Dallas Rowing Club, with two five-year renewal options, beginning November 28, 2007 through November 28, 2017, permitting the maintenance, construction and operation of the boathouse facility at Bachman Lake Park - Annual Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3501

Item 19: Authorize **(1)** an application for and acceptance of the 2007 Internet Crimes Against Children Continuation Grant supplement from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period April 1, 2005 through May 31, 2008; and **(2)** execution of the grant agreement - Not to exceed \$225,000, from \$600,000 to \$825,000 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3502

Item 20: Authorize Internet Crimes Cooperative Working Agreements with Longview Police Department in the amount of \$10,750, Tarrant County District Attorney's Office in the amount of \$10,000, Dallas County District Attorney's Office in the amount of \$5,000, Lubbock County District Attorney's Office in the amount of \$4,500, Potter County District Attorney's Office in the amount of \$4,500, Collin County Sheriff's Office in the amount of \$4,500, Taylor County Sheriff's Office in the amount of \$4,500, and the Dallas Children's Advocacy Center in the amount of \$5,625 for the investigation, prosecution, education and counseling activities related to the Dallas Internet Crimes Against Children Task Force in response to the Internet related sexual exploitation of children, for the period October 1, 2007 through May 31, 2008 - Total not to exceed \$49,375 - Financing: Internet Crimes Against Children Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3503

Item 21: Authorize a professional services contract with Lim & Associates, Inc. for the engineering design of Sidewalk Improvement Group 03-134 (list attached) - \$316,400 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3504

Item 22: Authorize **(1)** an increase in the contract with Nedderman and Associates, Inc. for construction of the 1608 Main Street Pedestrianway in an amount not to exceed \$42,897, from \$476,700 to \$519,597; **(2)** assignment of the contract to Main Street Alley, Ltd. for construction administration; **(3)** the receipt and deposit of funds from Main Street Alley, Ltd. in an amount to not exceed \$42,897; and **(4)** an increase in appropriations in the amount of \$42,897 - Financing: Capital Projects Reimbursement Funds (to be advanced by the developer)

Councilmember Rasansky requested that consent agenda item 22 be considered as an individual item. Mayor Leppert stated that consent agenda item 22 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 22 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3505

Item 23: Authorize a contract for the installation of water and wastewater mains at 27 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of five - \$6,250,913 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3506

07-3507

Item 24: 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 28, 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.

Councilmember Rasansky moved to appoint Rebecca Ann Poling, General Public, to the Animal Shelter Commission; Maulita Nellie Tafalla, experience in Visual Arts, and Tailim Song and Alphonso Pino III, Interested Citizen, to the Cultural Affairs Commission; John E. Johnson, Citizen-at large, to the Landmark Commission; Julian A. (Bill) Peterson, Senior Affairs Commission; Clara Young, resident of fund area, and C. W. Whitaker, Active Community Involvement, to the South Dallas/Fair Park Trust Fund Board; Chantel Phillips, Full time student in DISD, to the Youth Commission.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Mayor Pro Tem Garcia moved to appoint Sandra Broden, Chair, to the Martin Luther King Community Center and C. W. Whitaker, Chair, to the South Dallas/Fair Park Development Fund.

Motion seconded by Councilmember Allen and unanimously adopted.

Councilmember Rasansky moved to appoint all nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending September 30, 2009.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-3506

07-3507

Page 2

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

<b>07-3530</b>	<b>ASC</b>	<b>ANIMAL SHELTER COMMISSION</b>
<b>07-3531</b>	<b>BOA</b>	<b>BOARD OF ADJUSTMENT</b>
<b>07-3532</b>	<b>CAC</b>	<b>CULTURAL AFFAIRS COMMISSION</b>
<b>07-3533</b>	<b>CPC</b>	<b>CITY PLAN AND ZONING COMMISSION</b>
<b>07-3534</b>	<b>CPR</b>	<b>DALLAS CITIZENS POLICE REVIEW BOARD</b>
<b>07-3535</b>	<b>LMC</b>	<b>LANDMARK COMMISSION</b>
<b>07-3536</b>	<b>MLB</b>	<b>MUNICIPAL LIBRARY BOARD</b>
<b>07-3537</b>	<b>MLK</b>	<b>MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD</b>
<b>07-3538</b>	<b>PLA</b>	<b>PERMIT AND LICENSE APPEAL BOARD</b>
<b>07-3539</b>	<b>SAC</b>	<b>SENIOR AFFAIRS COMMISSION</b>
<b>07-3540</b>	<b>SDF</b>	<b>SOUTH DALLAS/FAIR PARK TRUST FUND BOARD</b>
<b>07-3541</b>	<b>YAC</b>	<b>YOUTH COMMISSION</b>
<b>07-3542</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3508

Item 25: Authorize a thirty-six-month master agreement for hydrated lime to be used for stabilizing soil on City levees and creek banks - Dien, Inc. or Univar USA, lowest responsible bidder of two - Not to exceed \$151,800 - Financing: Current Funds (**Tie Bids**)

The city secretary was notified by the city manager there were two bids that resulted in identical bids amounts. In accordance with Section 271.901 of the Texas Local Government Code, the municipality must select one of those bidders by casting of 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 city secretary announced the two tying bidders had been placed in separate plain envelope for the mayor to select one of the sealed envelopes. The mayor selected one of the sealed envelopes which was opened by the City Secretary who announced the winner, Univar USA in the amount of \$151,800.

Councilmember Salazar moved to award the bid as determined by the mayor selecting one of the envelopes with the name, Univar USA inside.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3509

Item 26: An ordinance authorizing the issuance and sale of City of Dallas, Texas General Obligation Refunding and Improvement Bonds, Series 2007A in an amount not to exceed \$385,000,000; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; approving the execution of an Escrow Agreement; enacting other provisions in connection therewith; and approval of amendments to Resolution No. 07-3159 (as referenced in the Attachment 1) previously approved on October 24, 2007 - Not to exceed \$675,884 - Financing: 2006 Bond Funds - Interest Earnings

Councilmember Allen moved to approve the ordinance.

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

Assigned ORDINANCE NO. 27017.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3510

Item 27: An ordinance authorizing the issuance and sale of Combination Tax and Revenue Certificates of Obligation, Series 2007 in an amount not to exceed \$5,500,000; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$58,824 - Financing: 2007 Combination Tax and Revenue Certificates of Obligation - Interest Earnings

Councilmember Allen moved to approve the ordinance.

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

Assigned ORDINANCE NO. 27018.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3511

Item 28: An ordinance authorizing the issuance and sale of Equipment Acquisition Contractual Obligations, Series 2007 in an amount not to exceed \$31,475,000; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$103,675 - Financing: 2007 Equipment Acquisition Contractual Obligations - Interest Earnings

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

Councilmember Allen moved to approve the ordinance.

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

Assigned ORDINANCE NO. 27019.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3512

Item 29: 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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3513

Item 30: 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 responsible bidder of seven - Not to exceed \$13,731,475 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

The following individuals addressed the city council regarding the item:

Peter Hall, 1201 Elm St, representing Tolman Building Services

Councilmember Salazar moved to refer to Economic Development Council Committee to return on December 12, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins.

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

Voting Yes: [8] Garcia, Caraway, Medrano, Salazar, Davis, Atkins, Koop, Hunt  
Voting No: [7] Leppert, Neumann, Hill, Kadane, Allen, Natinsky, Rasansky  
Absent: [0]

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3514

Item 31: 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

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3515

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 32-33 were presented for consideration.

Agenda items 32 and 33 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 32: Zoning Case Z067-335(JH) [considered individually]~~

~~Agenda item 33: Zoning Case Z067-342 (JH) [considered individually]~~

There were no zoning cases on the consent agenda docket to be considered for approval.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3516

Item 32: Zoning Case Z067-335(JH)

The consent zoning docket consisting of agenda items 32-33 were presented for consideration.

The City Secretary requested that consent agenda zoning item 32 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that consent agenda zoning item 32 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

A public hearing was called on zoning case Z067-335 (JH), an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a dance hall and live music venue on property zoned Planned Development District No. 269, located on the south side of Commerce Street, west of Henry Street

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

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

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

Bill MacLeod, 5188 Richmond Ave.  
Jonathan Hetzel, 1811 Greenville Ave., representing Madison Partners/SDL Partners,  
property owner

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

1. Delete all references to live music venue in this specific use permit, and
2. Change the term of the Specific Use Permit to five years

and pass the ordinance.

Motion seconded by Councilmember Hunt and unanimously adopted.

Assigned ORDINANCE NO. 27020.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3517

Item 33: Zoning Case Z067-342 (JH)

The consent zoning docket consisting of agenda items 32-33 were presented for consideration.

The City Secretary requested that consent agenda zoning item 33 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that consent agenda zoning item 33 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

A public hearing was called on zoning case Z067-342 (JH), an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, located on the north side of Commerce Street, east of Good Latimer Expressway

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

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

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

Jonathan Hetzel, 1811 Greenville Ave., representing Madison Partners/SDL Partners,  
property ownre

Bill MacLeod, 5188 Richmond Ave.

Michael Whittington, 7324 Walling Lane, representing Red Blood Club

Justin Powers, 1711 Hubert St., representing Red Blood Club

April Collmar, 312 Faith Court, **Burleson, TX**, representing Red Blood Club

James Hyde, 2803 Madison Ct. **Richardson, TX**, representing Red Blood Club

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

1. Delete all references to live music venue in this specific use permit, and
2. Hire two certified peace officer on Friday and Saturday, from 10:00 p.m. to 2:00 a.m.
3. Change the term of the specific use permit to one year

and pass the ordinance



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Mayor Leppert asked Councilmember Medrano if she would accept the recommendation presented by the staff as a friendly amendment to her motion to close the public hearing and approve the request recommended by the city plan and zoning commission subject to two peace officer being onsite and bring back the ordinance for consideration at the December 12, 2007 voting agenda meeting of the city council.

Councilmember Medrano accepted Mayor Leppert's request to accept the recommendation presented by the staff as a friendly amendment to her motion.

Councilmember Rasansky, who seconded the original motion, also accepted Mayor Leppert's request to accept the recommendation presented by the staff as a friendly amendment to the motion.

After discussion, Mayor Leppert called the vote on Councilmember Medrano's motion as modified by the friendly amendment to close the public hearing and approve the request recommended by the city plan and zoning commission subject to two peace officer being onsite and bring back the ordinance for consideration at the December 12, 2007 voting agenda meeting of the city council.

Mayor Leppert declared the motion as modified by the friendly amendment unanimously adopted.

**Note: The Dallas City Council approved the recommendation of the city plan and zoning commission with the ordinance to come back at the December 12, 2007. Therefore, Ordinance No. 27021 was assigned in error and published in the Dallas Morning News on December 1, 2007. When Ordinance No. 27021 is considered for approval at the December 12, 2007 the same ordinance number will be used and republished.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3518

Item 34: Zoning Case Z067-178 (WE) INDIVIDUAL

A public hearing was called on zoning case Z067-178 (WE), an application for and an ordinance granting a Planned Development District for TH-2(A) Townhouse District uses and non-residential uses on property zoned a TH-1(A) Townhouse District, located on the north side of Northwest Highway, west of Midway Road

(The 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.

Councilmember Rasansky moved to continue the public hearing and hold under advisement until the December 12, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3519

Item 35: Zoning Case Z067-133 (OTH) UNDER ADVISEMENT - INDIVIDUAL

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)

Note: This item was considered by the City Council at a public hearing on November 12, 2007, and was taken under advisement until November 28, 2007, with the public hearing open.

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

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

Dave Kirk, 2708 Bishop Hill, **Carrollton, TX**, representing the applicant

Deputy Mayor Pro Tem Caraway moved to close the public hearing, and accept the recommendation with the following revision to Section 2 of the ordinance:

“5. Antenna Cells: Any antenna cells mounted on the tower/antenna for communication must be flushed mounted. Any future co-location cells must be flushed mounted”

and pass the ordinance

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 27022.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3520

Item 36: Zoning Case Z067-286(OTH) 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 Z067-286 (OTH), 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)

Note: This item was considered by the City Council at a public hearing on November 12, 2007, and was taken under advisement until November 28, 2007, with the public hearing open.

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

Robert Simpson, 2017 Autumn Meadows  
Brenda Wheeler, 205 W. Overton Rd.  
Martinie Everett, 242 Springbranch  
Patricia Burks, 1108 Indian Creek Trail  
Ailene Chavers, no address given  
Gay Collier, 4612 Idaho Ave.

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

Wanda Smith, 4507 Kushla Ave.  
Jerry Lawrence, 4210 Kushla Ave.  
Roetta White Crayton, 1231 Fordham, representing Glendale Height Neighborhood Association

Deputy Mayor Pro Tem Caraway moved to close the public hearing, and accept the recommendation of the city plan commission to deny the application.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3521

Item 37: SPECIAL PROVISION SIGN DISTRICT

A public hearing to receive comments regarding an application for an amendment to the provisions of the Downtown Special Provision Sign District, to create a new Subdistrict to allow for video board signs on a tract of land generally between Main Street and Elm Street, west of Akard Street

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.

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.

The following individuals addressed the city council regarding the item:

William E. Cothrum, 900 Jackson St., representing the applicant

Councilmember Hunt moved to continue the public hearing and hold under advisement until February 27, 2008.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3522

Item 38: A public hearing to receive comments regarding a proposal for, and an ordinance waiving certain street name change standards, and changing the name of Motor Street between Stemmons Freeway and Irving Boulevard to Medical District Drive - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Matt Ferguson, 1950 Stemmons Freeway, representing Stemmons Corridor Business Association

Sheli Barnett, 300 N. Coit Rd., representing Motor Lewis LTD.

Sarah Senter, 314 Clay Lane, **Red Oak, TX**

Mark Evans, 1323 Motor St.

Councilmember Medrano moved to approve the street name change and bring back the ordinance for consideration at the October 22, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3523

- Item 39: **Municipal Setting Designation at 1956 Singleton Boulevard**      **Note:** Item Nos. 39 and 40 must be considered collectively.

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Holman Boiler Works, Inc. located near the intersection of Singleton Boulevard and Puget Street and adjacent street rights-of-way - Financing: No cost consideration to the City

- Item 40: An ordinance authorizing support of the issuance of a municipal setting designation to Holman Boiler Works, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff and city plan commission recommended approval)

The City Secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

David E. Whitten, 750 N. St. Paul, representing the applicant  
Frank Clark, 6629 Shadow Crest Drive, licensed engineer and geoscientist,  
representing applicant

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

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 27023.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3524

Item 41: **Municipal Setting Designation** **at 1616 Woodall Rodgers Freeway** **Note:** Item Nos. 41 and 42 must be considered collectively.

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Dallas Woodall Property, LLC located near the intersection of Woodall Rodgers Freeway and Akard Street and adjacent street right-of-way - Financing: No cost consideration to the City

Item 42: An ordinance authorizing support of the issuance of a municipal setting designation to Dallas Woodall Property, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff and city plan commission recommended approval)

The City Secretary read the following statement into the record:

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

The following individual addressed the city council regarding the item:

Jonathan Bull, 7021 Merrilee, representing the applicant  
Frank Clark, 6629 Shadow Crest Drive, licensed engineer and geoscientist representing the applicant

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

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27024.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3525

Item 43: **Reinvestment Zone No. 68**

**Note:** Item Nos. 43, 44 and 45  
must be considered collectively.

A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 68, incorporating property on the north side of Interstate 20 and east of Mountain Creek Parkway, for the purpose of granting a real property tax abatement to Medline Industries, Inc. - Financing: No cost consideration to the City

Item 44: An ordinance designating property on the north side of Interstate 20 and east of Mountain Creek Parkway, as City of Dallas Reinvestment Zone No. 68, for the purpose of granting a real property tax abatement to Medline Industries, Inc. establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

John Henry, 3508 Euclid Ave. **Highland Park, TX**

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

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

Assigned ORDINANCE NO. 27025.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3526

Item 45: **Reinvestment Zone No. 68**

**Note:** Item Nos. 43, 44 and 45  
must be considered collectively.

Authorize a 75 percent real property tax abatement agreement for 7 years with Medline Industries, Inc. located on the north side of Interstate 20 and east of Mountain Creek Parkway - Revenue: First year revenue estimated at \$41,882; seven-year revenue estimated at \$293,177 (Estimated revenue foregone for seven-year real property tax abatement estimated at \$879,530)

The following individual addressed the city council regarding the item:

John Henry, 3508 Euclid Ave. **Highland Park, TX**

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3527

Item 46: **Goods-in-transit ad valorem taxation** **Note:** Item Nos. 46 and 47 must be considered collectively.

A public hearing to receive comments regarding whether goods-in-transit that reside in warehouses within the City of Dallas while awaiting shipment to locations within the State of Texas, and that would otherwise be exempt from taxation under state law, should remain subject to ad valorem taxation by the City of Dallas - Financing: No cost consideration to the City

Item 47: An ordinance amending Chapter 44 of the Dallas City Code to provide for the continued ad valorem taxation of certain goods-in-transit that reside in warehouses in the City of Dallas while awaiting shipment to locations within the State of Texas that would otherwise be exempt from taxation under state law - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 27026.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3528

Item 48: A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 7.509 acres of a 37.1028 acre tract of land, zoned IR, located immediately north of Mockingbird Lane between Forest Park and Maple Avenue, currently in the floodplain of West Fork of Knights Branch, Fill Permit 07-03 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Bill Dahlstrom, 3 Grantley Ct., representing the applicant

Councilmember Medrano moved to close the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 28, 2007

07-3529

Addendum addition 1:           An ordinance abandoning a detention area and drainage easement to TCDFW I-20 I, LP, the abutting owner, containing approximately 4 acres of land located near the intersection of Hampton and Daniieldale Roads - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27027

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 28, 2007

EXHIBIT C