

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 26, 2008

08-0820
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway (*9:04), Medrano, Neumann (*9:04), Hill, Salazar, Davis, Atkins, Kadane, Allen (*9:25), Koop, Natinsky, Rasansky, Hunt (*9:30)

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 Bishop Donald Haynes, Head Chaplin at Dallas/Fort Worth Airport.

Councilmember Atkins 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 6:27 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.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 26, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 26, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0821

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: Peter Johnson, 7405 Flameleaf Place
REPRESENTING: Southern Christian State Organization
SUBJECT: Theft of copper and illegal copper sales

SPEAKER: Ronald Wright, 3819 Tolbert
REPRESENTING: Pleasant Grove Business Association
SUBJECT: Theft of copper, illegal copper sales

SPEAKER: Robert Lakey, 9630 Lake June Road
REPRESENTING: Pleasant Grove Business Association
SUBJECT: Cooper Ordinance

SPEAKER: Robert Pitre, 2642 South Harwood St.
REPRESENTING: Pitre Auto
SUBJECT: Cooper theft

SPEAKER: Frederick E. Williams, Sr. 4008 S. Fitzhugh Ave.
REPRESENTING: The Community
SUBJECT: Dallas, Texas

OPEN MICROPHONE – END OF MEETING

SPEAKER: Willie Coleman, 3802 York St.
REPRESENTING: Burtran Neighborhood Association
SUBJECT: South Dallas

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0821

Page 2

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

SPEAKER: Frank Ward, P. O. Box 50694
REPRESENTING: Trinity Reunion Church and the Community at Large
SUBJECT: Revelation; The Kingdom of God is here and the Kingdom of Heaven is now. The Harvest are Plentiful and the Laborers are few.

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter
REPRESENTING: Public at large
SUBJECT: Helping soldiers from Iraq, pollution, and some things that I can say to save Dallas

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Racism against DPD, KKK, and Southwest Station

SPEAKER: Gwain Wooten, 4625 Bryan St.
REPRESENTING: R. A. W.
SUBJECT: What is a lie?

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J. B. Jackson, Jr. Institute
SUBJECT: All Agenda Items

SPEAKER: Jewel Floyd, 3818 Myrtle St.
SUBJECT: Why is the punishment different from blacks stealing and whites stealing?

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0822

Item 1: Approval of Minutes of the February 27, 2008 City Council Meeting

Councilmember Rasansky moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0823

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-76 and addendum addition consent agenda items 1-3, were presented for consideration.

Councilmember Medrano requested that consent agenda item 30 be considered as an individual item. Mayor Leppert stated that consent agenda item 30 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Councilmember Neumann requested that consent agenda items 6, 11, 13, 40, 59, 66 and addendum addition consent agenda item 3 be considered as individual items. Mayor Leppert stated that consent agenda items 6, 11, 13, 40, 59, 66, and addendum addition consent agenda item 3 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Salazar requested that consent agenda item 41 be considered as an individual item. Mayor Leppert stated that consent agenda item 41 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

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

Councilmember Kadane requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 3 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Kadane's request.

Councilmember Rasansky requested that consent agenda items 8, 9, 11, 13, 30, 46, 57 and addendum addition consent agenda items 1 and 3 be considered as individual items. Mayor Leppert stated that consent agenda items 8, 9, 11, 13, 30, 46, 57 and addendum addition consent agenda items 1 and 3 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

08-0823

Page 2

Councilmember Koop moved to approve all items on the consent agenda with the exception of consent agenda items 6, 8, 9, 11, 13, 30, 40, 41, 46, 57, 59, and 66, and addendum addition consent agenda items 1 and 3 which would be considered later in the meeting.

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

Later in the meeting, Councilmember Davis requested to reconsider the consent agenda due to a conflict of interest on addendum addition consent agenda item 2 and to be considered as an individual item.

Councilmember Rasansky moved to reconsider the consent agenda so that addendum addition consent agenda item 2 could be considered as an individual item due to Councilmember Davis' conflict of interest on the item.

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

Councilmember Hill moved to approve all items on the consent agenda with the exception of consent agenda items 6, 8, 9, 11, 13, 30, 40, 41, 46, 57, 59, and 66, and addendum addition consent agenda items 1, 2, and 3 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0824

Item 2: Authorize a thirty-six-month master agreement for liquid carbon dioxide, rental and maintenance of chemical tanks - Linde, Inc., lowest responsible bidder of two - Not to exceed \$2,127,015 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0825

Item 3: Authorize a thirty-six-month master agreement for the purchase of jet fuel to be used in helicopters for the Dallas Police Department - Arrow Energy, Inc., lowest responsible bidder of three - Not to exceed \$653,354 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0826

Item 4: Authorize a twelve-month master agreement for surveyor stakes - Simba Industries, lowest responsible bidder of four - Not to exceed \$102,933 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0827

Item 5: Authorize a twelve-month master agreement for the purchase of Police squad cars through the State of Texas Building Procurement Commission - McKinney Dodge - Not to exceed \$4,517,506 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0828

Item 6: Authorize a twenty-four-month master agreement for employee uniforms and safety shoes for City employees - Regali, Inc. in the amount of \$2,137,803, Work Wear Safety Shoes in the amount of \$383,437, and Lehigh Safety Shoe Company, LLC in the amount of \$176,550, lowest responsible bidders of five - Total not to exceed \$2,697,790 - Financing: Current Funds (\$1,392,090), Aviation Current Funds (\$13,646), Convention and Event Services Current Funds (\$12,756), Water Utilities Current Funds (\$1,279,298)

Councilmember Neumann 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 Neumann's request.

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

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0829

Item 7: Authorize a twenty-four-month professional engineering contract, with three twelve-month renewal options, for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station - Biggs & Mathews Environmental, Inc., most advantageous proposer of three - Not to exceed \$235,890 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0830

Item 8: Authorize an increase in the master agreement with Motorola, Inc. for accessories, repair and parts for two-way radio equipment to be used citywide - Not to exceed \$842,800, from \$3,371,200 to \$4,214,000 - Financing: Current Funds

Councilmember Rasansky 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 Councilmember Rasansky's request.

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0831

Item 9: Authorize an increase in the master agreement with Motorola, Inc. for radio equipment - Not to exceed \$901,360, from \$3,605,438 to \$4,506,798 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 9 be considered as an individual item. Mayor Leppert stated that consent agenda item 9 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 9 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0832

Item 10: Authorize an increase in the service contract for temporary industrial labor with Tolman Building Maintenance, Inc. - Not to exceed \$680,100, from \$2,770,409 to \$3,450,509 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0833

Item 11: Authorize Supplemental Agreement No. 3 to the master lease agreement with Dell Marketing L.P. to increase funding for leased computer hardware and extend the master lease agreement until February 28, 2009 - Not to exceed \$2,500,000, from \$9,200,000 to \$11,700,000 - Financing: Current Funds

Councilmember Neumann and Councilmember Rasansky requested that consent agenda item 11 be considered as an individual item. Mayor Leppert stated that consent agenda item 11 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 11 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; Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0834

Item 12: Authorize the purchase of anthracite filter media to be used in the water purification process - CEI Anthracite, Inc., lowest responsible bidder of four - Not to exceed \$138,300 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0835

Item 13: Authorize the appointment of six underwriting syndicate members and designate the three co-senior managers and three co-managers for the Convention Center Hotel debt issuances - Citigroup Global Markets, Inc., UBS Securities LLC, Siebert Brandford Shank & Co., LLC, Jackson Securities, LLC, RBC Capital Markets, and Southwest Securities, Inc., most advantageous proposers of eighteen - Financing: No cost consideration to the City

Councilmember Neumann and Councilmember Rasansky 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 and Councilmember Rasansky's request.

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

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

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Atkins.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Hunt voting "No." (Garcia, Neumann, Natinsky, Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0836

Item 14: Authorize **(1)** rescinding the thirty-six-month service contract with Cleaning Solutions Janitorial Service, previously approved on November 12, 2007, by Resolution #07-3286, for janitorial services at nine Park and Recreation sites; and, **(2)** a thirty-six-month service contract for janitorial services at nine Park and Recreation sites - All Star Cleaning USA, lowest responsible bidder of six - Not to exceed \$393,120 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0837

Item 15: Authorize settlement of the lawsuit styled Kenneth W. Gipson v. The City of Dallas, Cause No. 05-05282-A - Not to exceed \$15,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0838

Item 16: Authorize settlement of the lawsuit styled Meredith and William Barnes, Individually, and as Guardian for Rosalie Barnes v. City of Dallas, Cause No. 06-06917-C - Not to exceed \$25,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0839

Item 17: Authorize settlement of the preference claim in the bankruptcy case styled Americana Food Limited Partnership, Case No. 06-34387-HDH-7 - Not to exceed \$62,382 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0840

Item 18: Authorize Supplemental Agreement No. 1 to the consultant services contract with UDS, TX LLC for additional legal support services necessary in the lawsuit styled In re McCommas LFG Processing Partners, LP and McCommas Landfill Partners, LP, Cause No. 07-32219-HDH-11 - Not to exceed \$30,000, from \$25,000 to \$55,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0841

Item 19: Authorize Supplemental Agreement No. 2 to the professional services contract with R. W. Beck, Inc. for additional services needed by the City in connection with Bankruptcy Case No. 07-32219 related to the McCommas Bluff Landfill gas plant lease - Not to exceed ~~\$62,263~~, \$39,000, from \$217,949 to ~~\$280,212~~ \$256,949 - Financing: Current Funds

Corrected on the addendum.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0842

Item 20: Authorize a thirty-six-month extension to the software license agreement for computer mainframe maintenance and support with Computer Associates International, Inc. - Not to exceed \$468,024, from \$2,291,954 to \$2,759,978 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0843

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gary A. Kennedy and Glenda Kennedy of approximately 55,640 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$45,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0844

Item 22: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James E. Lynch for approximately 25,574 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$8,807 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0845

Item 23: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kenneth W. Taylor and Landa C. Taylor, of approximately 15,882 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$10,938 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0846

Item 24: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ruth Clifford Swords, of approximately 78,800 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$54,270 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0847

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Syble Kuban and William R. Kuban, Jr., of a total of approximately 145,420 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$104,931 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0848

Item 26: Authorize the deposit of the Special Commissioners' Award in Cause No. CC-06-13872-D, City of Dallas vs. Reliance Asset Trust a/k/a WWM Partnership Trust, et al., pending in Dallas County Court at Law No. 4, for the acquisition of a total of approximately 34 acres of unimproved land located near Interstate 45 and Union Pacific Railroad for the Trinity River Corridor Project - \$86,000 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0849

Item 27: A resolution authorizing the conveyance of an access easement to Sunnyvale Real Estate Investments, L.P., the abutting owner, containing approximately 4,009 square feet of land for pedestrian and vehicular ingress and egress across City-owned land located near the intersection of Fork and Duck Creek Roads in Sunnyvale, Texas - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0850

Item 28: A resolution authorizing the conveyance of a wastewater easement with a temporary construction easement containing a total of approximately 18,018 square feet of land to Kaufman County Municipal Water District No. 3, for the construction, maintenance and use of wastewater facilities across City-owned land located near the intersection of Valley View Road and Red Bud Court in Kaufman County, Texas - Revenue: \$1,346

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0851

Item 29: A resolution authorizing a reduction of the minimum bid amount from \$293,124 to \$200,000 for an unwanted and unneeded tract of City-owned land containing approximately 15,032 square feet located near the intersection of Live Oak Street and Collett Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0852

Item 30: A resolution declaring approximately 13,797 square feet of City-owned land unwanted and unneeded located near the intersection of Wycliff Avenue and Harry Hines Boulevard and authorizing its advertisement for sale by sealed bid with a minimum bid of \$100,000 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 30 be considered as an individual item. Mayor Leppert stated that consent agenda item 30 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 30 was brought up for consideration.

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

Councilmember Rasansky moved to approve the resolution with the following change:

- Minimum bid of \$12 per square feet

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0853

Item 31: A resolution authorizing a reduction of the minimum bid amount from \$227,442 to \$160,000 for an unwanted and unneeded tract of City-owned land containing approximately 6,362 square feet located near the intersection of Lovers Lane and U.S. Highway 75 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0854

Item 32: A resolution authorizing a reduction of the minimum bid amount from \$17,910 to \$8,955 for an unwanted and unneeded tract of City-owned land containing approximately 39,800 square feet located near the intersection of Spring Avenue and Cross Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0855

Item 33: A resolution authorizing a reduction of the minimum bid amount from \$18,000 to \$9,000 for an unwanted and unneeded tract of City-owned land containing approximately 14,949 square feet located near the intersection of Slay Street and Prairie Creek Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0856

Item 34: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TKD Mapleshade, LLC, of two tracts of unimproved land containing a total of approximately 20,800 square feet located near Creek Drive and Cross Timbers Lane for the Upper McKamy Flood Control Improvement Project - \$291,200 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0857

Item 35: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James Senter, of approximately 13,595 square feet of land improved with a single family dwelling located near the intersection of Lakeland Drive and Arturo Road for the Ash Creek Drainage Project - \$116,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0858

Item 36: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mark Bond and Lea Bond, of approximately 10,400 square feet of unimproved land located near the intersection of Creek Drive and Mapleshade Lane for the Upper McKamy Flood Control Improvement Project - \$145,600 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0859

Item 37: An ordinance abandoning a portion of Akard Street to Elm 1414 Properties, Ltd. and GS Murray, Ltd., the abutting owners, containing approximately 63 square feet of land located near the intersection of Akard and Elm Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27103.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0860

Item 38: An ordinance abandoning a portion of Haskell Avenue to Peter A. Nelson and Jean M. Nelson, the abutting owners, containing approximately 552 square feet of land located near the intersection with Blackburn Street and Haskell Avenue, and authorizing the quitclaim - Revenue: \$20,655 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27104.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0861

Item 39: An ordinance abandoning a portion of a drainage and utility easement to 4100 Harry Hines Partners, LP, the abutting owner, containing approximately 8,588 square feet of land, located near the intersection of Throckmorton Street and Sylvester Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27105.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0862

Item 40: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of three tracts of land, from Morning Park, Inc., containing a total of approximately 19 acres located near the intersection of Pinnacle Point Drive and Pinnacle Park Boulevard for Joey Georgusis Park - \$1,295,000 - Financing: 2003 Bond Funds

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

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

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0863

Item 41: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of unimproved land containing a total of approximately 20,376 square feet located near the intersection of Cadiz and Industrial Streets for the Cadiz Pump Station Improvement Project (list attached) - \$181,717 - Financing: Water Utilities Capital Improvement Funds

Councilmember Salazar requested that consent agenda item 41 be considered as an individual item. Mayor Leppert stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

Later in the meeting, agenda item 41 was brought up for consideration.

Councilmember Medrano moved to defer the item until the April 9, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0864

Item 42: An ordinance closing and vacating a portion of St. Louis Street located between St. Paul and Park Streets containing approximately 24,773 square feet of land -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27106.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0865

Item 43: An ordinance amending Chapter 52 of the Dallas City Code to provide administrative provisions for the construction codes, including their application to county construction and renovation projects without a requirement for City permits otherwise required under the construction codes; requiring certain documentation and a performance bond for paving work in the public right-of-way; including the fire alarm permit as part of the master permit; deleting the elevator electrical permit as part of the master permit; setting a fee for the City's review of fire alarm plans, irrigation permits, other miscellaneous systems, and unity agreement applications; setting a maximum refund when no permit has been issued; requiring irrigation inspections; requiring proof of submission of a certificate of insurance for plumbing contractors, medical gas contractors, and mechanical contractors - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27107.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0866

Item 44: An ordinance amending Chapter 53 of the Dallas City Code to adopt the 2006 International Building Code, with local amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27108.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0867

Item 45: An ordinance amending Chapter 59 of the Dallas City Code to adopt the 2006 International Energy Conservation Code, with local amendments - Financing:
No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27109.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0868

Item 46: An ordinance amending Chapters 52 and 57 of the Dallas City Code to adopt the 2006 International Residential Code, with local amendments, and to make corresponding amendments to the “The Administrative Procedures for the Construction Codes” - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 46 be considered as an individual item. Mayor Leppert stated that consent agenda item 46 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 46 was brought up for consideration.

Councilmember Rasansky moved to approve the ordinance.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 27110.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0869

Item 47: An ordinance amending Chapter 54 of the Dallas City Code to adopt the 2006 International Plumbing Code, with local amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27111.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0870

Item 48: An ordinance amending Chapter 55 of the Dallas City Code to adopt the 2006 International Mechanical Code, with local amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27112.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0871

Item 49: An ordinance adding Chapter 60 to the Dallas City Code to adopt the 2006 International Fuel Gas Code, with local amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda

Assigned ORDINANCE NO. 27113.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0872

Item 50: An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application for a Specific Use Permit for an alcoholic beverage establishment for a private club or bar and a commercial amusement (inside) use for a dance hall south of Camp Wisdom Road at Pastor Bailey Drive, and consideration of alternate resolutions either affirming or reversing the decision of the City Plan Commission - W045-008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Later in the meeting, Mayor Leppert requested that consent agenda Item 50 be reconsidered to allow the city council to consider the appeal of the city plan commission's decision, there being no objections voiced to the Mayor's request.

Councilmember Atkins moved to grant the waiver and allow the applicant to make an application for a specific use permit at this location.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0873

Item 51: Authorize **(1)** a public hearing to be held on April 9, 2008 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Twelve (Deep Ellum TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to increase the geographic area of the Deep Ellum TIF District to include the Latino Cultural Center and certain adjacent properties including property owned by the City that the City desires to have developed pursuant to the Project Plan and to increase the total estimated project costs of the Deep Ellum TIF District by \$9,484,962 (in 2005 dollars) of which \$5,000,000 is for improvements to the Latino Cultural Center and the remaining increase is allocated to other budget categories to accommodate additional private development; and, at the close of the hearing; **(2)** consideration of an ordinance amending Ordinance Nos. 26043 and 26304 to reflect such boundary amendments, the increase in total estimated project costs and all other related changes - Financing: No cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0874

Item 52: Authorize the first twelve-month renewal option to the Interlocal Agreement with El Centro Community College to provide educational and student support services at the West Dallas Multipurpose Center for the period April 18, 2008 through April 17, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0875

Item 53: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low income housing tax credits pursuant to Section 50.5 (A) (7) (A-C) of the Qualified Allocation Plan for TDHCA's low income housing tax credit financing for the acquisition and new construction of the proposed 130-unit SDC Fiji Senior Villas apartment project located at 201 Fran Way - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0876

Item 54: Authorize **(1)** a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low income housing tax credits pursuant to Sec. 50.5 (A) (7) (A-C) of the Qualified Allocation Plan for TDHCA's low income housing tax credit financing for the acquisition and new construction of the proposed Frazier Berean 150-unit residential development for seniors located at 3326 Mingo Street; **(2)** rescinding \$750,000 in CDBG funds authorized by Resolution No. 07-0709, previously approved on February 28, 2007, as amended by Resolution No. 07-1998, previously approved on June 27, 2007; and **(3)** expressing the City's intent, subject to subsequent Council authorization, to loan up to \$928,473 in Federal HOME Investment Partnership Program (HOME) funds for construction - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0877

Item 55: Authorize an amendment to the Mortgage Assistance Program Statement to add the Enterprise Homeownership Partners in Dallas and allow homebuyers participating in that program to receive up to \$25,000 for downpayment, closing costs, and/or principal reduction - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0878

Item 56: Authorize **(1)** the Housing Trust Fund to be comprised of certain funds from General Obligation Bond, Consolidated Plan and Section 108 Intown Housing Program Income funds (subject to any bond or federal or state law restrictions regarding expenditure of such designated funds), and any future state trust funds, federal trust funds, and future trust fund revenue specifically authorized by law and designated by the City Council to be a part of the Housing Trust Fund; and **(2)** the support of future local, state and federal legislation to provide funding for the Housing Trust Fund - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0879

Item 57: Authorize **(1)** the acceptance of a donation from Southwestern Bell Telephone, L.P. of the artwork "Neon for Southwestern Bell" by artist Stephen Antonakos; and **(2)** the execution of any and all documents required for the donation - Financing: No cost consideration to the City

Councilmember Rasansky 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 Rasansky's request.

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

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0880

Item 58: Authorize a contract for the installation of a new playground, sprayground, pavilion, utilities, and site furnishings at Ferguson Park located at 1900 Gross Road and the installation of a new playground and related site work at T.G. Terry Park located at 2400 Lagow Street - The Gilbert Construction Group, Inc., best value proposer of four - \$1,255,617 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0881

Item 59: Authorize a forty-five-month professional services contract with Pegasus Texas Construction, LP for program management services consisting of pre-design, design, bidding and award, construction and post-construction phases, and coordination and project delivery systems of assigned projects within the Dallas Park and Recreation Capital projects - \$8,959,560 - Financing: Park and Recreation Department Capital Improvement Funds (subject to annual appropriations)

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

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Natinsky.

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

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

Voting No: [1] Rasansky

Absent when vote taken: [2] Caraway, Salazar

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0882

Item 60: Authorize a professional services contract with Metropolitan Infrastructure, PLLC for topographic survey, preliminary plans, construction documents, bidding, and construction administration for design of the channel stabilization, drainage improvements, and erosion control along the creek at Lakewood Park located at 7000 Williamson Road - \$36,845 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0883

Item 61: Authorize an application for an Urban Outdoor Recreational Grant in the amount of \$1,000,000 from the Texas Parks and Wildlife Department for development of the Elm Fork Athletic Complex project located near the 2200 Block of Walnut Hill Lane - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0884

Item 62: Authorize Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. for the preparation of additional design and construction documents for the Coombs Creek Trail from Cedar Hill Avenue to Sylvan Avenue - \$39,770, from \$57,506 to \$97,276 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0885

Item 63: Authorize an application for the eighth-year continuation of the Dallas Police Department Victim Services grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims, for the period July 1, 2008 through June 30, 2009 - Not to exceed \$49,400 (local match in an amount not to exceed \$12,350 will be required if awarded) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0886

Item 64: Authorize participation with Dallas County in a collaborative effort to submit a consolidated application, with Dallas County as the lead agency, for the acceptance of the 2008-09 Juvenile Accountability Block Grant to provide further development and enhancements to an integrated data processing system from the Office of the Governor, Criminal Justice Division, and execution of the grant agreement, waiver of application and memorandum of understanding - \$91,350 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$82,215) and Current Funds (\$9,135)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0887

Item 65: Authorize a contract for the construction of pavement surface improvements for 2008 Asphaltic Concrete Street Resurfacing, Group 1 on 29 improved streets (list attached) - JRJ Paving, L.P., lowest responsible bidder of three - \$5,909,784 - Financing: 2003 Bond Funds (\$936,982), 2006 Bond Funds (\$4,903,202) and Water Utilities Capital Construction Funds (\$69,600)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0888

Item 66: Authorize a contract for the construction of pavement surface improvements for 2008 Asphaltic Concrete Street Resurfacing, Group 2 on 33 improved streets (list attached) - Austin Bridge and Road, L.P., lowest responsible bidder of three - \$8,537,862 - Financing: 2003 Bond Funds (\$2,729,716), 2006 Bond Funds (\$5,652,096) and Water Utilities Capital Construction Funds (\$156,050)

Councilmember Neumann requested that consent agenda item 66 be considered as an individual item. Mayor Leppert stated that consent agenda item 66 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 66 was brought up for consideration.

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0889

Item 67: Authorize **(1)** a contract for the construction of paving and drainage improvements at the intersection of Frankford Road and Hillcrest Road – JRJ Paving, L.P., lowest responsible bidder of five - \$678,086; **(2)** the receipt and deposit of funds to be reimbursed by Collin County in an amount not to exceed \$300,000; and **(3)** an increase in appropriations in the amount of \$300,000 in the Capital Projects Reimbursement Fund – Not to exceed \$678,086 – Financing: Capital Project Reimbursement Funds (\$650,300) (\$350,300 previously approved by Resolution Nos. 00-2313 and 03-0653) and Water Utilities Capital Construction Funds (\$27,786)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0890

Item 68: Authorize a professional services contract with O'Brien Engineering, Inc. for the engineering design of 5 erosion control projects (list attached) - \$127,101 – Financing: 2003 Bond Funds (\$9,835), 2006 Bond Funds (\$106,984) and Water Utilities Capital Construction Funds (\$10,282)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0891

Item 69: Authorize an increase in the contract with McMahon Contracting, LP for additional channel and drainage improvements for Highland Road from Ferguson Road to Jim Miller Road – Not to exceed \$83,580, from \$3,868,209 to \$3,951,710 – Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0892

Item 70: Authorize **(1)** an increase in the contract with North Texas Contracting to install additional storm drainage improvements for the fuel and chemical containment systems at five locations at Dallas Executive Airport in an amount not to exceed \$105,838, from \$763,510 to \$869,348; **(2)** an increase in appropriations in an amount not to exceed \$105,838 in the Federal Aviation Administration Airport Improvement Program Grant Funds; and **(3)** extending the contract term by an additional seventy-five days – Not to exceed \$105,838 – Financing: Aviation Capital Construction Funds (\$26,459), Federal Aviation Administration Airport Improvement Program Grant Funds (\$79,379)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0893

Item 71: Authorize an Interlocal Agreement with the Texas Department of Transportation for right-of-way acquisition and utility relocations for proposed paving improvements at the intersection of Preston Road (SH 289) and Beltline Road - \$15,000 – Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0894

Item 72: Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation for the upgrade of traffic signal hardware at seven intersections located throughout the city using funds from the federal Hazard Elimination Program (HES) administered by TxDOT (list attached); and **(2)** an amendment to Resolution No. 05-0172 previously approved on January 12, 2005, to increase the local matching fund amount from \$8,706 to \$32,132 – Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0895

Item 73: Authorize a contract for the installation of water and wastewater mains at 16 locations (list attached) – Barson Utilities, Inc., lowest responsible bidder of four - \$5,820,988 – Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0896

Item 74: Authorize a contract for the installation of water and wastewater mains at 26 locations (list attached) – SYB Construction Co., Inc., lowest responsible bidder of four - \$7,697,240 – Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0897

Item 75: Authorize an increase in the agreement with the Texas Department of Transportation for additional water main improvements and adjustments in conjunction with the Spur 366 (Woodall Rodgers Freeway) six-lane extension over the Trinity River with ramps to Industrial Boulevard and direct connect to and from Interstate Highway 35E - \$266,706, from \$1,405,122 to \$1,671,828 – Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0898

Item 76: Authorize an increase in the contract with Archer Western Contractors, Ltd. For additional work associated with ozone facilities and chemical feed system improvements at the Bachman Water Treatment Plant - \$41,233, from \$23,182,199 to \$23,223,432 – Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0899

08-0900

Item 77: 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 MARCH 26, 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 Rasansky moved to appoint Allen Nixon, Builder Contractor-residential, to the Building Inspection Advisory, Examining & Appeals; Eric Blue, representing J. L. Turner Legal Association, and B. D. Howard, Citizen-at-large to the Judicial Nominating Commission; and Greg Urech, Housing, Development to the South Dallas/Fair Park Trust Fund Board

Motion seconded by Councilmember Medrano and unanimously adopted.

Councilmember Rasansky moved to appoint Robert Richmond, Chair, to the Board of Adjustment; Ed Oakley, Vice-Chair, to the Reinvestment Zone Sixteen (Twelve Hills); and Debra Carpenter, Vice-Chair, to the Reinvestment Zone Fifteen (Ft. Worth Ave.).

Motion seconded by Mayor Pro Tem Garcia 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 at the city for the term ending September 30, 2009.

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.]

08-0901		BOARD OFFICERS
08-5044	BIA	BUILDING INSPECTION ADVISORY, EXAMINING & APPEALS
08-5045	BOA	BOARD OF ADJUSTMENT
08-5046	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
08-5047	EHC	ENVIRONMENTAL HEALTH COMMISSION
08-5048	JNC	JUDICIAL NOMINATING COMMISSION
08-5049	MLB	MUNICIPAL LIBRARY BOARD
08-5050	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0902

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

Agenda items 79, 80, 83, and 84 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 78: Zoning Case Z067-325(OTH)

~~Agenda item 79: Zoning Case Z067-285 (MW) [considered individually]~~

~~Agenda item 80: Zoning Case Z078-122 (OTH) [considered individually]~~

Agenda item 81: Zoning Case Z078-125 (OTH)

Agenda item 82: Zoning Case Z078-126 (OTH)

~~Agenda item 83: Zoning Case Z078-134 (WE) [considered individually]~~

~~Agenda item 84: Zoning Case Z078-136 (WE) [considered individually]~~

Agenda item 85: Zoning Case Z078-140 (MF)

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.

Deputy Mayor Pro Tem Caraway 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 Rasansky and unanimously adopted. (Hill, Salazar, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0903

Item 78: Zoning Case Z067-325 (OTH)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

A public hearing was called on zoning case Z067-325 (OTH), an application for and an ordinance granting a Specific Use Permit for a Bank or Savings and Loan Office with drive-through lanes on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east corner of Wycliff Avenue and Lemmon Avenue

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27114.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0904

Item 79: Zoning Case Z067-285 (MW)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

Councilmember Medrano requested that zoning consent item 79 be considered as an individual item. Mayor Leppert stated that zoning consent item 79 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Medrano's request.

A public hearing was called on zoning case Z067-285 (MW), regarding a Landmark Commission authorized hearing to consider a Historic Overlay on property zoned an R-7.5(A) Single Family District at 5543/5545 Sears Street on the north side of Sears Street between Euclid Street and Summit Avenue and an ordinance granting the Historic Overlay district

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

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

Councilmember Medrano moved to close the public hearing and approve the Historic District Overlay, with the following changes:

1. Allow duplex as an additional use.
2. Require accessory structures to be compatible with the existing historic structure,

and pass the ordinance.

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

Assigned ORDINANCE NO. 27115.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0905

Item 80: Zoning Case Z078-122 (OTH)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 80 be considered as an individual item. Mayor Leppert stated that zoning consent item 80 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

A public hearing was called on zoning case Z078-122 (OTH), an application for and an ordinance granting a Specific Use Permit for a Tattoo Studio and Body Piercing Studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Main Street, east of Crowds Street

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

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

The following individual addressed the city council regarding the item:

Jewel Floyd, 3815 Myrtle

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

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

Jacob Lopez, 2204 Darby, applicant

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

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

Assigned ORDINANCE NO. 27116.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0906

Item 81: Zoning Case Z078-125 (OTH)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

A public hearing was called on zoning case Z078-125 (OTH), an application for and an ordinance granting an amendment to the conditions and the development plan for Subdistrict 1 within Planned Development District No. 732, on the east terminus of Folsom Street, north of Fort Worth Avenue and west of Sylvan Avenue

(The Staff and City Plan Commission recommended approval, subject to a development plan and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27117.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0907

Item 82: Zoning Case Z078-126 (OTH)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

A public hearing was called on zoning case Z078-126 (OTH), an application for and a resolution accepting the revision to a landscape plan, as required in public deed restrictions, on property zoned a CR Community Retail District on the south side of Rosemeade Parkway, east of Marsh Lane

(The staff and city plan commission recommended approval)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0908

Item 83: Zoning Case Z078-138 (WE)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

Councilmember Neumann requested that zoning consent item 83 be considered as an individual item. Mayor Leppert stated that zoning consent item 83 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

A public hearing was called on zoning case Z078-138 (WE), an application for and an ordinance granting an amendment to Tract IV and VI of Planned Development District No. 88 for a linguistic center, retirement housing and monopole cellular tower, on the south line of Camp Wisdom, west of Clark Road

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

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

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

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

Assigned ORDINANCE NO. 27118.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0909

Item 84: Zoning Case Z078-136 (WE)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 84 be considered as an individual item. Mayor Leppert stated that zoning consent item 84 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

A public hearing was called on zoning case Z078-136 (WE), an ordinance granting a Specific Use Permit for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Elm Street between Malcolm X Boulevard and Crowds Street

(The Staff and City Plan Commission recommended approval, for a two-year time period, subject to a site plan and conditions)

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

The following individual addressed the city council regarding the item:

Billy MacLeod, 5088 Richmond Ave.

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

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

Frank Edwards, 2809 Elm Street

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

- Extend the Specific Use Permit from a two-year time period to a three-year time period and,
- Move the business hours from 2 p.m. to 2 a.m.

and pass the ordinance.

Motion seconded by Councilmember Hunt and unanimously adopted.

Assigned ORDINANCE NO. 27119.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0910

Item 85: Zoning Case Z078-140 (MF)

The consent zoning docket consisting of agenda items 78-85 were presented for consideration.

A public hearing was called on zoning case Z078-140 (MF), an application for and an ordinance granting a Neighborhood Stabilization Overlay (NSO) on property zoned an R-7.5(A) Single Family District on properties generally bounded by Marsalis Avenue, Edgemont Avenue, both sides of Cedar Oaks Boulevard, Winter Street, both sides of Arizona Avenue and 18th Street

(The staff and city plan commission recommended approval)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27120.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0911

Item 86: Zoning Case Z067-322 (RB) 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 Z067-322 (RB), an application for and an ordinance granting a Planned Development District for certain MU-2 Mixed Use District Uses on property zoned a CR Community Retail District at the northwest corner of Ferndale Road and Shoreview Road

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

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

Eric Neilsen, 10219 Lynford Dr.
Ellen Beck, 8707 Ferndale Rd., representing Fox Hill Apartments
Michael Vullo, 10118 Parkford Dr.
Judy Thornton, 8765 Aldwick Dr.
Bill Vandivort, 9935 Windlake Circle
Robert Gantt, 9577 Highedge Dr.

Appearing in opposition to the city plan commission's recommendation but did not speak:

Gary Gray, 9729 Van Dyke Rd.
William Barstow, 9120 Dunmore
Jane Howell, 9336 Shoreview Rd.
Laura Karlen, 10024 Shadyview Dr.
Dorothy Ferguson, no address given
Lisa Debarlow, no address given
Jeanne Gould, 9655 Cove Meadow
Carol Piper, 9410 Shoreview
John Gould, 9655 Cove Meadow

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0911

Page 2

Appearing in opposition to the city plan commission's recommendation but did not speak:
(continued)

Mary Lynn Luther, 9456 Highedge
Catherine Vullo, 10118 Parkford Dr.
Omberg & Mari Chalmers, 9524 Shoreview
Deborah Werner, 8821 Kenton
Barbara Reeves, 8910 Fenchurch
Ray Huebner, 9041 Drumcliffe Lane
Nancy Willis, 8711 Lockhaven Dr.
Glenda Huebner, 9041 Drumcliffe Lane
Gloria Gibeau, 9608 Summerhill Lane
Dave Klein, 9046 Gunnison
Chris Stone, 9565 Dart Ridge
George Stone, 9565 Dart Ridge
Edward Cornelius, 9512 Shoreview
Larry Ferguson, 9505 Parkford Dr.
Wes Brown, Parkford Dr.
Lorise Joyce, 9203 Aldwick Dr.
Tom Harrison, 7603 Arborgate Dr.

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

William Cothrum, 900 Jackson St., representing the applicant
Paula Rose, 9511 Liptonshire Dr., Neighborhood Watch 1077
Hawkins Golden, 8928 Prestonhollow Lane
Robin Moss Norcross, 10000 Linkwood, Ferndale at Shoreview Development
Kevin Harper, 9805 Chiswell Rd.
James Frye, 8956 Aldwick Circle, Ferndale at Shoreview Development
Steve Clary, 9033 Guildhall Dr., Lake Ridge Estates

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0911

Page 3

Councilmember Allen moved to close the public hearing and approve the Planned Development District No. 779, with the following changes:

- 1) "Delete attached non-premise sign as an allowed use.
- 2) Add a story, height, and density bonus for Zone A increasing the maximum stories to seven, the maximum height to 95 feet, and the maximum density to 160 dwelling units if the following conditions are provided: a minimum of one parking space per dwelling unit, matching facades on above ground parking structures, pervious coverage, landscape buffer strip, masonry exterior finish, façade articulation, and submission of building elevations with the development plan."

and pass the ordinance.

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

Assigned ORDINANCE NO. 27121.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0912

Item 87: Zoning Case Z078-115 (MAW) INDIVIDUAL

A public hearing was called on zoning case Z078-115 (RB), 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)

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

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

Karl Crawley, 900 Jackson St., representing the applicant

Councilmember Hill moved to continue the public hearing and hold under advisement until the April 23, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0913

Item 88: Zoning Case Z067-306 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z067-306 (OTH), an application for and an ordinance granting a Planned Development District for multifamily, nursing/convalescent/retirement home, single family and office uses, on property zoned an MF-1(A) Multifamily District, on the north side of Harvest Hill, between Montfort Drive and Noel Road.

(The staff recommended approval subject to a conceptual plan and staff's recommended conditions and city plan commission recommended approval, subject to a conceptual plan and conditions)

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

Councilmember Rasansky moved to continue the public hearing and hold under advisement until the May 28, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0914

Item 89: Zoning Case Z078-138 (WE) 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 Z078-138 (WE), an application for a Specific Use Permit for an alcoholic beverage establishment for a private-club bar on property zoned an MU-1 Mixed Use District on the west side of Marvin D. Love Freeway, south of Camp Wisdom.

(The staff recommended approval for a two-year time period with automatic renewals for additional five year periods, subject to a site plan and conditions and city plan commission recommended denial)

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

Councilmember Atkins moved to close the public hearing, and follow the recommendation of the city plan commission to deny.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0915

Item 90: Zoning Case Z078-129 (JH) INDIVIDUAL

A public hearing was called on zoning case Z078-129 (JH), an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District and Specific Use Permit No. 499 for an Institution of Charitable, Religious, or Philanthropic Nature on the southwest corner of Pembroke Avenue and Madison Street and a resolution accepting new deed restrictions volunteered by the applicant.

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

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

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

Karl Crawley, 900 Jackson St., representing the applicant
Joseph W. Dingman, 13223 Glad Acres Dr., representing St. Catherine

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

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 27122.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0916

Item 91: Zoning Case Z078-137 (WE) INDIVIDUAL

A public hearing was called on zoning case Z078-137 (WE), an application for and an ordinance granting a Specific Use Permit for a bar, lounge, or tavern on property zoned Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District, located on the west side of Parry Avenue between Exposition Avenue and First Street.

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

The following individual addressed the city council regarding the item:

Billy MacLeod, 5088 Richmond Ave.

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

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

Charles Gilder, 3615 Parry Ave., representing Bar Soap

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

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

Assigned ORDINANCE NO. 27123.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0917

Item 92: Zoning Case Z056-311 (OTH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-311 (OTH), an application for and an ordinance granting a Planned Development District for retail uses, certain IM Industrial Manufacturing District uses and certain IR Industrial Research District Uses, on property zoned an IR Industrial Research District on the northeast corner of Simpson Stuart Road and Interstate 45.

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

Note: This case was considered by the City Council at a public hearing on February 13, 2008, and was taken under advisement until March 26, 2008, with the public hearing open.

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

Councilmember Hill moved to continue the public hearing and hold under advisement until the April 23, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0918

Item 93: Zoning Case Z067-259 (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 Z067-259 (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)

Note: This item was considered by the City Council at a public hearing on February 27, 2008, and was taken under advisement until March 26, 2008, with the public hearing open.

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

Kat Truitt, 5082 Matilda
Stephenie Christ, 6215 Glennox Lane
Elaine Laroa, 5082 Matilda
Steve Stamos, 2045 N. Hwy 360, representing Fairfield Residential

Appearing in opposition to the city plan commission's recommendation but did not speak:

Kathy Stokes, 4800 Northway, representing University Meadows Homeowners Association
Kirk Freeman, address not given, property owner,
Whitney Freeman, 5919 Birchbrook

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0918

Page 2

Appearing in opposition to the city plan commission's recommendation but did not speak:
(continued)

Dustin Lauderdale, 6008 E. University Blvd
Jamie Bostick, 5930 Birchbrook
Carrie Johnson, 6265 Townhill Lane
Valle Sellers, 6006 Sandhurst
Alice Blankenship, 5016 Matilda
Linda Cumbic, 5916 Birchbrook
Bill Phillips, 5916 Birchbrook
Darren Chong, 5088 Matilda
Melody Hanson, 5818 E. University
Gretchen Luedtke, 5811 Birchbrook, representing Birchbrook One Homeowners
Association
Maxine Carlson, 5924 Birchbrook
Janet Davis, 5818 E. University, representing WWI Homeowners Association
Diane Carville, 6217 Rincon Way
Richard, Carville, 6217 Rincon Way
Amy Anderson, 4636 Ridgelawn Dr.
Eleanor Hagedorn, 5072 Matilda
Betty Wilson, 6155 Sul Ross Lane
Gentry Smith, 5808 Milton, representing Birchbrook II Homeowners Association
Janice Richards Jackson, 6222 E. University
Kathy Burreson, 5916 Birchbrook
Jane Kemp, 6236 Sul Ross Lane
Dorothy Box, 5916 Birchbrook
Chris Amstead, 5056 Matilda
Lindsey Hankinson, 5823 E. University
Mark Hankinson, 5823 E. University
Lisle Vaughn, 5930 Birchbrook, representing Summerset Village Homeowners
Association
Sharon Vaughn, 5930 Birchbrook
Sid Basu, 5082 Matilda
Dan Duncan, 2610 Allen
David Orr, 6214 Danbury
Cecilia Orr, 6214 Danbury
John Ritter, 5916 Birchbrook
Stacey Ritter, 5916 Birchbrook
Nancy Boggs, 5080 Matilda
Allison Kinsel, 5924 Birchbrook
Janice Stevens, 5080 Matilda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0918

Page 3

Appearing in opposition to the city plan commission's recommendation but did not speak:
(continued)

Lawrence Cottle, 5086 Matilda
Betty Vondracek, 6215 Chesley
John Marston, 6161 Sul Ross
Carolyn Contreras, 6241 Annapolis
Kathy Carleson, 5825 Birchbrook
Vince Miller, 5930 Birchbrook
Lynn Youngblood, 5068 Matilda, representing BBI Homeowners Association
Helen Yampanis, 4631 Ridgelawn
Angel Pappas, 5829 E. University
Gail Taylor, 6246 Winton
Andrew Nebbit, 6720 Velasco
Leigh Haynes, 5090 Matilda
Neil Morris, 5603 Bledsoe
Christina Yampanis, 4631 Ridgelawn
Mary Sheehan, 5811 Birchbrook, representing Birchbrook Manor Homeowners
Association

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

Leslie Davenport, 6017 Milton St., President of the Arrangement Condominiums
Carolyn Bell, 5835 E. University Blvd., representing Homeowners Association
Jeannie Russo, Board of Director of Williamsburg Place
John Allegra, 5136 Amesbury St.

Appearing in favor of the city plan commission's recommendation but did not speak:

Norma Minnis, 9729 Van Dyke Rd.
Kathleen Klein, 5831 E. University
Dean Gilmore, 6050 Birchbrook Dr.
Barry Read, 5831 E. University
Earl Shuster, 5827 Sandhurst Lane, representing Sandhurst Plaza Homeowners
Association
Ben Botnick, 5807C E. University
Susan Norman, 6500 Greenville St.
Glenda Wilson, 5138 Amesbury
Janice Susan May Patterson, 6149 Brandeis Lane
Roger Phillips, 5138 Amesbury
Ray Le Boeus, 6030 Birchbrook Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0918

Page 4

Appearing in favor of the city plan commission's recommendation but did not speak:
(continued)

Emilie Spaniel, 6060 Birchbrook, Apt 262
Larry Wainer, 6137 Sul Ross Lane
Greg Nichols, 6040 Birchbrook
Robert Nichols, 6040 Birchbrook
Evelyn Chatfield, 6060 Birchbrook
Michael Figueroa, 6026 Birchbrook
Hazel Bankston, 6060 Birchbrook
Romey Hall, 6131 Sul Ross Lane
Gladys Hansen, 4949 Skillman
Ruby Nell Martin, 6046 Birchbrook Dr.
Johannes Van Uum, 6050 Birchbrook
Jane Boudreaux, 4933 Skillman
James Dwayne Martin, 4933 Skillman
Linda Young, 4949 Skillman St.
John Ownby, 5815 E. University
Mary Ellen Crossland, 6050 Birchbrook
Dorothy Jones, Williamsburg Place
Debra Barrios, 5072 Matilda
Lucille Kirby, Williamsburg Place
Sandra Barron, 4715 Ridgelawn
Stephen B. Taylor, 6115 Chesley
Peggy Johnson, 5148 Amesbury
Kay Leibel, 6146 Chesley Lane
Alan Leibel, 6146 Chesley Lane
Consuelo Chavez, 5130 Amesbury
Jessica Dalton, 6147 Danbury
Dewey Dalton, 6147 Danbury
Stephen Morgan, 6026 Birchbrook St., representing LLAC
Carole Browne, no address given
Marvin Browne, no address given
Patricia Barron, 4715 Ridgelawn Dr.
Eunice Gick, 5829 Sanhurst, representing Community and Homeowner
Darrell Kerr, 6004 E. University
Diane Fullingim, 5839 Sandhurst
Bob McKelvy, 6212 Berwyn
David Dennard, 6250 Danbury
Shirley Mae Kirby, 5519 Ledgestone Dr.
Willie Hilburn, 5815 E. University Blvd.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0918

Page 5

Appearing in favor of the city plan commission's recommendation but did not speak:
(continued)

Mitchell Mills, 5415 Ledgestone Dr.

Gary Gray, 9629 Van Dyke Rd., representing Homeowners Association

Councilmember Hunt moved to close the public hearing and remand the case back to the City Plan Commission for consideration of a Planned Development District and to incorporate the volunteer deed restrictions into the Planned Development Ordinance:

- To limit residential structures to three stories along Amesbury and Milton and limit the height accordingly
- To limit the drive through bank to two lanes
- To limit but not prohibit parking in front of structures on Lovers Lane and Matilda and establish two lanes along the street frontage
- Require additional width for sidewalks
- Require a development plan to be reviewed and approved by the City Plan Commission
- Requiring specifics for green space to be set aside and landscaping
- Requiring percentage of masonry use on the exterior of the building.

Motion seconded by Councilmember Hill.

After discussion, Councilmember Natinsky moved to substitute the motion made by Councilmember Hunt, to close the public hearing and remand the case back to the City Plan Commission for consideration of a Planned Development District and to incorporate the volunteer deed restrictions into the Planned Development Ordinance; to close the public hearing and approve the staff's recommendation subject to deed restrictions volunteered by the applicant to include recommended wording by Councilmember Hunt, granting the zoning change and the resolution approving the deed restrictions and return to the next available voting meeting of the City Council.

Motion seconded by Mayor Pro Tem Garcia.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0918

Page 6

After discussion, Mayor Leppert called the vote on Councilmember Natinsky's substitute motion to close the public hearing and approve the staff's recommendation subject to deed restrictions volunteered by the applicant to include recommended wording by Councilmember Hunt, granting the zoning change and the resolution approving the deed restrictions and return to the next available voting meeting of the City Council:

Voting Yes: [5] Leppert, Garcia, Caraway, Neumann, Natinsky

Voting No: [10] Medrano, Hill, Salazar, Davis, Atkins, Kadane, Allen, Koop, Rasansky,
Hunt

Mayor Leppert declared the substitute motion failed.

After further discussion, Mayor Leppert called the vote on Councilmember Hunt's original motion to close the public hearing and remand the case back to the City Plan Commission for consideration of a Planned Development District and to incorporate the volunteer deed restrictions into the Planned Development Ordinance as stated in her motion:

Voting Yes: [14] Leppert, Garcia, Caraway, Medrano, Hill, Salazar, Davis, Atkins,
Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

Voting No: [1] Neumann

Mayor Leppert declared the motion passed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0919

Item 94: 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.

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

Note: This item was considered by the City Council at public hearings on February 13, and February 27, 2008, and was taken under advisement until March 26, 2008, with the public hearing open.

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

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

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

Assigned ORDINANCE NO. 27124.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0920

Item 95: 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 public hearings on November 28, 2007, and February 27, 2008, and was taken under advisement until March 26, 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 or in favor of the city plan commission's recommendation.

Councilmember Neumann moved to continue the public hearing and hold under advisement until the June 25, 2008 voting agenda meeting of the city council.

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

.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0921

Item 96: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Charter Hampton, L.P. located near the intersection of Hampton Road and Illinois Avenue and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Charter Hampton, L.P. by the Texas Commission on Environmental Quality

(The staff recommended approval)

The City Secretary read the following statement into the record:

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 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 Whitten, 8123 San Fernando Way, representing the applicant

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

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

Assigned ORDINANCE NO. 27125.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0922

Item 97: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Carlyle/Cypress Mockingbird, LLC located near the intersection of Mockingbird Lane and Haggar Way and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Carlyle/Cypress Mockingbird, LLC by the Texas Commission on Environmental Quality

(The staff 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 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:

John Sallman, 4026 Silktree Dr., representing the applicant

Deputy Mayor Pro Tem Caraway moved to close the public hearing, accept the recommendation of the staff and pass the ordinance.

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

Assigned ORDINANCE NO. 27126.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0923

Item 98: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Burlwood, LLC located near the intersection of Central Expressway and I.H. 45 and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Burlwood, LLC by the Texas Commission on Environmental Quality

(The staff 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 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:

Gene Murray, 906 E. 18th St., **Plano, TX**, representing the applicant

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

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

Assigned ORDINANCE NO. 27127.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0924

Fort Worth Avenue TIF District

Note: Item Nos. 99 and 100
must be considered collectively.

Item 99: A public hearing to receive comments on an amendment to Tax Increment 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 west and northwest of the intersection of Sylvan Avenue and Fort Worth Avenue - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0925

Fort Worth Avenue TIF District

Note: Item Nos. 99 and 100
must be considered collectively.

Item 100: An ordinance amending Ordinance No. 26798 to decrease the geographic area of the Fort Worth Avenue TIF District boundary to remove certain parcels west and northwest of the intersection of Sylvan Avenue and Fort Worth Avenue -
Financing: No cost consideration to the City

Councilmember Neumann moved to approve the ordinance.

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

Assigned ORDINANCE NO. 27128.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0926

Item 101: An ordinance **(1)** approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and **(2)** authorizing participation agreements with Dallas County for the Fort Worth Avenue TIF District - Financing: No cost consideration to the City

Councilmember Neumann moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27129.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0927

**TCDFWI20 II LP Incentives,
Reinvestment Zone No. 70**

Note: Item Nos. 102 and 103
must be considered collectively.

Item 102: 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. 70, incorporating the 46.34 acres of property east of 2300 Beckleymeade Avenue, for the purpose of granting economic development incentives to TCDFWI20 II, LP - Financing: No cost consideration to the City

Item 103: An ordinance designating the 46.34 acres of property east of 2300 Beckleymeade Avenue as City of Dallas Reinvestment Zone No. 70, for the purpose of granting economic development incentives to TCDFWI20 II, LP and establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 27130.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0928

TCDFWI20 II LP Incentives,
Reinvestment Zone No. 70

Note: Item Nos. 104 and 105
must be considered collectively.

Item 104: Authorize a 90 percent real property tax abatement agreement for 10 years with TCDFWI20 II, LP located on 46.34 acres of property east of 2300 Beckleymeade Avenue - Revenue: First year revenue estimated at \$14,958; ten-year revenue estimated at \$171,477 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$1,543,290)

Councilmember Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0929

TCDFWI20 II LP Incentives,
Reinvestment Zone No. 70

Note: Item Nos. 104 and 105
must be considered collectively.

Item 105: Authorize a public infrastructure cost participation agreement with TCDFWI20 II, LP for the construction of public infrastructure to support the development of commercial/industrial space located on 46.34 acres of property east of 2300 Beckleymeade Avenue - Not to exceed 30 percent of the cost or \$442,932 whichever is less - Not to exceed \$442,932 - Financing: 1998 Bond Funds

Councilmember Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0930

Item 106: A public hearing to receive comments in preparation of the FY 2008-09 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Ester Davis, 2204 Millermore St., representing Senior Affairs Commission
Burt Holmes, 4515 West Lawther St., representing Senior Affairs Commission
Frank Pounders, 9420 Windy Knoo Dr., representing Senior Affairs Commission
Sydney Kay, 5718 Harvest Hill, representing Senior Affairs Commission
Suzanne Sharriere, (Address not provided), representing Municipal Library Board
Jewel Floyd, 3815 Myrtle St.
William Hopkins, 2011 Leath St.

Councilmember Hill moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0931

Closed Session

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

- Legal issues involving amendments to Chapter 51 regarding definition of a park or parkland
- Legal issues involving acceptance of benefits by public officials

At 11:57 a.m. Mayor Leppert announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues involving amendments to Chapter 51 regarding definition of a park or parkland
- Legal issues involving acceptance of benefits by public officials

Mayor Leppert reconvened the city council after the closed session at 1:31 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0932

Addendum addition 1: Authorize an increase in the U.S. Communities Government Purchasing Alliance Administrative Agreement, for the purchase of systems furniture, freestanding furniture, seating, filing equipment and related support services - Not to exceed \$1,511,700, from \$2,600,000 to \$4,111,700 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that addendum addition consent agenda 1 item 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 Rasansky's request.

Later in the meeting, addendum addition consent agenda item 1 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia.

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." (Caraway, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0933

Addendum addition 2: A resolution **(1)** in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low income housing tax credits pursuant to Section 50.5 (A) (7) (A-C) of the Qualified Allocation Plan for the new construction of 125 SRO units for families located at 2734 Clarence Street for LifeNet Supportive Housing SRO Community, L.P., and **(2)** authorizing a \$1,000,000 forgivable loan to the LifeNet Supportive Housing SRO Community, L.P. from the 2005 Bond Funds for acquisition of land and substandard properties in the project area, contingent, among other conditions, on the applicant receiving a 9% tax credit allocation by September 30, 2008 - Not to exceed \$1,000,000 - Financing: 2005 Bond Funds

Approved as part of the consent agenda.

Later in the meeting, Councilmember Davis requested to reconsider the consent agenda due to a conflict of interest on addendum addition consent agenda item 2 and to be considered as an individual item.

Councilmember Rasansky moved to reconsider the consent agenda so that addendum addition consent agenda item 2 could be considered as an individual item due to Councilmember Davis' conflict of interest on the item.

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

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

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Davis abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0934

Addendum addition 3: An ordinance amending Chapter 52, Administrative Procedures for the Construction Code; Chapter 53, Dallas Building Code; and Chapter 57, Dallas One and Two-Family Dwelling Code, of the Dallas City Code; establishing a green building program; regulating construction work in the City; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Councilmember Neumann, Councilmember Kadane and Councilmember Rasansky requested that addendum addition consent agenda 3 item be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann, Councilmember Kadane and Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 3 was brought up for consideration.

The following individuals addressed the city council regarding the item:

David Marquis, 3110 W. Kiest, representing Green Building Task Force
Elizabeth Del Monte, 4420 Greenbrier Dr., representing A.I.A

Councilmember Kadane moved to defer the item until the April 9, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 26, 2008

08-0935

Addendum addition 4: Authorize Supplemental Agreement No. 1 to the professional services contract with Parsons Brinckerhoff Americas, Inc. for electric procurement services beyond December 31, 2008; the development of a billing information system; and related energy management services such as contracting renewable wind power, evaluation of the Texas Nodal Market and evaluation of emerging technologies - Not to exceed \$593,735, from \$713,900 to \$1,307,635 - Financing: Convention and Event Services Current Funds (\$39,516), Aviation Current Funds (\$56,452), Current Funds (\$169,356), Water Utilities Current Funds (\$328,411)

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 Hill moved to approve the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 26, 2008

EXHIBIT C