

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 9, 2008

08-1040
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar (*9:19 a.m.), Davis, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt (*9:36 a.m.)

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 Richard Ellis, Pastor of Reunion Church.

Councilmember Koop led the pledge of allegiance.

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

After all business properly brought before the city council had been considered the city council adjourned at 5:10 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, APRIL 9, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 9, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1041

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: Candace Cain, P.O. Box 192378
REPRESENTING: New Friends – New Life
SUBJECT: Helping women to succeed

SPEAKER: Richard Sheridan, 3022 Forest Lane
SUBJECT: Code enforcement, homeless, jobs and economic development

SPEAKER: Khalil Coffield, 6161 Trailglen
SUBJECT: Programs for teens

SPEAKER: Artist Thornton, 736 Havenwood Dr.
SUBJECT: Police procedures

SPEAKER: Mary McCoy, 2202 Southland St.
REPRESENTING: Southland Terrace Apartments
SUBJECT: Elderly been in apartment over 30 years do not want to move.

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

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Civil rights violation against DPD, KKK, and DISD

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter
REPRESENTING: The USA
SUBJECT: Laws governing the council, crime and health

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

SPEAKER: Frank Ward, P. O. Box 50694
REPRESENTING: The Trinity Reunion Church and The Community at Large
SUBJECT: Revelations: The Kingdom of God is here. The Kingdom of Heaven
is now.

SPEAKER: Jewel Floyd, 5304 McComas Blvd.
SUBJECT: Misappropriation of property and fair market value

SPEAKER: Gwain Wooten, 4625 Bryan St.
REPRESENTING: R. A. W.
SUBJECT: When did anything change?

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1042

Item 1: Approval of Minutes of the March 26, 2008 City Council Meeting.

Councilmember Kadane moved to approve the minutes.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1043

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-25 and addendum addition consent agenda items 1-8, were presented for consideration.

Councilmember Neumann requested that consent agenda items 20, 25 and addition addendum consent agenda items 4 and 8 be considered as individual items. Mayor Leppert stated that consent agenda items 20, 25 and addition addendum consent agenda items 4 and 8 be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Atkins requested that consent agenda item 9 be considered as an individual item. Mayor Leppert stated that consent agenda item 9 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Rasansky requested that consent agenda items 4, 6, 7, 8, 9, 12, 25 and addition addendum consent agenda items 2, 6 and 8 be considered as individual items. Mayor Leppert stated that consent agenda items 4, 6, 7, 8, 9, 12, 25 and addition addendum consent agenda items 2, 6 and 8 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda items 4, 6, 7, 8, 9, 12, 20, 25 which would be considered later in the meeting.

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

Deputy Mayor Pro Tem Caraway moved approve all items on the addendum addition consent agenda with the exception of addition addendum consent agenda items 2, 4, 6 and 8 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1044

Item 2: Authorize a thirty-six-month master agreement for chemicals to treat swimming pools and fountains - Sunbelt Pools, Inc. in the amount of \$838,655, and Leslie's Poolmart, Inc. in the amount of \$50,699, lowest responsible bidders of two - Total not to exceed \$889,354 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1045

Item 3: Authorize a thirty-six-month master agreement for mulching materials and playground chips - Big Bird Tree Service in the amount of \$2,257,070, GWG Wood Group, Inc. in the amount of \$291,000, and BWI of Texarkana, Inc. in the amount of \$75,765, lowest responsible bidders of six - Total not to exceed \$2,623,835 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1046

Item 4: Authorize a thirty-six-month service contract for chemical root control - Municipal Sales, Inc., lowest responsible bidder of four - Not to exceed \$905,100 - Financing: Water Utilities Capital Construction Funds (subject to annual appropriations)

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1047

Item 5: A resolution declaring approximately 37,539 square feet of City-owned land, located near the intersection of Beckley Avenue and Clarendon Drive unwanted and unneeded and authorizing its advertisement for sale by sealed bid with a minimum bid of \$75,000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1048

Item 6: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of one tract of land for the construction of the Northwest Corridor Line Section (NW-3) located near the intersection of Northaven Road and Denton Drive (list attached) - Financing: No cost consideration to the City

Councilmember Rasansky 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 Rasansky's request.

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1049

Item 7: Authorize a professional services contract with TranSystems Corporation to provide goods movement analysis and consulting services from April 9, 2008 through August 1, 2008 - Not to exceed \$150,000 - Financing: Public/Private Partnership Funds

Councilmember Rasansky requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1050

Item 8: Authorize re-adoption of the City of Dallas Public/Private Partnership Program Guidelines and Criteria, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax code, Chapter 312), governing tax abatement agreements and other City incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

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 Councilmember Allen and unanimously adopted. (Salazar, Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1051

Item 9: Authorize **(1)** the establishment of the City of Dallas Downtown Retail Program pursuant to Chapter 380 of the Texas Local Government Code, to stimulate business and commercial activity within the downtown retail area; **(2)** an economic development grant agreement with Central Dallas Association (d/b/a DOWNTOWNDALLAS) to establish the Downtown Retail Cooperative/Resource Center and to provide downtown marketing, promotions and retail recruitment services in accordance with the City of Dallas Downtown Retail Program; **(3)** the receipt and deposit of funds from the Downtown Dallas Development Authority in an amount not to exceed \$232,300; and **(4)** the increase in the appropriations in the Public/Private Partnership Fund in an amount not to exceed \$232,300 - Not to exceed \$661,250 - Financing: Current Funds (\$100,000) and Public/Private Partnership Funds (\$561,250)

Councilmember Atkins and 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 Atkins and Councilmember Rasansky's request.

Later in the meeting, agenda item 9 was brought up for consideration.

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

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1052

Item 10: Authorize **(1)** the rejection of bids received for roof renovations at the Fretz Park Library located at 6990 Beltline Road; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1053

Item 11: Authorize **(1)** adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #3 to reprogram \$928,473 of HOME Investment Partnership Program Funds from the Mortgage Assistance Program to the Frazier Berean Senior Project and \$925,000 of Community Development Grant Funds from the Southern Sector Housing and Economic Development Financing for Neighborhood Investment Program public infrastructure improvements ~~and soft costs associated with property acquisitions within the ~~Bexar Street corridor~~~~; and **(2)** a public hearing to be held on May 14, 2008 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1054

Item 12: Authorize a professional services contract with Saitas and Seales to provide consultant services in matters related to environmental issues for the period April 9, 2008 through December 30, 2008 - Not to exceed \$75,000 - Financing: Current Funds

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1055

Item 13: Authorize a contract for the construction of the Lochwood Branch Library, located at 11221 Lochwood Boulevard with J. C. Commercial, Inc., best value proposer of six, in the amount of \$3,914,277 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1056

Item 14: Authorize a professional services contract with Campos Engineering, Inc. for architectural and engineering design services for stormwater and shed improvements at Dallas Farmers Market - \$435,300 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1057

Item 15: Authorize a professional services contract with Lockwood, Andrews & Newnam, Inc. for the engineering design of a thoroughfare project for Wheatland Road from the Lancaster city limits to Lancaster Road - \$399,397 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1058

Item 16: Authorize **(1)** an increase in the contract with EAS Contracting, L.P. for additional work necessary for the Runway 13R / 31L safety area enhancement, Phase 1 at Dallas Love Field in an amount not to exceed \$352,574, from \$3,825,669 to \$4,178,243; and, **(2)** an increase in appropriations in an amount not to exceed \$352,574 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$352,574 - Financing: Aviation Passenger Facility Charge Funds (\$88,144) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$264,430)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1059

Item 17: Authorize **(1)** Supplemental Agreement No. 3 to the contract with Chiang, Patel & Yerby, Inc. to provide design services, preparation of construction documents, and construction administration for the Tom Braniff drainage improvements and video investigation of existing storm drains, instrumentation programming of the stormwater outfalls controls and training, Cedar Springs terminal stormwater/roadway repairs, and parking garage stormwater repairs at Dallas Love Field in the amount of \$393,095, increasing the contract from \$724,804 to \$1,117,899; and **(2)** establish and increase appropriations in an amount not to exceed \$384,300 in the Aviation Airport Improvement Program Grant Fund - Not to exceed \$393,095 - Financing: Aviation Capital Construction Funds (\$89,486); Aviation Passenger Facility Charge Funds (\$15,384); and Federal Aviation Administration Airport Improvement Program Grant Funds (\$288,225)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1060

**Interlocal Agreements on
Woodall Rodgers Freeway with TxDOT**

Note: Item Nos. 18 and 19 must
be considered collectively.

Item 18: Authorize an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for traffic signal improvements on Woodall Rodgers Freeway at Olive Street and Pearl Street - \$61,970 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1061

**Interlocal Agreements on
Woodall Rodgers Freeway with TxDOT**

Note: Item Nos. 18 and 19 must
be considered collectively.

Item 19: Authorize an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for traffic signal improvements on Woodall Rodgers Freeway at Industrial Boulevard and Beckley Avenue at Singleton Boulevard - \$166,102 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1062

Item 20: Authorize the acceptance of a donation from the MetLife Foundation through The Trust for Public Land to provide funds for the construction of the Fast Track Overview as part of the Trinity Lakes section of the Trinity River Corridor Project - \$100,000 - Financing: Private Funds

Councilmember Neumann requested that consent agenda item 20 be considered as an individual item. Mayor Leppert stated that consent agenda item 20 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 20 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1063

Item 21: Authorize a contract for the installation of water and wastewater mains at 31 locations (list attached) - Camino Construction, L.P., lowest responsible bidder of five - \$6,961,159 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1064

Item 22: Authorize a professional services contract with DAL-TECH Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 66 locations (list attached) - \$1,733,615 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1065

Item 23: Authorize a professional services contract with Malcolm Pirnie, Inc. to provide engineering design services for Booster Chlorination Facilities throughout the City of Dallas water distribution system - \$391,900 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1066

Item 24: Authorize **(1)** the rejection of bids received for the installation of water and wastewater mains at 13 locations, and **(2)** the re-advertisement for new bids -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1067

Item 25: Ratify an emergency purchase for **(1)** the purchase and installation of regression testing software license in the amount of \$224,382, and **(2)** a twelve-month software maintenance agreement in the amount of \$24,350 for supplemental regression testing software that is compatible with SAP, the Pay1 billing system software application - Worksoft, Inc., - Total not to exceed \$248,732 - Financing: Current Funds

Councilmember Neumann and Councilmember Rasansky requested that consent agenda item 25 be considered as an individual item. Mayor Leppert stated that consent agenda item 25 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 25 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1068

Item 26: 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 APRIL 9, 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 Kadane moved to appoint Vicki Blanton, experience in Non-profit Management, to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Neumann and unanimously adopted.

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

Motion seconded by Councilmember Neumann and unanimously adopted.

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

08-5070 CPC CITY PLAN AND ZONING COMMISSION
08-5071 SDF SOUTH DALLAS/FAIR PARK TRUST FUND BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1069

Item 27: 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 Medrano moved to defer the item until the April 23, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1070

Item 28: (1) A resolution for the implementation of a citywide green building program; and (2) A 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

Corrected on the addendum to the agenda.

Councilmember Natinsky moved to suspend the speaker rules to allow David Marquis to speak on the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

The following individuals addressed the city council regarding the item:

Catherine Horsey, 3216 Jacotte, representing Green Building Task Force
Donny Mack, 2970 F. M. 455, Sanger, TX., representing Home Builders Association of Greater Dallas
Paul Cauduro, 5816 W. Plano Parkway, Plano, TX., representing Home Builders Association of Greater Dallas
David Marquis 3110 W. Kiest Blvd., representing Green Building Task Force

Councilmember Natinsky moved to adopt the resolution and pass the ordinance with the following amendments:

That Chapter 3, "Building Planning" of Chapter 57, "Dallas One – and Two – Family Dwelling Code of the Dallas City Code be amended to include Sections 326.2.1.2 and 326.2.2.2 Water use. Proposed projects must meet water reduction strategies that include installing high-efficiency (low-flow) fixtures or fittings and meet at least four of the following requirements:

1. The average flow rate for all lavatory faucets must be 2.0 gallons per minute.
2. The average flow rate for all showerheads must be 2.0 gallons per minute.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1070

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3. The average flow rate for all toilets must:
 - 3.1. be 1.3 gallons per flush;
 - 3.2. be dual-flush and meet the requirements of ASME A112.19.14; or
 - 3.3. meet the United States Environmental Protection Agency WaterSense specification and be certified and labeled accordingly.
4. ENERGY STAR labeled dishwasher that uses 6.0 gallons or less per cycle.
5. ENERGY STAR labeled clothes washers with modified energy factor (MEF) ≥ 2.0 and water factor (WF) < 5.5 .
6. Utilize drip irrigation emitters for all bedding areas of the landscape plan

Motion seconded by Mayor Pro Tem Garcia.

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

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

Voting No: [0]

Absent when vote taken: [1] Hill

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27131.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1071

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 29-33 were presented for consideration.

Agenda items 29, 31, and 32 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 29: Zoning Case Z078-150(MAW) [considered individually]~~
Agenda item 30: Zoning Case Z078-152 (OTH)
~~Agenda item 31: Zoning Case Z078-154 (MAW) [considered individually]~~
~~Agenda item 32: Zoning Case Z078-158 (MAW) [considered individually]~~
Agenda item 33: Zoning Case Z067-255 (JH)

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

The following individuals addressed the city council regarding item 33:

Mary Fehler, 1510 McKee
Robert K. Frisch, 2726 Belmeade Dr. **Carrollton, TX.**, representing Bosson LLC.
Jerry Prasifka, 513 Sunset Dr., representing Central Wholesale

Mayor Pro Tem Garcia moved to close the public hearing, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1072

Item 29: Zoning Case Z078-150 (MAW)

The consent zoning docket consisting of agenda items 29-33 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 29 be considered as an individual item. Mayor Leppert stated that zoning consent item 29 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 Z078-150 (MAW), an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an MU-2-D Mixed Use District with the D Dry Liquor Control overlay on the northeast corner of Josey Lane and Forest Lane

(The staff and city plan commission recommended approval, subject to deed restrictions volunteered by the applicant and retention of the Dry Liquor Control Overlay)

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

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

Kirk Williams, representing the applicant

Councilmember Rasansky 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 Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1073

Item 30: Zoning Case Z078-152 (OTH)

The consent zoning docket consisting of agenda items 29-33 were presented for consideration.

A public hearing was called on zoning case Z078-152 (OTH), an application for and a resolution granting the termination of existing deed restrictions on property zoned an MU-1 Mixed Use District, on the southwest corner of Greenville Avenue and Markville Drive

(The staff and city plan commission recommended approval)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1074

Item 31: Zoning Case Z078-154 (MAW)

The consent zoning docket consisting of agenda items 29-33 were presented for consideration.

Councilmember Natinsky requested that zoning consent item 31 be considered as an individual item. Mayor Leppert stated that zoning consent item 31 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

A public hearing was called on zoning case Z078-154 (MAW), an application for and an ordinance granting a Planned Development District for LI Light Industrial District Uses and a resolution granting an amendment to the public deed restrictions on property zoned an LI Light Industrial District on the west side of Waterview Parkway at Synergy Drive with consideration given to termination of the deed restrictions

(The staff and city plan commissions recommended approval, subject to a site plan and conditions and approval of an amendment to the deed restrictions)

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

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

Jonathan Vinson, 6342 Vickery Blvd., representing Dallas International School

Councilmember Natinsky moved to close the public hearing, follow the City Plan Commission recommendation for approval of a planned development district subject to amended deed restrictions, with the ordinance approving the zoning change and resolution adopting the amended deed restrictions to return on April 23, 2008 City Council agenda and to include the following changes to the City Plan Commission recommendation:

- The uses of the property may only operate between 7:00 a.m. and 11:00 p.m., Monday through Friday, and 8:00 a.m. to 10 p.m., Saturday.
- The only main uses permitted in this district are childcare facility; college, university, or seminary; and public or private school.
- School bus parking, loading, and unloading are prohibited within 75 feet of the west property line, that also includes dumpsters.
- For a private school, enrollment may not exceed 1, 200 students.
- Trash pick-up may only occur between 9:00 a.m. and 6:00 p.m., Monday through Saturday.

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08-1074

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- Compact car parking spaces are not permitted.
- Monument signs and attached premise signs are permitted. No other signs are permitted.
- An eight-foot solid masonry screening wall is required on the northern property line prior to issuance of a certificate of occupancy. The required masonry screening wall must be constructed of brick, stone, or similar materials, or a combination of these materials. For purposes of this provision, smooth face concrete masonry units are not a permitted masonry material. All fences must be properly maintained in a state of good repair and neat appearance.
- An eight-foot solid wood or masonry screening fence is required on the western boundary of the property prior to issuance of a certificate of occupancy.
- A six-foot solid wood or masonry or wrought iron fence with brick columns is required on the southern boundary, excluding the front yard prior to the issuance of the certificate of occupancy.
- Within two years of the date of issuance of a certificate of occupancy, the required screening fence must be constructed of brick, stone, wrought iron, or similar materials, or a combination of these materials. For purposes of this provision, smooth face concrete masonry units are not a permitted masonry material. The fence must be properly maintained in a state of good repair and neat appearance.
- Dumpsters are prohibited within 75 feet of the western boundary of the Property.
- The design and configuration of the ingress and egress to and from the Property, including the design and configuration of driveway approaches, additional median openings or modification to an existing median opening, any other street modification, and utility connections must be approved by the City of Richardson.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1075

Item 32: Zoning Case Z078-158 (MAW)

The consent zoning docket consisting of agenda items 29-33 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 32 be considered as an individual item. Mayor Leppert stated that zoning consent item 32 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 Z078-158 (MAW), an application for and an ordinance granting the renewal of Specific Use Permit No. 1620 for a commercial amusement (inside) limited to a Class A dance hall and an alcoholic beverage establishment for private club/bar on property zoned a CR Community Retail District located on the east side of Dallas Parkway, north of Belt Line Road

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

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

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

Roger Albright, 3301 Elm, representing the applicant

Councilmember Koop moved to close the public hearing and approve the specific use permit No. 1620 with the following amendment:

- The specific use permit shall automatically terminate in two years

and pass the ordinance.

Motion seconded by Councilmember Neumann and unanimously adopted.

Assigned ORDINANCE NO. 27132.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1076

Item 33: Zoning Case Z067-255 (JH)

The consent zoning docket consisting of agenda items 29-33 were presented for consideration.

A public hearing was called on zoning case Z067-255 (JH), to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 317, the Cedars Area Special Purpose District, generally bound by I-30, I-45, G.C.&S.F. Railroad, and the M.K.&T. Railroad and an ordinance granting an amendment to the Planned Development District

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27133.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1077

Item 34: Zoning Case Z067-337 (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 Z067-337 (RB), an application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District on the east line of Houston School Road, north of Wheatland Road

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

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

Councilmember Atkins 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 Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1078

Item 35: Zoning Case Z078-123 (RB) INDIVIDUAL

A public hearing was called on zoning case Z078-123 (RB), an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-3 Mixed Use District for the portion of the site in the northeast quadrant of IH 635 and Noel Road, and property zoned an MU-2(SAH) Mixed Use District-Affordable for the portion of the site on the south line of Peterson Lane, east of 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 the city plan commission's recommendation.

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

Susan Kedron, 901 Main St., representing Icon Partners
Paris Rutherford, 5050 Spring Valley Rd. **Farmers Branch, TX**, representing Icon Partners
Dan Robinowitz, 5050 Spring Valley Rd. , representing Icon Partners

Councilmember Koop moved to close the public hearing and approve the Planned Development No. 782 with the following amendments:

1. A specific use permit is required for an inside commercial amusement use over 75,000 square feet.
2. Each retail stand is limited to a maximum of 1,000 square feet of floor area and all retail stands combined may not exceed 20,000 square feet of floor area.
3. Delete the off-street parking provision that allows a single use to be considered a large-scale mixed use project that may share parking space with another use.
4. Delete the minimum commercial green building standards.

and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 27134.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1079

Item 36: Zoning Case Z078-161 (JH) INDIVIDUAL

A public hearing was called on zoning case Z078-161 (JH), an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District Uses on property zoned a CR Community Retail District, on the northeast line of Emerald Isle, north of Garland Road

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

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

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

Peyman Horri, 5211 Richard Ave., representing JPS Solutions – Emerald Isle Development

Mary E. Griggs, 8817 Grenore, representing Emerald Isle Neighborhood

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

Motion seconded by Councilmember Koop and unanimously adopted.

Assigned ORDINANCE NO. 27135.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1080

Item 37: A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 0.53 acres of a 1.47 acre tract of land, zoned SF-10, located at 8827, 8834 and 8835 Lakemont Drive, currently in the floodplain of Bachman Creek, Fill Permit 07-06 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Mike Boyd, 8080 Park Lane, representing the applicant

Councilmember Hunt moved to close the public hearing.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1081

Deep Ellum TIF District

Note: Item Nos. 38 and 39 must be considered collectively.

- Item 38: A public hearing to receive comments on an amendment to Tax Increment Reinvestment Zone Number Twelve (Deep Ellum TIF District) to enlarge the geographic area of the Deep Ellum TIF District boundary to include the Latino Cultural Center and selected adjacent properties and projects to be added to the final project and financing plan - Financing: No cost consideration to the City
- Item 39: An ordinance amending Ordinance No. 26043, passed by the City Council on June 22, 2005, to enlarge the geographic area of the Tax Increment Financing Reinvestment Zone Number Twelve (Deep Ellum TIF District) to include the Latino Cultural Center and selected and adjacent properties; establishing an effective date; making a finding regarding feasibility; providing a severability clause; and enacting other matters related hereto - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding the item:

Stan Harris, 5328 Waneta Dr. representing Margaux Development

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Rasansky abstain)

Assigned ORDINANCE NO. 27136.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1082

Item 40: An ordinance authorizing an amendment to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District): **(1)** 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; **(2)** 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; **(3)** specifying the necessity for the sale of city-owned land for implementation of the Plan; and **(4)** 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

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

Councilmember Hunt moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Rasansky abstain)

Assigned ORDINANCE NO. 27137.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1083

Item 41: A resolution authorizing the sale of approximately 83,478 square feet of unneeded and unwanted City-owned land located near the intersection of Live Oak and Cantegral Streets (northeast corner - Block 289) to Margaux City Lights Partners to support the development of a high density mixed use project on this and other adjacent properties and construction of a parking structure and additional improvements for the Latino Cultural Center in accordance with the Deep Ellum TIF District Project Plan - Revenue: \$3,339,120

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

Councilmember Hunt moved to adopt the resolution.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1084

Addendum addition 1: Authorize a professional services contract for a Storm Water Drainage Utility Fee Study - Black & Veatch Corporation, most advantageous proposer of three - Not to exceed \$96,845 - Financing: Current Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1085

Addendum addition 2: Authorize a service contract to provide supplies and train City personnel on the repair of the Aquaplay structures and waterslides at the Bahama Beach Water Park - WhiteWater West, Inc., Sole Source - Not to exceed \$35,730 - Financing: Current Funds

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

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

Councilmember Hill moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia.

Councilmember Rasansky requested to reconsider addendum addition consent item 2 to further discuss the item.

Councilmember Hill moved to reconsider addendum addition consent item 2 to further discuss the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

After discussion, Councilmember Hill moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia.

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Neumann, Salazar, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1086

Addendum addition 3: Authorize moving expense and replacement housing payments for Modesto Medina and Edelmira Medina as a result of an official written offer of just compensation to purchase real property for the Topeka Avenue Voluntary Purchase Project - Not to exceed \$40,800 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1087

Addendum addition 4: A resolution authorizing advertisement for lease with an option to purchase by sealed bid of approximately 23,670 square feet of City-owned land, improved with a former library located near the intersection of Hampton Road and Illinois Avenue - Financing: No cost consideration to the City

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

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

Councilmember Neumann moved to defer the item until the April 23, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1088

Addendum addition 5: An ordinance amending the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) **(1)** to modify the affordable housing provision in the Davis Garden TIF District Final Plan; **(2)** to shift funds among budget categories by decreasing Infrastructure Improvements in the amount of \$6,746,733; decreasing Environmental Remediation in the amount of \$1,781,447; decreasing Historic Façade Restoration in the amount of \$155,876; decreasing Parks, Open Space, Trails, and Streetscapes in the amount of \$378,557; decreasing Administration and Implementation in the amount of \$7; and increasing the Affordable Housing category in the amount of \$9,062,620; and **(3)** amending Ordinance No. 27090 to reflect the modification in the housing provision language and the adjustments to budget categories - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27138.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1089

Addendum addition 6: Authorize the second amendment to the lease agreement with Homer J. Rader, Jr., d/b/a Rader Properties to extend the term of the lease for one month for the Day Resource Center located at 901 South Ervay Street for the period May 1, 2008 through May 31, 2008 - Total not to exceed \$8,656 - Financing: Current Funds Councilmember Rasansky moved to approve the item.

Councilmember Rasansky requested that addendum addition consent agenda item 6 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 6 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 6 was brought up for consideration.

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1090

Addendum addition 7: Authorize **(1)** the acceptance of a grant from the U.S. Environmental Protection Agency in the amount of \$170,000 for the purpose of implementing air quality projects under the Dallas Sustainable Skylines Initiative for the period December 12, 2007 through December 31, 2009; and **(2)** execution of the grant agreement - Not to exceed \$170,000 - Financing: U.S. Environmental Protection Agency Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1091

Addendum addition 8: Authorize **(1)** rescinding assignment of the contract with Allied Builders, Inc. to Top Dog - Oak Cliff, L.P. for construction management for street and streetscape improvements at Zang Boulevard and Colorado Boulevard at Lake Cliff Tower; **(2)** termination for convenience of the contract with Allied Builders, Inc. for street and streetscape improvements at Zang Boulevard and Colorado Boulevard at Lake Cliff Tower; **(3)** a refund to Top Dog - Oak Cliff, L.P. in the amount of \$44,685 of private funds provided by the developer; and **(4)** the readvertisement for new bids - Not to exceed (\$44,685) - Financing: Oak Cliff Gateway TIF District Funds

Councilmember Neumann and Councilmember Rasansky requested that addendum addition consent agenda item 8 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Rasansky's request.

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

The following individual addressed the city council regarding the item:

Clifton E. Miller, 30 Meadowbrook Lane, **Trophy Club, TX**, representing The Focus Group on behalf of Allied Builders

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Neumann.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1092

Deep Ellum TIF District

Note: Item Nos. 9 and 10 must
must be considered collectively.

Addendum addition 9:

Authorize **(1)** the City Manager to execute a development agreement with Margaux City Lights Partners in an amount not to exceed \$5,000,000 plus interest payable as a grant from future Deep Ellum TIF funds in consideration of Margaux City Lights Partners developing property purchased from the City that the City desires to have developed in accordance with the Deep Ellum TIF Project Plan and the design, engineering and construction of a parking structure and other improvements for the Latino Cultural Center located at the intersection of Live Oak Street and Texas Avenue in the Deep Ellum TIF District; and **(2)** the Deep Ellum TIF District Board of Directors to dedicate up to \$5,000,000, plus interest payable as a grant, from Deep Ellum TIF revenues in accordance with the development agreement - \$5,000,000 - Financing: To be funded solely from the Deep Ellum TIF District Funds

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

The following individuals addressed the city council regarding the item:

Albert Parker, 6318 Elm Rd.

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 9, 2008

08-1093

Deep Ellum TIF District

Note: Item Nos. 9 and 10 must
must be considered collectively.

Addendum addition 10: A resolution declaring the intent of the Deep Ellum TIF District to reimburse Margaux City Lights Partners for eligible expenditures pursuant to the development agreement with Margaux City Lights Partners in an amount not to exceed \$5,000,000, plus interest payable as a grant, for certain TIF-eligible project costs related to the design, engineering and construction of a parking structure and other improvements for the Latino Cultural Center located at the intersection of live Oak Street and Texas Avenue in the Deep Ellum TIF District - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding the item:

Albert Parker, 6318 Elm Rd.

Councilmember Hunt moved to approve the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 9, 2008

EXHIBIT C