

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 27, 2008

08-0620  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia (\*9:22), Caraway, Medrano, Neumann, Hill, Salazar (\*10:37), Davis, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt (\*10:40)

ABSENT: [0]

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

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

The invocation was given by Joseph Clifford, Pastor of First Presbyterian 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 2:58 p.m.

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Mayor

ATTEST:

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City Secretary

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

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

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

**\* Indicates arrival time after invocation and pledge of allegiance.**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 27, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 27, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0621

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: Jimmy Menifee, 2150 N. Prairiecreek Rd.  
SUBJECT: Saving the city of Dallas money, lot's of money

SPEAKER: Penina Weiner, 11711 El-Hara Circle  
SUBJECT: The house at 7140 Forest Lane

SPEAKER: Ernestine Anderson, 6108 Abrams Rd.  
SUBJECT: City issues

SPEAKER: Bonnie Hurd, 9215 Burton  
REPRESENTING: Senior citizens and people with handicaps  
SUBJECT: Senior citizens and people with handicaps are somebody

SPEAKER: Hayward McMurray, 7137 Bucknell Dr.  
SUBJECT: Bell Ewing will be 114 years old on March 13, 2008

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Code Compliance, Dallas Police Officer and DA

SPEAKER: B. M. Randolph, P. O. Box 210315  
SUBJECT: Request for the City Council's help in acquiring property for outreach and business purposes

SPEAKER: Frank Ward III, P. O. Box 50694  
REPRESENTING: The Trinity Community Church and The Community at Large  
SUBJECT: Revelations: The Kingdom of God is here. The Kingdom of Heaven is now. I am Christ, I am Ethiopia, I am you in Christ Jesus, by faith

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0622

Item 1: Approval of Minutes of the February 13, 2008 City Council Meeting

Mayor Pro Tem Garcia moved to approve the minutes.

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

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0623

### CONSENT AGENDA

The consent agenda, consisting of agenda items 2-70 and addendum addition consent agenda items 1-15, were presented for consideration.

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

Deputy Mayor Pro Tem Caraway requested that consent agenda items 8, 40 and 44 be considered as individual items. Mayor Leppert stated that consent agenda items 8, 40 and 44 be considered as individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Councilmember Neumann requested that consent agenda items 13, 35, 48, 57, 58, 59, 65, and addendum addition consent agenda item 8 be considered as individual items. Mayor Leppert stated that consent agenda items 13, 35, 48, 57, 58, 59, 65, and addendum addition consent agenda item 8 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Hill requested that consent agenda items 4 and 5 be considered as individual items. Mayor Leppert stated that consent agenda items 4 and 5 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Hill's request.

Councilmember Koop requested that consent agenda item 55 be considered as an individual item. Mayor Leppert stated that consent agenda item 56 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

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

Councilmember Rasansky requested that consent agenda items 7, 14, 18, 36, 44, 64 and addendum addition consent agenda item 8 and 12 be considered as individual items. Mayor Leppert stated that consent agenda items 7, 14, 18, 36, 44, 64 and addendum addition consent agenda item 8 and 12 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0623

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Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda items 4, 5, 7, 8, 13, 14, 18, 35, 36, 40, 44, 48, 55, 56, 57, 58, 59, 64, and 65, and addendum addition consent agenda item 8, 11, and 12 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0624

Item 2: Authorize **(1)** a sixty-month service contract for janitorial services at the Jack Evans Police Headquarters with Andrew's Building Service, Inc. in the amount of \$3,388,778; and **(2)** a sixty-month service contract for parking garage cleaning services at the Jack Evans Police Headquarters adjoining garage with Eagle Maintenance Company, Inc. dba Service Master Clean in the amount of \$384,627, best value bidders of seven - Total not to exceed \$3,773,405 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0625

Item 3: Authorize **(1)** the purchase and installation of software license in the amount of \$582,000, **(2)** a sixty-month software maintenance agreement in the amount of \$261,252, and **(3)** a service agreement for on-going development support in the amount of \$178,500 for a document composition solution for preparation of customer invoices and collection notices via the Pay1 system - Exstream Software, LLC., most advantageous proposer of three - Total not to exceed \$1,021,752 - Financing: 2006 Water Revenue Bond Funds (\$582,000), Water Utilities Current Funds (\$439,752) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0626

Item 4: Authorize a contract with the Greater Dallas Asian American Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2008 through March 31, 2009 - Not to exceed \$37,674 - Financing: Current Funds (subject to annual appropriations)

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

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

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0627

Item 5: Authorize a contract with the Greater Dallas Hispanic Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2008 through March 31, 2009 - Not to exceed \$54,212 - Financing: Current Funds (subject to annual appropriations)

Councilmember Hill 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 Hill's request.

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

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0628

Item 6: Authorize a contract for swimming pool renovations at Pleasant Oaks Recreation Center - Sunbelt Pools, Inc., lowest responsible bidder of two - Not to exceed \$189,878 - Financing: 2006 Bond Funds (\$185,000), Current Funds (\$4,878)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0629

Item 7: Authorize a twelve-month master agreement for automobiles, light trucks, motorcycles, vans and utility trucks - Sam Pack's Five Star Ford in the amount of \$2,447,255, Caldwell Country Chevrolet in the amount of \$2,218,255, Sonic Lute Riley Honda L.P. dba Lute Riley Honda in the amount of \$1,598,967, Southwest International Trucks, Inc. in the amount of \$1,495,621, Planet Ford 6 in the amount of \$435,928, The Around the Clock Freightliner Group L.P. in the amount of \$253,276, McKinney Dodge in the amount of \$ 232,284, Metro Ford Truck Sales, Inc. in the amount of \$132,852, B & C Body Co. in the amount of \$111,728 and Red River Harley-Davidson in the amount of \$61,764, lowest responsible bidders of fourteen - Total not to exceed \$8,987,930 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes (\$6,056,602), Water Utilities Current Funds (\$1,610,894), Current Funds (\$675,507), 2006 Equipment Acquisition Contractual Obligation Notes (\$424,770), Aviation Current Funds (\$112,245), Building Inspection Current Funds (\$107,912)

Councilmember Rasansky requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 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 7 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Medrano.

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". (Hill, Salazar, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0630

Item 8: Authorize a twenty-four-month service contract for non-emergency wrecker services - Recovery Systems, Inc. dba Pro-Tow, lowest responsible bidder of six - Not to exceed \$1,438,043 - Financing: Current Funds (\$1,408,043), Confiscated Monies Funds (\$30,000)

Deputy Mayor Pro Tem Caraway requested that consent agenda item 8 be considered as an individual item. Mayor Leppert stated that consent agenda item 8 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Later in the meeting, agenda item 8 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0631

Item 9: Authorize an Interlocal Agreement with the Texas Department of Transportation to purchase from each others contracts for goods and services when economical - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0632

Item 10: Authorize settlement of the lawsuit styled Heather Koetzle and Krystina Murphy v. City of Dallas, Cause No. 06-06203-D - Not to exceed \$29,500 -  
Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0633

Item 11: Authorize settlement of the lawsuit styled Paul Lavell Jennings v. Albert Martinez and Lorne Ahrens, Civil Action No. 3:05-CV-2044-P - Not to exceed \$50,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0634

Item 12: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Hunton & Williams, L.L.P., for additional legal services necessary in the lawsuit styled Terrell Bolton v. City of Dallas, Texas, and City Manager Teodoro Benavides, in his official and individual capacities, Civil Action No. 3-04-CV-0501-D - Not to exceed \$95,000, from \$150,000 to \$245,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0635

Item 13: Authorize Supplemental Agreement No. 1 to the professional services contract with the consulting firm of Analytic Focus, L.L.C., for additional consultant support and expert witness services necessary in the lawsuit styled AHF Community Development, LLC v. City of Dallas, et al., Civil Action No. 3:06-CV-1035-D - Not to exceed \$25,000, from \$15,000 to \$40,000 - Financing: Current Funds

Councilmember Neumann 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 Councilmember Neumann's request.

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

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

FEBRUARY 27, 2008

08-0636

Item 14: A resolution authorizing the conveyance of an easement for equipment stations to Southwestern Bell Telephone Company d/b/a AT&T Texas, containing approximately 625 square feet of land located near the intersection of Westmoreland and Camp Wisdom Roads - Revenue: \$1,000

Councilmember Rasansky 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 Councilmember Rasansky's request.

Later in the meeting, agenda item 14 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.

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0637

Item 15: A resolution authorizing the sale of approximately 28,434 square feet of unwanted and unneeded City-owned land improved with a former fire station located near the intersection of Shiloh and Centerville Roads to Rudy Mitchell Investments, Inc. the highest bidder - Revenue: \$150,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0638

Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from PBH Investments, L.L.C., of approximately 3,600 square feet of land located near the intersection of Hugo and Woodside Streets for the Woodside Pedestrian Way Extension Project - \$169,200 - Financing: State - Thomas TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0639

Item 17: An ordinance abandoning portions of a floodway easement and a sanitary sewer easement to Mustang Texas GA, LLC, and a portion of a sanitary sewer easement to Joe C. Longbotham and Karen Longbotham, the abutting owners, containing approximately 9 acres of land located near the intersection of Keller Springs and Preston Roads - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27089.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0640

Item 18: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number One, (State-Thomas TIF District), submitted by the State-Thomas TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

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 Hunt moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0641

Item 19: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0642

Item 20: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0643

Item 21: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0644

Item 22: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0645

Item 23: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0646

Item 24: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0647

Item 25: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0648

Item 26: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City.

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0649

Item 27: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0650

Item 28: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0651

Item 29: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0652

Item 30: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0653

Item 31: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0654

Item 32: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0655

Item 33: A resolution accepting the FY 2007 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0656

Item 34: Authorize **(1)** a public hearing to be held on March 26, 2008 to receive comments on an amendment to Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to decrease the geographic area of the Fort Worth Avenue TIF District boundary to remove certain parcels located northwest and west of the intersection of Sylvan and Fort Worth Avenue and at the close of the hearing, **(2)** consideration of an ordinance amending Ordinance No. 26798 to reflect the boundary amendment - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0657

Item 35: An ordinance **(a)** approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and **(b)** authorizing a participation agreement with Dallas County for Tax Increment Financing Reinvestment Zone Number Sixteen - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda item 35 be considered as an individual item. Mayor Leppert stated that consent agenda item 35 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 35 was brought up for consideration.

Councilmember Neumann moved to approve the ordinance.

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

Assigned ORDINANCE NO. 27090.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0658

Item 36: Authorize a contract with Dallas CBD Enterprises, Inc. (d/b/a DowntownDallas, Inc.) for an amount not to exceed \$270,000 for the construction, installation and management of installation of enhanced fencing along commercial surface parking lots, in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) - Not to exceed \$270,000 - Financing: Downtown Connection TIF District Funds

Councilmember Rasansky requested that consent agenda item 36 be considered as an individual item. Mayor Leppert stated that consent agenda item 36 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 36 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 Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0659

Item 37: Authorize **(1)** the acceptance of a grant from The Meadows Foundation in the amount of \$161,546 for the purpose of reducing the number of residential fire-related injuries and fatalities in targeted high-risk communities for the period of February 10, 2008 through September 30, 2008; and **(2)** execution of the grant agreement - Not to exceed \$161,546 - Financing: The Meadows Foundation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0660

Item 38: Authorize a public hearing to be held on March 26, 2008 to receive comments in preparation of the FY 2008-09 Operating, Capital, Grant, and Trust budgets -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0661

Item 39: Authorize the issuance of tax-exempt financing issued by the Heart of Texas Education Finance Corporation in an amount not to exceed \$6,000,000, for the benefit of Uplift Education - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0662

Item 40: Authorize a contract for the renovation of the Texas Discovery Gardens, including demolition, structural components, heating, ventilation and air conditioning and life safety systems, roofing, interior finishes, and landscaping at Fair Park located at 3601 Martin Luther King, Jr. Boulevard - Phoenix I Restoration and Construction, Ltd., best value proposer of three - \$4,703,000 - Financing: 1995 Bond Funds (\$118,852), 1998 Bond Funds (\$86,089), 2003 Bond Funds (\$50,036) and 2006 Bond Funds (\$4,448,023)

Deputy Mayor Pro Tem Caraway 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 Deputy Mayor Pro Tem Caraway's request.

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

Councilmember Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0663

Item 41: Authorize a contract for the construction of a new pavilion, playground, and sidewalks at St. Augustine Park located at 1500 North St. Augustine Road - MetalMan Design/Build Corporation, best value proposer of two - \$347,188 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0664

Item 42: Authorize **(1)** a contract for the construction of a new pavilion, walking trail, and pond enhancements at Lake Highlands North Park located at 9344 Church Road with MetalMan Design/Build Corporation in the amount of \$547,962, best value proposer of four; and, **(2)** an increase in appropriations in the amount of \$131,000 in the Capital Gifts, Donation and Development Fund - Total not to exceed \$547,962 - Financing: 2003 Bond Funds (\$416,962) and Capital Gifts, Donation and Development Funds (\$131,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0665

Item 43: Authorize **(1)** an increase in the contract with Phoenix I Restoration and Construction, Ltd. for the installation of shade structures for the new playground at Kiest Park located at 3080 South Hampton Road, in the amount of \$86,337; and, **(2)** an increase in appropriations in the amount of \$270,517 in the Capital Gifts, Donation and Development Fund - \$86,337, from \$571,000 to \$657,337 - Financing: 2006 Bond Funds (\$860) and Capital Gifts, Donation and Development Funds (\$85,477)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0666

Item 44: Authorize Supplemental Agreement No. 1 to the professional services contract with Quimby-McCoy Preservation Architecture, LLP, for the preparation of measured drawings and interpretive planning services concerning the structures located at 1920-22 and 1924-26 Main Street for the required documentation of historic structures for the Main Street Garden Park located at 1917 Main Street - \$16,180, from \$24,620 to \$40,800 - Financing: 2006 Bond Funds

Deputy Mayor Pro Tem Caraway and Councilmember Rasansky requested that consent agenda item 44 be considered as an individual item. Mayor Leppert stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway and Councilmember Rasansky's request.

Later in the meeting, agenda item 44 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 Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0667

Item 45: Authorize an Agreement with the Internal Revenue Service, Criminal Investigation, a Treasury law enforcement agency, for the purpose of equitable sharing from asset seizure and forfeiture pursuant to a joint operation/task force for the period October 1, 2007 through September 30, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0668

Item 46: Authorize Supplemental Agreement No. 1 to the Management and Operation Agreement with Dallas County Heritage Society dba Old City Park, also known as Dallas Heritage Village, to provide for the funding of infrastructure improvements related to the expansion of Dallas Heritage Village - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0669

Item 47: An ordinance amending Chapter 10A of the Dallas City Code to: **(1)** define terms; **(2)** allow luxury sport-utility vehicles and luxury vans to be used as limousines; **(3)** allow limousine drivers to be independent contractors of holders; **(4)** provide for appeals of limousine driver's permit denials, suspensions, and revocations to the permit and the license appeal board; **(5)** authorize electronic trip manifests; **(6)** eliminate the requirement for one-hour prearrangement of limousine service; **(7)** reduce the time in which a limousine may arrive to pick up a passenger after prearrangement; and **(8)** make certain non-substantive changes - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27091.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0670

Item 48: Authorize a contract for the construction of barrier free ramp improvements for Group 06-001 (list attached) - Estrada Concrete Company, LLC, lowest responsible bidder of three - \$578,770 - Financing: 2006 Bond Funds (\$542,570) and Water Utilities Capital Construction Funds (\$36,200)

Councilmember Neumann 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 Neumann's request.

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

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Hill.

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". (Atkins absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0671

Item 49: Authorize a contract for the reconstruction of street paving, storm drainage, water, and wastewater main improvements for Street Reconstruction Group 03-610 (list attached) - Tiseo Paving Company, lowest responsible bidder of four - \$2,961,466 - Financing: 2003 Bond Funds (\$1,791,970) and Water Utilities Capital Construction Funds (\$1,169,496)

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0672

Item 50: Authorize a professional services contract with Jones & Carter, Inc. for the engineering design of 5 street reconstruction projects (list attached) - \$275,803 - Financing: 2003 Bond Funds (\$2,190), 2006 Bond Funds (\$238,708) and Water Utilities Capital Construction Funds (\$34,905)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0673

Item 51: Authorize an increase in the contract with Jeske Construction Company for additional quantities of concrete removal for the reconstruction of alley, paving, drainage and wastewater main improvements for Alley Reconstruction Group 03-2020 - Not to exceed \$30,848, from \$555,671 to \$586,519 - Financing: 2003 Bond Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0674

Item 52: Authorize an increase in the contract with P & E Contractors, Inc., for additional construction costs for street paving, storm drainage and wastewater main improvements on Detonte Street from Gifford Street to the dead-end east of Gifford Street - Not to exceed \$70,507, from \$292,289 to \$362,796 - Financing: 2003 Bond Funds (\$46,755) and Water Utilities Capital Construction Funds (\$23,751)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0675

Item 53: Authorize the purchase of library furniture, equipment and the purchase and installation of interior signage for the Bachman Lake Branch Library, which replaces the existing Walnut Hill Branch Library, to be located at 9480 Webb Chapel Road with Cultural Surroundings in the amount of \$137,239; and Libra-Tech Corporation in the amount of \$55,008; and A Sign of Quality, LLC in the amount of \$13,728, lowest responsible bidders of three - Total not to exceed \$205,975 - Financing: 2003 Bond Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0676

Item 54: Authorize three service agreements with ONCOR Electric Delivery for the relocation of existing overhead electric distribution lines and the installation of temporary street lighting for Bexar Street from C. F. Hawn Freeway (U.S. 175) to Brigham Lane - \$188,118 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0677

Item 55: Authorize **(1)** a contract for the construction of paving and drainage improvements for the Dallas Parkway from Briargrove Lane to the KCS Railroad north of President George Bush Turnpike (northbound) and from Briargrove Lane to Haverwood Lane (southbound) - Rebcon, Inc., lowest responsible bidder of six - \$1,578,280; **(2)** the receipt and deposit of funds from Collin County in an amount not to exceed \$789,140; and, **(3)** an increase in appropriations in the amount of \$789,140 in the Capital Projects Reimbursement Fund - Financing: 2003 Bond Funds (\$789,140) and Capital Projects Reimbursement Funds (\$789,140)

Councilmember Koop requested that consent agenda item 55 be considered as an individual item. Mayor Leppert stated that consent agenda item 55 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Later in the meeting, agenda item 55 was brought up for consideration.

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0678

Item 56: Authorize **(1)** a contract for the construction of paving and drainage improvements for the East Dallas VeloWay, Phase II, from Glasgow Drive to Hill Street with Ken-Do Contracting, L.P. in the amount of \$2,900,102, lowest responsible bidder of five; **(2)** the receipt and deposit of funds from Dallas County in the amount of \$432,000; and **(3)** an increase in appropriations in the amount of \$432,000 in the Capital Projects Reimbursement Fund - Not to exceed \$2,900,102 - Financing: 2003 Bond Funds (\$2,287,656), Capital Projects Reimbursement Funds (\$432,000) and Water Utilities Capital Construction Funds (\$180,446)

Mayor Leppert 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 Mayor Leppert's request.

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

Councilmember Hunt moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0679

Item 57: Authorize Interlocal Agreements with the Texas Department of Transportation to obtain reimbursement for developing a Safe Routes to School Plan for 15 public schools (list attached) - Not to exceed \$120,000 - Financing: Texas Department of Transportation Grant Funds

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

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

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0680

Item 58: **Safe Routes Non-Infrastructure Plan** **Note:** Item Nos. 58 and 59 must **Implementation and Infrastructure Projects** be considered collectively.

Authorize Interlocal Agreements with the Texas Department of Transportation to obtain reimbursement for engineering design and installation of sidewalks, barrier free ramps, traffic signs, and crosswalk markings for 15 public schools (list attached) - Not to exceed \$3,219,087 - Financing: Texas Department of Transportation Grant Funds

Item 59: Authorize Interlocal Agreements with the Texas Department of Transportation to obtain reimbursement for labor and materials associated with safety education and training programs at 15 public schools (list attached) - Not to exceed \$120,000 - Financing: Texas Department of Transportation Grant Funds

Councilmember Neumann requested that consent agenda item 58 and 59 be considered as an individual item. Mayor Leppert stated that consent agenda item 58 and 59 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 58 and 59 was brought up for consideration.

Councilmember Neumann moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0681

Item 60: **East Dallas Veloway Phase I**                      **Note:** Item Nos. 60 and 61 must  
**(Glasgow Street to Winsted Drive)**    be considered collectively.

Authorize payment to the Texas Department of Transportation for the City's share of design and construction costs for construction of the East Dallas Veloway Phase I, a 12' concrete hike and bike trail, from Glasgow Street to Winsted Drive - \$797,999 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0682

Item 61: **East Dallas Veloway Phase I**  
**(Glasgow Street to Winsted Drive)**

**Note:** Item Nos. 60 and 61 must  
be considered collectively.

Authorize an agreement with and payment to Qwest Communications Corporation for relocation of fiber-optic facilities in conflict with the alignment of the East Dallas Veloway Phase I - \$138,371 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0683-01

08-0683-02

Item 62: **Katy Trail Phase III and Phase IV** **Note:** Item Nos. 62 and 63 must be considered collectively.

Authorize (1) a professional services contract with HNTB Corporation to provide design services for bicycle and pedestrian enhancements for Phase III of the KATY Trail extension in the amount of \$173,742; (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$138,994; and (3) an increase in appropriations in the amount of \$138,994 for Phase III in the Capital Projects Reimbursement Fund - Not to exceed \$173,742 - Financing: 2003 Bond Funds (\$34,748) and Capital Projects Reimbursement Funds (\$138,994)

Item 63: Authorize (1) a professional services contract with HNTB Corporation to provide design services for bicycle and pedestrian enhancements for Phase IV of the KATY Trail extension in the amount of \$859,088; (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$687,271; and (3) an increase in appropriations in the amount of \$687,271 for Phase IV in the Capital Projects Reimbursement Fund - Not to exceed \$859,088 - Financing: 2003 Bond Funds (\$171,817) and Capital Projects Reimbursement Funds (\$687,271)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0684

Item 64: An ordinance amending Chapter 18 of the Dallas City Code to provide for annual increases in landfill disposal service charges under disposal service contracts with the City, based on a designated consumer price index - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 64 be considered as an individual item. Mayor Leppert stated that consent agenda item 64 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 64 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 27092.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0685

Item 65: Authorize **(1)** the acceptance and deposit of a donation from the Hoblitzelle Foundation through the Trinity Trust Foundation to provide additional enhancement for the Moore Park Gateway in the amount of \$2,000,000, and **(2)** an increase in appropriations in the amount of \$2,000,000 in the Moore Park Gateway Donation fund - Not to exceed \$2,000,000 - Financing: Private Funds

Councilmember Neumann requested that consent agenda item 65 be considered as an individual item. Mayor Leppert stated that consent agenda item 65 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 65 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0686

Item 66: Authorize a contract for the installation of water and wastewater mains at 22 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of four - \$6,552,376 - Financing: Water Utilities Capital Improvement Funds (\$6,543,667), 2003 Bond Funds (\$8,709)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0687

Item 67: Authorize a five-year contract, with two five-year renewal options, with the City of Carrollton to provide untreated water from Lake Lewisville for the irrigation of Indian Creek Golf Club located in Denton County and McInnish Park Athletic Complex, located in Dallas County - Estimated Annual Revenue: \$49,432

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0688

Item 68: Authorize Supplemental Agreement No. 2 to the professional services contract with Camp Dresser & McKee, Inc. for additional engineering services associated with the design of sidestream treatment facilities at the Southside Wastewater Treatment Plant - \$637,022, from \$3,564,287 to \$4,201,309 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0689

Item 69: Authorize an increase in the service contract with AXON Solutions, Inc. to provide technical support of the Pay1 billing system after “go-live”, provide role authorizations testing, provide necessary configuration within SAP associated with the Exstream document composition software implementation, and perform a staffing assessment for long term technical support of the Pay1 System - Not to exceed \$1,704,900, from \$11,794,823 to \$13,499,723 - Financing: 2006 Water Revenue Bond Funds (\$128,780) and Current Funds (\$1,576,120)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0690

Item 70: Authorize Supplemental Agreement No. 3 to the professional services contract with Jericho Consulting, Inc., for continued implementation of Phase 2 of the Pay1 project and the addition of specific task orders associated with the Pay1 project - Not to exceed \$920,600, from \$3,504,500 to \$4,425,100 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0691

08-0692

Item 71: 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 FEBRUARY 27, 2008.

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 Koop moved to appoint James M. Hightower, Registered Structure Engineer, to the Building Inspection Advisory, Examining & Appeals; Maude A. Small, experience in Research & History, to the Landmark Commission; Kevin Felder, to the Reinvestment Zone Nine Board (Vickery Meadow); Ed Oakley, to the Reinvestment Zone Sixteen Board (Twelve Hills) and Catherine Horsey, experience in Non-profit Management, to the South Dallas/Fair Park Trust Fund Board.

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

Mayor Pro Tem Garcia moved to appoint Phil Foster, Vice-Chair, to the Dallas Citizens Police Review Board; Lois Lilly, Vice-Chair, to the Martin Luther King Jr. Community Center Board; B. H. "Mike" Morgan, Chair, to the Reinvestment Zone Eight Board (Design District) and Christina Rodriguez, Chair, to the Youth Commission.

Motion seconded by Councilmember Medrano and unanimously adopted.

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

**08-0721      BIA    BUILDING INSPECTION ADVISORY, EXAMINING & APPEALS**  
**08-0722      LMC    LANDMARK COMMISSION**  
**08-0723      RZ09   REINVESTMENT ZONE NINE BOARD (VICKERY MEADOW)**  
**08-0724      RZ16   REINVESTMENT ZONE SIXTEEN BOARD (TWELVE HILS)**  
**08-0725      SDF    SOUTH DALLAS/FAIR PARK TRUST FUND BOARD**  
**08-0726                      BOARD OFFICERS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0693

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 72-73 were presented for consideration.

No items were removed from the consent zoning docket, to be considered as individual hearing.

Agenda item 72: Zoning Case Z067-341(OTH)

Agenda item 73: Zoning Case Z078-105 (MAW)

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.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0694

Item 72: Zoning Case Z067-341 (OTH)

The consent zoning docket consisting of agenda items 72-73 were presented for consideration.

A public hearing was called on zoning case Z067-341 (OTH), an application for and an ordinance granting a Specific Use Permit for a restaurant without drive in or drive through service on property zoned an NO(A) Neighborhood Office District, on the west side of South Polk Street, north of Legendary Lane

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27093.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0695

Item 73: Zoning Case Z078-105 (MAW)

The consent zoning docket consisting of agenda items 72-73 were presented for consideration.

A public hearing was called on zoning case Z078-105 (MAW), 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 east of Preston Road, south of Campbell Road

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27094.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0696

Item 74: Zoning Case Z067-275 (OTH) 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 Z067-275 (OTH), an application for and an ordinance granting a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses within Planned Development District No. 193, on property zoned a GR General Retail Subdistrict and an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on both sides of Routh Street at its terminus at the Katy Trail.

(The staff and city plan commission recommended approval of a Planned Development Subdistrict for GR General Retail Subdistrict uses subject to a conceptual plan and conditions)

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

Harriet Rubin, 2714 Turtle Creek Circle  
Allen Rubin, 2714 Turtle Creek Circle  
Karin Lucas, 2585 Turtle Creek Blvd.  
William Miller, 3310 Fairmount St., representing Park Towers  
Linda Marcus, 2814 Park Bridge Court  
David Braden, 3310 Fairmount  
Michael Jenkins, 2830 Park Bridge Court  
Bulldog Cunningham, 3310 Fairmount St.

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

Kirk Williams, 17318 Club Hill Dr., representing the applicant

Councilmember Hunt moved to close the public hearing and deny with prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0697

Item 75: Zoning Case Z078-115 (MAW) INDIVIDUAL

A public hearing was called on zoning case Z078-115 (MAW), an application for an MF-1(A) Multifamily District on property zoned an MF-2(A) Multifamily District and an R-7.5(A) Single Family District on the east side of St. Augustine Drive, north of Bruton Road.

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

Deleted on the addendum.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0698

Item 76: Zoning Case Z078-120 (RB) INDIVIDUAL

A public hearing was called on zoning case Z078-120 (RB), an application for and an ordinance granting the creation of a new Tract within the Tract 1 portion of Planned Development District No. 559 for Single family uses and Private streets on the south line of Westgrove Road, east of Harvest Cove.

(The staff recommended denial and city plan commission recommended approval subject to a revised development plan and conditions)

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

Councilmember Natinsky moved to close the public hearing and approve the ordinance with the following Tract 1A fence requirements:

- 1) Fences located in the required front yard may not exceed seven feet in height.
- 2) Fence must be constructed of brick, stone, concrete masonry, wrought iron, or similar materials, or a combination of these materials, but not wood or chain link.
- 3) The fence must be 90 percent open.

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

Assigned ORDINANCE NO. 27095.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0699

Item 77: Zoning Case Z067-259 (OTH) 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 Z067-259 (OTH), an application for an MU-1 Mixed Use District on the western half of the site, and an MF-3(A) Multifamily District on the eastern half of the site with deed restrictions volunteered by the applicant on the entire site, on property zoned an MF-1(A) Multifamily District, in an area bounded by Lovers Lane, Amesbury Drive, Milton Street, and Matilda Street.

(The staff recommended approval of an MU-1 Mixed Use District on the western half of the property and an MF-3(A) on the eastern half of the property and a strip along Milton Street on the western side of the property, subject to deed restrictions volunteered by the applicant on the entire property and city plan commission recommended denial)

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

Kat Truitt, 5082 Matilda  
Elaine Lorva, 5074 Matilda  
Gretchen Luedtke, 5811 Birchbrook  
Betty Vondraceil, 6215 Chesley  
Tina Yampanis, 4631 Ridgelawn Dr.  
Lawrence Cottle, 5086 Matilda  
John Marston, 6161 Sul Ross

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

Leslie Davenport, 6017 Milton St., representing Neighborhood opposition to zoning case

Councilmember Hunt moved to continue the public hearing and hold under advisement until the March 26, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0700

Item 78: Zoning Case Z067-159 (RB) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-159 (RB), an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restriction volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the east line of Westmoreland Road between Overcrest Street and Davis Street.

Note: This item was considered by the City Council at a public hearing on February 13, 2008, and was taken under advisement until February 27, 2008, with the public hearing open.

(The staff recommended approval, subject to deed restrictions volunteered by the applicant)

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

Councilmember Neumann moved to continue the public hearing and hold under advisement until the March 26, 2008 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0701

Item 79: Zoning Case Z067-309 JH) UNDER ADVISEMENT – INDIVIDUAL

A public hearing was called on zoning case Z067-309 (JH), an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict uses on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Oak Lawn Avenue and Rawlins Street with consideration for a Specific Use Permit for a bank or savings and loan with drive-through window service.

(The staff recommended approval, of a Specific Use Permit for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to staff's recommended site plan, staff's recommended landscape plan, and conditions in lieu of a Planned Development Subdistrict for GR General Retail Subdistrict uses and city plan commission recommended approval of a Planned Development Subdistrict, subject to a development plan and conditions)

Note: This item was considered by the City Council at a public hearing on February 13, 2008, and was taken under advisement until February 27, 2008, with the public hearing open.

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 the city plan commission's recommendation.

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

Frank Stitch, 4224 N. Hall, representing Oak Lawn Committee

Councilmember Hunt moved to close the public hearing and follow staff's recommendation for approval of the Specific Use Permit with the following changes:

- Landscaping must be provided and maintained in accordance with Section 51P-193.126, as amended.
- The site plan must be amended to show an eight foot sidewalk on Oak Lawn Avenue.

and pass the ordinance.

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

Assigned ORDINANCE NO. 27096.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0702

Item 80: SPECIAL PROVISION SIGN DISTRICT – 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 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

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

Note: This item was considered by the City Council at a public hearing on February 27, 2008, and was taken under advisement until FEBRUARY 27, 2008, with the public hearing open.

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.

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

William E. Cothrum, 900 Jackson St., representing Spectrum Signs

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

Councilmember Hunt moved to continue the public hearing and hold under advisement until the March 26, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0703

Item 81: DEVELOPMENT CODE AMENDMENTS – 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 to receive comments regarding consideration of amendments to Article VII, "Sign Regulations," of Chapter 51A, the Dallas Development Code, to provide for special signage for a city animal shelter.

(The staff recommended approval and city plan commission recommended denial)

Note: This item was considered by the City Council at a public hearing on February 13, 2008, and was taken under advisement until February 27, 2008, with the public hearing open.

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

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Natinsky.

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

Voting Yes: [12] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis, Kadane, Allen, Koop, Natinsky

Voting No: [2] Rasansky, Hunt

Absent when vote taken: [1] Atkins

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27097.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0704

Item 82: **FY 2007-08 Consolidated Plan  
Reprogramming Budget #2**                      **Note:** Item Nos. 82 and 83 must  
be considered collectively.

A public hearing to receive comments on the final FY 2007-08 Consolidated Plan Reprogramming Budget #2 to reprogram \$280,000 of Community Development Grant Funds from Southern Sector Housing and Economic Development Financing to the Neighborhood Enhancement Program and Housing Services Program - Financing: No cost consideration to the City

Item 83: Authorize adoption of the final FY 2007-08 Consolidated Plan Reprogramming Budget #2 to reprogram \$280,000 of Community Development Grant Funds from Southern Sector Housing and Economic Development Financing to the Neighborhood Enhancement Program and Housing Services Program - Not to exceed \$280,000 - Financing: FY 2006-07 Community Development Grant Reprogramming Funds

The following individuals addressed the city council regarding the item:

Ozumba Lluk-X, 4106 Vineyard Dr.  
William Hopkins, 2011 Leath St.  
Frank Ward, P. O. Box 50694

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0705

Addendum addition 1:            Authorize the purchase of eight hand held mini thermal imagers with software to be used in a covert capacity by the Dallas Police Department - GT Distributors, Inc., lowest responsible bidder of four - Not to exceed \$87,032 - Financing: Buffer Zone Protection Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0706

Addendum addition 2:           An ordinance amending Chapter 34 of the Dallas City Code to allow a trial board or an administrative law judge to maintain jurisdiction over an employee's appeal of a demotion or discharge when a criminal or civil proceeding involving the employee is commenced in state or federal court - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27098.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0707

Addendum addition 3: Authorize an actual reasonable moving and related expenses-nonresidential payment for Daravong Tan, dba Dallas Liquor Store, who was displaced as a direct result of real property acquisition of the property at 1934 Main Street, to be used in conjunction with the Main Street Gardens Project - Not to exceed \$45,193 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0708

Addendum addition 4: Authorize an actual reasonable moving and related expenses-nonresidential payment for Albis and Ludy Valverde, dba Main Street Cafe, who were displaced as a direct result of real property acquisition of the property at 1920 Main Street, to be used in conjunction with the Main Street Gardens Project - Not to exceed \$34,295 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0709

Addendum addition 5: Authorize the quitclaim of 24 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$187,959

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0710

Addendum addition 6: An ordinance abandoning a portion of an alley to Roger G. McInnis and Catherine C. McInnis, the abutting owners, containing approximately 2,407 square feet of land located near the intersection of Midbury and Pebbledowne Drives, and authorizing the quitclaim - Revenue: \$50,126 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27099.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0711

Addendum addition 7: An ordinance abandoning a portion of Routh Street and a public plaza easement containing a total of approximately 22,940 square feet of land to Billingsley Arts Partners, Ltd., the abutting owner, located near the intersection of Routh and Flora Streets, and authorizing the quitclaim and providing for the dedication of a total of approximately 22,940 square feet of land for needed alley right-of-way and a public plaza easement - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27100.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0712

Addendum addition 8: Authorize **(1)** the preparation of plans for the issuance of Combination Tax and Revenue Certificates of Obligation, Series 2008 in an amount not to exceed \$42,000,000 to purchase land for the Convention Center Hotel; and enacting other provisions in connection therewith; and **(2)** the establishment of appropriations in an amount not to exceed \$42,000,000 - Financing: This action has no cost consideration to the City

Councilmember Neumann and Councilmember Rasansky requested that addendum addition consent agenda item 8 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 8 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, addendum addition consent agenda item 8 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia.

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

Voting Yes: [13] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis,  
Atkins, Kadane, Allen, Koop, Natinsky

Voting No: [2] Rasansky, Hunt

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0713

Addendum addition 9: An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** prohibit the use of a hand-held mobile telephone to engage in a call or the use of a mobile communication device to send, read, or write a text message while operating a moving motor vehicle in an active school zone; **(2)** provide defenses; **(3)** provide signage requirements; **(4)** provide for enforcement; and **(5)** provide a penalty of \$200 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27101.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0714

Addendum addition 10: Authorize **(1)** installation of traffic signs indicating the restricted use of hand-held mobile telephone or mobile communication device to send, read or write a text message while operating a motor vehicle in an active school zone; and **(2)** an increase in appropriations in the amount of \$144,265 in the Public Works and Transportation's budget - Not to exceed \$144,265, from \$30,666,689 to \$30,810,954 - Financing: Contingency Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0715

Addendum addition 11:       An ordinance amending Chapter 28 of the Dallas City Code to create the Automated Red Light Enforcement Commission and provide for its duties and functions - Financing: No cost consideration to the City

Councilmember Natinsky requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 1 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

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

Councilmember Natinsky moved to approve the item.

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

Assigned ORDINANCE NO. 27102.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0716

Addendum addition 12: Authorize an increase in the contract with Tiseo Paving Company for the construction of paving, drainage, water and wastewater main improvements for Street Group 98-430, on Mapleshade Lane from Preston Road to Villa Road - Not to exceed \$254,108, from \$2,595,672 to \$2,849,780 - Financing: 1998 Bond Funds (\$247,047), Water Utilities Capital Construction Funds (\$7,061)

Councilmember Rasansky 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 Rasansky's request.

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0717

Addendum addition 13:

**Lake Highlands Town Center Project**

**Note:** Item Nos. 13, 14 and 15 must be considered collectively.

Authorize (1) an Interlocal Agreement with the North Central Texas Council of Governments for design, right-of-way acquisition, and construction of bridge, collector street, pedestrian connectivity, median modifications, left-hand turn lane, and traffic signal improvements; (2) payment to the North Central Texas Council of Governments for the City's share of design, right-of-way acquisition, and construction of bridge, collector street, pedestrian, median, left-hand turn lanes, and traffic signal improvements in the amount of \$1,287,500; (3) an increase in appropriations in the amount of \$5,150,000 in the Capital Projects Reimbursement Fund; and (4) the receipt and deposit of funds from the North Central Texas Council of Governments in an amount not to exceed \$6,437,500 - Not to exceed \$1,287,500 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0718

Addendum addition 14:

**Lake Highlands Town Center Project**

**Note:** Item Nos. 13, 14 and 15 must be considered collectively.

Authorize **(1)** a Participation Agreement with PC LH Land Partners, LP for design, right-of-way acquisition, and construction of bridge, collector street, pedestrian connectivity, median modifications, left-hand turn lanes, traffic signal improvements, and water and wastewater improvements; **(2)** the receipt and deposit of funds from PC LH Land Partners, LP in an amount not to exceed \$7,287,500; **(3)** an increase in appropriations in the amount of \$7,287,500 in the Capital Projects Reimbursement Fund; and **(4)** reimbursement of advanced funds to PC LH Land Partners, LP in an amount not to exceed \$1,500,000 - Not to exceed \$1,500,000 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-0719

Addendum addition 15:

**Lake Highlands Town Center Project**

**Note:** Item Nos. 13, 14 and 15 must be considered collectively.

Authorize (1) a Project Specific Agreement with Dallas County for design, right-of-way acquisition, and construction of bridge, collector street, pedestrian connectivity, median modifications, left-hand turn lanes, and traffic signal improvements; and (2) payment to Dallas County for design, right-of-way acquisition, and construction of bridge, collector street, pedestrian connectivity, median modifications, left-hand turn lanes, and traffic signal improvements in an amount not to exceed \$6,437,500 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 27, 2008

08-08-0720

Addendum addition 16: Authorize **(1)** a thirty-six-month lease agreement for City of Dallas south properties (list attached) with XTO Energy, Inc., in ~~the~~ an amount of up to \$14,380,867 and a 26% royalty on hydrocarbons produced, and (2) a two thirty-six-month lease agreements, with one thirty-six-month renewal option each, as well as initial options to lease, for City of Dallas north/Trinity River properties (list attached) with Trinity East Energy, LLC, in ~~the~~ a total amount of up to \$19,045,376 and a 25% royalty on hydrocarbons produced, ~~and (3) a thirty-six month lease agreement, with one thirty six month renewal option,~~ for City of Dallas Love Field properties (list attached) with Trinity East Energy, LLC, in the amount of \$1,455,072 and a 15% royalty on hydrocarbons produced for natural gas drilling and production lease rights, most advantageous proposers of two - Estimated Revenue: ~~\$34,881,315~~ \$33,426,243

Councilmember Natinsky moved to approve the item with the following changes:

1. Section 1 amended to increase maximum bonus amount on XTO Energy, Inc. lease to \$14,753,615.
2. Section 1 and Section 2 further amended to reflect an increase in the estimate maximum total bonus amount from all the leases up to \$33,798,991.
3. Section 1 amended to additionally authorize the City Manager to execute such ancillary documents as are necessary to accommodate the Trinity East Energy, LLC. desire to authorize Rattikin Exchange Services, Inc. to serve as a qualified intermediary in furtherance of a Section 1031 Tax Deferred Exchange with respect to the two leases with Trinity East Energy, LLC.

Motion seconded by Councilmember Allen.

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

Voting Yes: [12] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Atkins, Kadane, Allen, Koop, Natinsky

Voting No: [ 2] Davis, Hunt

Absent when vote taken: [ 1] Rasansky

Mayor Leppert declared the motion adopted.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 27, 2008

EXHIBIT C