

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2008

08-1360
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis,
Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt (*9:28 a.m.)
(**3:26 p.m.)

ABSENT: [0]

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

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

The invocation was given by Robert L. Kimball, Stake President of the Dallas Texas East Stake of The Church of Jesus Christ of Latter-day Saints.

Councilmember Salazar 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 6:03 p.m.

Mayor

ATTEST:

Assistant 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.**

****Indicates departure time.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1361

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: Albert Parker, 6318 Elam Rd.
SUBJECT: City Hall business and conflict of interest

SPEAKER: Anthony Johnson, 8515 Freeport Dr.
SUBJECT: Racial injustice with Dallas Police Department

SPEAKER: Diane Smith, 2148 56th St.
REPRESENTING: Citizens for Environmental Justice Committee
SUBJECT: Environmental contamination

SPEAKER: Brenda Jackson, 3014 S. Marsalis
SUBJECT: Environmental contamination

SPEAKER: Linda Bates, 4144 Tram Dr.
SUBJECT: Racism

SPEAKER: Royce West, 1305 Greenhills Court, **Duncanville, TX**
SUBJECT: Education and Economic Development

OPEN MICROPHONE – END OF MEETING

SPEAKER: Neely Kerr, 2306 Millmar Dr.
SUBJECT: Lower White Rock Creek update

SPEAKER: David Gleeson, 3203 Holmes St.
REPRESENTING: Forest Heights Neighborhood Development
SUBJECT: Appeal for abatement of taxes for elderly friend and Trinity Heights affordable housing

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, Code Compliance Supervisor, Past DA Prosecuting Attorney at Lew Sterrett now in civil, and Dallas is a racist city

SPEAKER: Ernestine Anderson, 6108 Abrams Rd.
SUBJECT: Work

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter
SUBJECT: Confusion in the world

SPEAKER: Gwain Wooten, 4625 Bryan St.
REPRESENTING: R. A. W.
SUBJECT: Can Hillary Clinton count?

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1362

Item 1: Approval of Minutes of the April 23, 2008 City Council Meeting

Mayor Pro Tem Garcia moved to approve the minutes.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1363

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-69 and addendum addition consent agenda items 1-5, were presented for consideration.

Mayor Pro Tem Garcia requested that consent agenda item 50 and addendum addition consent agenda items 2 and 3 be considered as individual items. Mayor Leppert stated that consent agenda item 50 and addendum addition consent agenda items 2 and 3 would be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Councilmember Neumann requested that consent agenda items 17, 57 and addendum addition consent agenda item 2 be considered as individual items. Mayor Leppert stated that consent agenda items 17, 57, and addendum addition consent agenda item 2 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Davis requested that consent agenda item 29 be considered as an individual item. Mayor Leppert stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

Councilmember Atkins requested that consent agenda items 8 and 10 be considered as individual items. Mayor Leppert stated that consent agenda items 8 and 10 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Rasansky requested that consent agenda items 2, 3, 26, 32, 54 and addendum addition consent agenda items 3 and 5 be considered as individual items. Mayor Leppert stated that consent agenda items 2, 3, 26, 32, 54 and addendum addition consent agenda items 3 and 5 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda items 2, 3, 8, 10, 17, 26, 29, 32, 50, 54, and 57, and addendum addition consent agenda items 2, 3, and 5 which would be considered later in the meeting.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1364

Item 2: Authorize a service contract for the removal and proper disposal of an underground storage tank at Southside Wastewater Treatment Plant - His and Hers, lowest responsible bidder of five - Not to exceed \$80,000 - Financing: Water Utilities Capital Construction Funds

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1365

Item 3: Authorize **(1)** a twenty-four-month service contract for scrap tire removal and disposal from McCommas Bluff Landfill (Bid Group B) - Liberty Tire Recycling, LLC. in the amount of \$217,500, and **(2)** a twenty-four-month service contract for scrap tire removal and disposal from various City facilities (Bid Group A) - Tex-American Recycling, Inc. in the amount of \$127,075, lowest responsible bidders of two - Total not to exceed \$344,575 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 3 be considered as an individual item. Mayor Leppert stated that consent agenda item 3 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 3 was brought up for consideration.

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Kadane.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1366

Item 4: Authorize a thirty-six-month master agreement for Carrier heating, ventilation and air conditioning equipment and parts - Carrier North Texas, Sole Source - Not to exceed \$352,389 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1367

Item 5: Authorize a twenty-four-month master agreement for animal food for Code Compliance - Hill's Pet Nutrition Sales, Inc., lowest responsible bidder of two - Not to exceed \$161,390 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1368

Item 6: Authorize a twenty-four-month master agreement for bulk cement to be used for street repairs - Holcim (US), Inc., lowest responsible bidder of two - Not to exceed \$797,340 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1369

Item 7: Authorize a twenty-four-month service contract, with two twelve-month renewal options, for database access for Real-Time Live Homework Support On-line Service for the Dallas Public Library - Tutor.com, Inc., lowest responsive and responsible bidder of two - Not to exceed \$285,000 - Financing: Current Funds (\$242,150) (subject to annual appropriations), Lone Star Libraries Grant Funds (\$42,850)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1370

Item 8: Authorize a twenty-four-month master agreement for self contained breathing apparatus and accessories for the Dallas Fire-Rescue Department - Wayest Safety, Inc., lowest responsible bidder of four - Not to exceed \$3,121,769 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes (\$3,099,269), Current Funds (\$22,500)

Councilmember Atkins 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 Atkins' request.

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

Councilmember Kadane moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1371

Item 9: Authorize the purchase of forty-five infrared thermal imaging cameras for search and rescue operations conducted by the Dallas Fire-Rescue Department - Metro Fire Apparatus Specialists, Inc., lowest responsible bidder of two - Not to exceed \$475,650 - Financing: Current Funds (\$25,875), Urban Area Security Initiative Grant Funds (\$449,775)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1372

Item 10: Authorize an increase in the service contract for temporary information technology professionals with CIBER, Inc. - Not to exceed \$1,705,500, from \$6,822,000 to \$8,527,500 - Financing: Current Funds (subject to annual appropriations)

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1373

Item 11: Authorize settlement of a claim filed by GEICO Insurance Company on behalf of its insured Trudy Wafer, Claim No. 07186616 - Not to exceed \$12,810 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1374

Item 12: Authorize settlement of the lawsuit styled Holly Kenton v. John Hayes, et al.,
Cause No. 06-17923-E - Not to exceed \$10,001 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1375

Item 13: Authorize settlement of the lawsuit styled Julia May v. City of Dallas, Cause No. 07-10310-D - Not to exceed \$10,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1376

Item 14: Authorize settlement of the lawsuit styled Richard and Peggy Sells v. The City of Dallas, Cause No. 06-02074-H - Not to exceed \$125,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1377

Item 15: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed \$60,000, from \$25,000 to \$85,000 - Financing: Current Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1378

Item 16: Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services regarding the production of documents in connection with a federal grand jury subpoena and related matters - Not to exceed \$50,000, from \$75,000 to \$125,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1379

Item 17: An ordinance amending Chapter 27 of the Dallas City Code to expand the definition of "urban nuisance" in accordance with state law to include a structure that, regardless of structural condition, is unoccupied and unsecured from unauthorized entry and a structure that is secured but either constitutes a danger to the public or is secured by inadequate means - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda item 17 be considered as an individual item. Mayor Leppert stated that consent agenda item 17 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 17 was brought up for consideration.

Councilmember Neumann moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27147.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1380

Item 18: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of eight tracts of land for the construction of the Principal Arterial Street System Project (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1381

Item 19: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Darius U. Camaganacan and Juanita A. Boado, of approximately 614 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$13,710 - Financing: Water Utilities Capital Construction Funds.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1382

Item 20: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charles Shelby, of approximately 102,784 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$85,800 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1383

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Estate of Kevin Ray Kvapil of approximately 82,989 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$51,435 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1384

Item 22: An ordinance providing for the closure and vacation of a portion of an alley, containing approximately 4,503 square feet of land located near the intersection of Garland Road and Tavaros Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27148.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1385

Item 23: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jill Ann Free Limited Partnership, LP, of approximately six acres of unimproved land located near the intersection of Manana Drive and Newkirk Street for the Elm Fork Flood Protection Project - \$1,252,896 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1386

Item 24: An ordinance abandoning a portion of a water easement to the Ursuline Academy of Dallas, the abutting owner, containing approximately 4,271 square feet of land located near the intersection of Inwood Road and Walnut Hill Lane
- Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27149.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1387

Item 25: An ordinance abandoning a portion of an alley to CLB Hawthorne Residences L.P., the abutting owner, containing approximately 490 square feet of land located near the intersection of Hartford and Raleigh Streets, and authorizing the quitclaim - Revenue: \$15,300 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27150.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1388

Item 26: An ordinance abandoning a portion of Pavillion Street to Twin Lakes Plaza, L.P., the abutting owner, containing approximately 3,179 square feet of land located near its intersection with Flora Street, and authorizing the quitclaim and providing for the dedication of a total of approximately 5,894 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Corrected on the addendum to the agenda.

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

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

Councilmember Rasansky moved to refer the item back to the Economic Development Council Committee and defer the item until the June 11, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1389

Item 27: An ordinance granting a private license to JAHCO Fair Oaks, LP and JAHCO Royal Skillman, LLC for the use of approximately 2,580 square feet of land to install and maintain off-street parking and landscaping in a portion of Skillman Street right-of-way located near its intersection with Royal Lane - Revenue: \$3,158 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27151.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1390

Item 28: Authorize the quitclaim of two properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$42,132

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1391

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jon A. Grinaldi, of approximately 40,331 square feet of land located on Arturo Road near the intersection of Lakeland Drive for the Ash Creek Drainage Project - \$85,000 - Financing: 2003 Bond Funds

Councilmember Davis requested that consent agenda item 29 be considered as an individual item. Mayor Leppert stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

Later in the meeting, agenda item 29 was brought up for consideration.

Councilmember Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1392

Item 30: An ordinance abandoning portions of sanitary sewer and storm sewer easements to the Board of Regents of The University of Texas System, the abutting owner, containing a total of approximately 24,305 square feet of land located near the intersection of Inwood and Forest Park Roads - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27152.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1393

Item 31: Authorize an amendment to Resolution No. 08-0400, previously approved on February 13, 2008, that amended the district boundaries of Kaufman County Municipal Utility District No. 4 by the addition of 114 acres to include support for the issuance of tax exempt bonds for road improvements within the entire boundary of Kaufman County Municipal Utility District No. 4 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1394

Item 32: An ordinance authorizing a correction to Ordinance No. 26920, previously approved on September 12, 2007, which amended Chapters 51 and 51A of the Dallas City Code by amending existing regulations and adding new sections entitled "Gas Drilling and Production" to correct the Article numbering designation in Chapter 51 from Article XI to Article XII - DCA067-006 - Financing: No cost consideration to the City

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

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

Councilmember Salazar moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Caraway.

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

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

Assigned ORDINANCE NO. 27153.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1395

Item 33: Authorize an amendment to the lease agreement with the County of Dallas for an additional area of approximately 270 square feet of space and improvements for a total of approximately 10,854 square feet of office space in the Dallas County Health and Human Services building located at 2377 Stemmons Freeway, fourth floor, to be used as a Women, Infants and Children Clinic, office and training center for the period August 1, 2008 through August 31, 2011 - Not to exceed \$458,742 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1396

Item 34: Ratify an emergency purchase for maintenance and repair of the cooling tower at the Dallas Museum of Art located at 1901 North Harwood Street - Trane, U.S., Inc. only bidder - Not to exceed \$93,644 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1397

Item 35: Authorize **(1)** the acceptance of amended proposals from SouthFair Community Development Corporation for the development of 4 unimproved properties obtained under the HB110 process and 1 unimproved property obtained under the Land Assembly process all through the Land Transfer Program, and **(2)** a time extension for the development and amended Deed Restrictions (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1398

Item 36: Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$85,000 to Dallas Neighborhood Alliance for Habitat to pay part of the acquisition cost of 11 unimproved properties at 3100 Bickers Street for the development of low-to-moderate income single-family homes - Not to exceed \$85,000 - Financing: FY 2007-08 Community Development Grant Funds (\$85,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1399

Item 37: Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$550,000 to Jubilee Park and Community Center Corporation to pay for the acquisition cost of improved and unimproved properties bounded by Stonewall Street, I-30 Freeway, Bank Street, and East Grand Avenue and associated relocation, environmental remediation, or demolition costs for the purpose of developing low-to-moderate income family housing - Not to exceed \$550,000 - Financing: 2005-06 Community Development Grant Funds (\$250,000); and 2006-07 Community Development Grant Funds (\$300,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1400

Item 38: Authorize a loan in the amount of \$500,000 at 0% interest to Jubilee Park and Community Center Corporation for the acquisition of improved and unimproved properties bounded by Stonewall Street, I-30 Freeway, Bank Street, and East Grand Avenue and associated relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment - Not to exceed \$500,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1401

Item 39: Authorize the reconstruction on-site of two homes in accordance with the Reconstruction Housing Program Statement requirements for the properties located at 4620 Silver Avenue in the amount of \$87,500, and 4207 Bonnie View Road in the amount of \$87,500 - Total not to exceed \$175,000 - Financing: 2000-2001 Home Funds (\$67,600); 2005-2006 HOME Funds (\$19,900); and 2007-2008 Community Development Grant Funds (\$87,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1402

Item 40: Authorize **(1)** an amendment to the Police Special Pay Down Payment Assistance Program authorized by Resolution No. 07-2839, previously approved on September 26, 2007; and **(2)** confirmation of the lump sum compensation provided for the purchase of a home located at 7141 Lanyon Drive in accordance with the terms and conditions outlined in Exhibit A - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1403

Item 41: Authorize **(1)** a public hearing to be held on May 28, 2008 to receive citizens' comments on the proposed private sale by quitclaim deed of four unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Cornerstone Community Development Corporation, a qualified non-profit organization; and, **(2)** at the close of the public hearing, consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1404

Item 42: Authorize the acceptance of a 2007 Buffer Zone Protection Program grant from the U.S. Department of Homeland Security, through its agent, the Governor's Division of Emergency Management for costs associated with securing critical infrastructure and key resource sites to prevent acts of terrorism within the City for the period August 7, 2007 to February 28, 2010 - Not to exceed \$548,625 - Financing: U.S. Department of Homeland Security, Governor's Division of Emergency Management Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1405

Item 43: Authorize the execution of a partner agreement with the North Central Texas Council of Governments for the purpose of providing assistance and support for the development of the Air North Texas campaign - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1406

Item 44: Authorize **(1)** the City's continued participation in the Steering Committee of Texas Utilities Electric Service Area Cities in hearings before the Public Utilities Commission of Texas concerning electric restructuring and rates to be charged by Oncor Electric Delivery, and **(2)** the establishment of appropriations in the amount of \$128,050 in the Rate Case Reimbursement Reserve Fund to pay the City's 2008 assessment - Not to exceed \$128,050 - Financing: Rate Case Reimbursement Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1407

Item 45: Authorize a public hearing to be held on May 28, 2008 to receive comments in preparation of the FY 2008-09 Operating, Capital, Grant, and Trust budgets -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1408

Item 46: Authorize a contract for the construction of gabion retaining walls at Twin Falls Park located at 6300 South Polk Street - Erosion and Retaining Wall Structures, Inc., lowest responsible bidder of five - Not to exceed \$247,870 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1409

Item 47: Authorize a contract for the installation of a new playground and site furnishings at Arbor Park located at 7701 Skillman Street - A S Con, Inc., lowest responsible bidder of three - Not to exceed \$139,900 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1410

Item 48: Authorize a contract for the installation of a new playground and site furnishings at R.P. Brooks Park located at 7101 Merriman Parkway - A S Con, Inc., lowest responsible bidder of four - Not to exceed \$152,200 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1411

Item 49: Authorize Supplemental Agreement No. 2 to the professional services contract with HBC/Terracon for additional project management services for the stormwater quality improvements at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$39,160, from \$145,700 to \$184,860 - Financing: 2005 Certificates of Obligation

Approved as part of the consent agenda

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1412

Item 50: Authorize Supplemental Agreement No. 3 to the professional services contract with Group One/VAI Architects, L.L.P. for a structural evaluation of the roof, design revisions to the heating, ventilation and air conditioning system documents, and additional construction administration services at Kidd Springs Recreation Center located at 700 West Canty Street - \$10,500, from \$43,690 to \$54,190 - Financing: 2003 Bond Funds

Mayor Pro Tem Garcia requested that consent agenda item 50 be considered as an individual item. Mayor Leppert stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Later in the meeting, agenda item 50 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1413

Item 51: Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period May 14, 2008 through May 13, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1414

Item 52: Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Grand Prairie to provide mutual law enforcement services within specified territorial boundaries dividing the cities of Dallas and Grand Prairie for the period May 14, 2008 through May 13, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1415

Item 53: Authorize **(1)** the application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period of May 19, 2008 through June 1, 2008, in the amount of \$90,000; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$25,398, and **(3)** execution of the grant agreement - Total not to exceed \$115,398 - Financing: Current Funds (\$25,398) and Texas Department of Transportation Grant Funds (\$90,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1416

Item 54: Authorize an Interlocal Agreement with the Texas Department of Transportation for the City's share of right-of-way acquisition and utility relocation costs for proposed paving improvements at the intersection of Preston Road (State Highway 289) and Royal Lane - \$15,000 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 54 be considered as an individual item. Mayor Leppert stated that consent agenda item 54 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 54 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 Natinsky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Rasansky abstain; Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1417

Item 55: Authorize an increase in the contract with Jeske Construction Company for additional water and wastewater main extensions, wastewater access devices, manholes and quantities of paving materials needed for the reconstruction of Bexar Street from C. F. Hawn Freeway (U.S. 175) service road to Brigham Lane - Not to exceed \$151,495, from \$3,436,764 to \$3,588,259 - Financing: 2004-05 Community Development Grant Funds (\$2,401), 2006-2007 Community Development Grant Funds (\$65,464) and Water Utilities Capital Construction Funds (\$83,630)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1418

Item 56: Authorize an increase in the contract with Texas Standard Construction, LTD for additional work related to stormwater drainage modifications, Phase II at 27 fire stations and extend the contract by sixty-one calendar days (list attached) - Not to exceed \$33,914, from \$1,981,000 to \$2,014,914 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1419

Item 57: Authorize **(1)** an increase in the contract with Alshall Construction Company for additional work necessary to complete construction and upgrades to improve operations at the new Dallas Animal Services and Adoption Center located at 1818 North Westmoreland Road in an amount not to exceed \$169,544, from \$11,693,034 to \$11,862,578; and **(2)** an increase in appropriations in the amount of \$275,000 in the Animal Control Facilities Fund - Total not to exceed \$169,544 - Financing: 2003 Bond Funds

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1420

Item 58: Authorize ordinances granting 20 franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$207,000

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27154 THRU ORDINANCE 27173.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1421

Item 59: Authorize a public hearing to be held on June 11, 2008 to receive comments on the proposed use of a portion of Trinity River Park for the installation of a new 345 kV power transmission line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1422

Item 60: Authorize **(1)** a contract with Stark Built GP, LLC, lowest responsible bidder of four, for the construction and installation of a concrete and decomposed granite nature trail (Texas Buckeye Trail) in compliance with Americans with Disabilities Act requirements, a pedestrian bridge and landscaping improvements at Rochester Park for the Trinity River Corridor Project in the amount of \$259,564; and **(2)** execution of a license agreement with ONCOR to allow the trail to be built and maintained across the ONCOR right-of-way for the Texas Buckeye Trail - \$259,564 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1423

Item 61: Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments for the creation of a master plan to implement the West Dallas Signature Point Project; **(2)** receipt and deposit of funds from the West Dallas Chamber of Commerce in an amount not to exceed \$25,406; and **(3)** payment to the North Central Texas Council of Governments for the required local match for the creation of a master plan to implement the West Dallas Signature Point Project - Not to exceed \$25,406 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1424

Item 62: Authorize Supplemental Agreement No. 2 to the professional services contract with Bridgefarmer and Associates, Inc. for additional engineering design and surveying services for water and wastewater upgrades for the Beckley Avenue and Commerce Street intersection improvements - Not to exceed \$71,423, from \$203,700 to \$275,123 - Financing: 1998 Bond Funds (\$15,100) and Water Utilities Capital Construction Funds (\$56,323)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1425

Item 63: Authorize an Interlocal Agreement with North Texas Tollway Authority (NTTA) for **(1)** dedication of easements over Lake Ray Hubbard along the proposed alignment of the President George Bush Turnpike, **(2)** identify NTTA as the responsible entity for construction and maintenance of storm water treatment units to ensure water quality, and **(3)** ensure NTTA will adhere to all City of Dallas regulations and water quality requirements pertaining to Lake Ray Hubbard for the proposed Eastern Extension of the President George Bush Turnpike - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1426

Item 64: Authorize an Interlocal Agreement with the Trinity River Authority, North Texas Municipal Water District, and the Tarrant Regional Water District to continue the evaluation of inflows into the Galveston Bay and the impact of the Trinity River Basin instream flow requirements on Trinity River Basin water rights - \$63,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1427

Item 65: Authorize a professional services contract with GSWW, Inc. to provide engineering design services for the renewal of water and wastewater mains at 70 locations (list attached) - \$1,699,595 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1428

Item 66: Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - NPL Construction Company, lowest responsible bidder of two - Not to exceed \$17,621,313 - Financing: Water Utilities Capital Construction Funds (\$12,621,313), Current Funds (\$5,000,000) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1429

Item 67: Authorize additional work associated with an existing study with the Tarrant Regional Water District to determine the feasibility of raw water transmission facilities to deliver water from East Texas and other areas of existing and proposed reservoirs, to jointly participate in the development, construction, and operation of infrastructure capable of delivering raw water supply to the Dallas/Fort Worth Metroplex - \$47,946 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1430

Item 68: Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with construction of the Camp Wisdom Pump Station and rehabilitation improvements in the American Way elevated storage tank - \$306,691, from \$7,860,000 to \$8,166,691 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1431

Item 69: Authorize Supplemental Agreement No. 4 to the professional services contract with Malcolm Pirnie, Inc. for additional services related to security and risk management for water and wastewater facilities - Not to exceed \$692,803, from \$2,593,009 to \$3,285,812 - Financing: Water Utilities Capital Construction Funds (\$577,803), U.S. Department of Homeland Security Grant Funds (\$115,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1432

08-1433

Item 70: 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 assistant 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 MAY 14, 2008.

The assistant 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 Medrano moved to appoint Don Herring, experience in Retail Marketing, to the Commission on Productivity and Innovation; Louis Cruz, Citizen-At-Large to the Landmark Commission; and Elba Garcia, City Council Appointee, to the Police and Fire Welfare Fund Board.

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

Councilmember Medrano moved to appoint Richard Brown, Chair, to the Reinvestment Zone Ten Board (Southwestern Medical).

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

Councilmember Medrano 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 Mayor Pro Tem Garcia and unanimously adopted. (Davis, Hunt absent when vote taken)

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

08-5150 CPI COMMISSION ON PRODUCTIVITY AND INNOVATION
08-5151 CPR DALLAS CITIZENS POLICE REVIEW BOARD
08-5152 LMC LANDMARK COMMISSION
08-5153 PFW POLICE AND FIRE WELFARE FUND BOARD
08-5154 BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1434

Item 71: 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 on the northeast corner of Buckner Boulevard and Kipling Drive, and consideration of alternate resolutions either affirming or reversing the decision of the City Plan Commission - W078-012 - Financing: No cost consideration to the City

Councilmember Hill moved to grant the applicant's appeal of the City Plan Commission's denial of a request for a wavier to the two year waiting period to make a new zoning application on property on the northeast corner of Buckner Boulevard and Kipling Drive and approve a resolution reversing the decision of the City Plan Commission.

In addition, Councilmember Hill requested the record reflect the motion was not an approval of a zoning request, but only authorization to file a new application requesting a zoning change on the referenced property. The new application will follow the procedures for a zoning change request and be heard by the City Plan Commission prior to being forwarded to the city council for consideration at a future public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1435

Item 72: 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 - Z078-154 - Financing: No cost consideration to the City

Councilmember Natinsky moved to defer the item until the May 28, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1436

Item 73: Authorize the preparations of plans for issuance in an amount not to exceed \$170,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2008 - Financing: This action has no cost consideration to the City

Councilmember Hill 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 voice vote, with Councilmember Rasansky voting "No." (Davis, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1437

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

Agenda items 74, 82, and 84 were removed from the consent zoning docket, to be considered as individual hearings.

- ~~Agenda item 74: Zoning Case Z078-147(RB) [considered individually]~~
- Agenda item 75: Zoning Case Z078-162 (OTH)
- Agenda item 76: Zoning Case Z078-163 (WE)
- Agenda item 77: Zoning Case Z078-164 (WE)
- Agenda item 78: Zoning Case Z078-166 (OTH)
- Agenda item 79: Zoning Case Z078-170 (RB)
- Agenda item 80: Zoning Case Z078-174 (OTH)
- Agenda item 81: Zoning Case Z078-178 (JH)
- ~~Agenda item 82: Zoning Case Z078-181 (WE) [considered individually]~~
- Agenda item 83: Zoning Case Z078-182 (WE)
- ~~Agenda item 84: Zoning Case Z078-185 (WE) [considered individually]~~

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 items:

- Dana LaMure, 701 S. Clinton Ave., item 74, in favor
- Jim Burgden, 4532 Columbia Heights, item 78, in favor
- Margarita Diaz, 7515 Halsley Rd., item 81, in favor

Councilmember Neumann moved to close the public hearing, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1437

Page 2

Councilmember Neumann moved to reconsider the zoning consent agenda to allow zoning consent item 74 to be considered as an individual zoning item.

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

Councilmember Neumann moved to close the public hearing, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1438

Item 74: Zoning Case Z078-147 (RB)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-147 (RB), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 306 for a Public School and Community Service Center on property zoned Planned Development District No. 306 and an R-7.5(A) Single Family District on the west line of Edgfield Avenue, between Twelfth Street and Brooklyn Avenue

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

Dana LaMure, 701 S. Clinton Ave.

Consent zoning item 74 was approved as part of the consent zoning docket consisting of agenda items 74-84 as presented for consideration.

Later in the meeting, Councilmember Neumann moved to reconsider the consent zoning docket to allow consent zoning item 74 to be considered as an individual zoning item.

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

Mayor Pro Tem Garcia moved to close the public hearing and hold under advisement until the June 11, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1439

Item 75: Zoning Case Z078-162 (OTH)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-162 (OTH), an application for and an ordinance granting an amendment to Specific Use Permit No. 477 for an institution of a religious, charitable or philanthropic nature on property zoned an R-7.5(A) Single Family District, on the southwest corner of Park Lane and Boedecker Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27174.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1440

Item 76: Zoning Case Z078-163 (WE)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-163 (WE), an application for and an ordinance granting an amendment to Tract IV within Planned Development District No. 508 for CH Clustered Housing, MF-2(A) Multifamily, LO-1 Limited Office and MU-1 Mixed Use District uses on the southeast corner of Kingbridge Road and Bickers Street

(The staff 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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27175.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1441

Item 77: Zoning Case Z078-164 (WE)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-164 (WE), an application for and an ordinance granting an LO-1 Limited Office District on property zoned a P(A) Parking District with a portion of Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of Northwest Highway and Solta Drive and a resolution accepting the deed restrictions volunteered by the applicant

(The staff and city plan commission recommended approval subject to deed restrictions volunteered by the applicant with retention of SUP No. 1498)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27176.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1442

Item 78: Zoning Case Z078-166 (OTH)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-166 (OTH), an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an MF-2(A) Multifamily District, on the south corner of Columbia Avenue and Colson Street

(The staff and city plan commission recommended approval)

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

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

Jim Burgden, 4532 Columbia Heights

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27177.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1443

Item 79: Zoning Case Z078-170 (RB)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-170 (RB), an application for and an ordinance granting an amendment to Planned Development District No. 531 for a Community service center and MF-2(SAH) Multifamily (Affordable) District Uses on the north line of Ridgecrest Road, northwest of Eastridge Drive

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27178.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1444

Item 80: Zoning Case Z078-174(OTH)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-174 (OTH), an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District west of Sanden Drive, north of LBJ Expressway

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27179.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1445

Item 81: Zoning Case Z078-178 (JH)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-178 (JH), an application for and an ordinance granting a Specific Use Permit for a library, art gallery, or museum on property zoned an R-7.5(A) Single Family District on the southeast corner of Lake June Road and Houghton Road

(The staff and city plan commission recommended approval, for a permanent time 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:

Margarita Diaz, 7515 Halsley Rd.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27180.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1446

Item 82: Zoning Case Z078-181 (WE)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-181 (WE), an application for and an ordinance granting an amendment to the site plan for a portion of Planned Development District No. 1 for medical clinic, lodge, bank or savings and loan office, professional or general business office or doctor's office located on the south side of Forest Lane between Inwood Road and Eastern Avenue

(The staff and city plan commission recommended approval, subject to an overall site plan, detailed site plan, landscape plan and conditions)

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

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

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

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

Assigned ORDINANCE NO. 27181.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1447

Item 83: Zoning Case Z078-182 (WE)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

A public hearing was called on zoning case Z078-182 (WE), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District on the west side of Maple Avenue, north of Stutz Drive

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27182.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1448

Item 84: Zoning Case Z078-185 (WE)

The consent zoning docket consisting of agenda items 74-84 was presented for consideration.

Councilmember Natinsky 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 Natinsky's request.

A public hearing was called on zoning case Z078-185 (WE), an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 722 for single family, handicapped dwelling and private street and alley west of Preston Road, north of Frankford Road

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

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

The following individual addressed the city council regarding the item:

Leslie A. Davis, 3035 E. Ledbetter

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

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1449

Item 85: Zoning Case Z078-142 (RB) INDIVIDUAL

A public hearing was called on zoning case Z078-142 (RB), an application for a Planned Development Subdistrict for Multiple family, Hotel and motel, Restaurant without drive-through service, and Health studio uses on property zoned an O-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and the termination of the D Dry Liquor Control Overlay, on the northeast line of Fairmount Street between Enid Street and Turtle Creek Boulevard with consideration being given to the granting of the D-1 Dry Liquor Control Overlay and the granting of a Specific Use Permit for a Restaurant with alcohol sales

(The staff recommended approval of a Planned Development Subdistrict, subject to a development plan, landscape plan, and staff's recommended conditions, and retention of the D Liquor Control Overlay and the city plan commission recommended Denial of a Planned Development Subdistrict, and denial of the removal of the D Liquor Control Overlay)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1450

Item 86: Zoning Case Z078-176 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z078-176 (OTH), an application for and an ordinance granting a Specific Use Permit for a metal salvage facility on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District, on the west side of Progressive Drive, northwest of the corner of Fort Worth Turnpike and Walton Walker Access Road

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

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

The following individual addressed the city council regarding the item:

Leslie A. Davis, 3035 E. Ledbetter

Councilmember Salazar 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. (Leppert absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1451

Item 87: A public hearing to receive comments regarding consideration of amendments to Chapter 51A, of the Dallas Development Code, to amend the use definition of Public Park, Playground or Golf Course and an ordinance granting the amendments

(The staff and city plan commission recommended approval)

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

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

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

Assigned ORDINANCE NO. 27183.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1452

Item 88: A public hearing to receive comments regarding consideration of amendments to Chapter 51A, of the Dallas Development Code, to amend Section 51A-1.106, "Notification Signs Required to Be Obtained and Posted," to establish appropriate standards for postponement of a case when it is determined that an applicant failed to comply with notification sign posting requirements and an ordinance granting the amendments.

(The staff and city plan commission recommended approval)

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

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

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

Assigned ORDINANCE NO. 27184.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1453

**FY 2007-08 Consolidated Plan
Reprogramming Budget #3**

Note: Item Nos. 89 and 90 must
be considered collectively.

- Item 89: A public hearing to receive comments on the final 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 Reprogramming Funds from the Southern Sector Housing and Economic Development Financing for Neighborhood Investment Program public infrastructure - Financing: No cost consideration to the City
- Item 90: Authorize adoption of the final 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 Reprogramming Funds from the Southern Sector Housing and Economic Development Financing for Neighborhood Investment Program public infrastructure - Not to exceed \$1,853,473 - Financing: 2006-07 Community Development Grant Reprogramming Funds (\$925,000); and 2007-08 HOME Funds (\$928,473)

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

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1454

Closed Session [**NOT HELD**]

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

- Legal issues involving acceptance of benefits by public officials
- Legal issues involving audit of Smirnoff Music Center Lease Payments

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1455

Addendum addition 1: Authorize a professional services contract to conduct an audit of the City of Dallas pension funds - Deloitte Consulting, LLP, most advantageous proposer of three - Not to exceed \$32,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1456

Addendum addition 2: An ordinance amending Sections 18-13 and 18-14.1 of Chapter 18 of the Dallas City Code, reducing from 12 inches to eight inches the maximum allowable height of weeds and grass on premises 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

Mayor Pro Tem Garcia and Councilmember Neumann requested that addendum addition consent agenda 2 item 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 Mayor Pro Tem Garcia and Councilmember Neumann's request.

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

Councilmember Neumann moved to defer the item for 90 days.

Motion seconded by Councilmember Rasansky.

After discussion, Councilmember Natinsky asked Councilmember Neumann if he would accept a friendly amendment to defer the item until the October 8, 2008 voting agenda meeting of the city council.

Councilmember Neumann accepted the friendly amendment as part of his motion.

Councilmember Rasansky, who seconded the original motion, also accepted Councilmember Natinsky's friendly amendment.

After further discussion, Mayor Leppert called the vote on Councilmember Neumann's motion to defer the item for 90 days as modified by Councilmember Natinsky's friendly amendment until the October 8, 2008 voting agenda meeting of the city council.

Mayor Leppert declared the motion as modified by the friendly amendment unanimously adopted. (Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1457

Addendum addition 3: An ordinance amending Section 27-42 of Chapter 27 of the Dallas City Code to: **(1)** provide that inspection fees for a multi-tenant property will only be assessed after failure to correct violations found in the original graded inspection or failure to pass a supplemental graded inspection of the property; and **(2)** eliminate the fee for a first re-inspection of a multi-tenant property - Financing: No cost consideration to the City

Mayor Pro Tem Garcia 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 Mayor Pro Tem Garcia and Councilmember Rasansky's request.

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

The following individual addressed the city council regarding the item:

Kathy Carlton, representing Apartment Association of Greater Dallas

Councilmember Natinsky moved to approve the ordinance.

Motion seconded by Councilmember Allen.

After discussion, Mayor Pro Tem Garcia called for a vote on the motion.

Mayor Pro Tem Garcia declared the motion adopted on a divided voice vote, with Mayor Leppert and Mayor Pro Tem Garcia voting "No." (Hunt absent when vote taken)

Assigned ORDINANCE NO. 27185.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1458

Addendum addition 4: Authorize **(1)** adoption of the preliminary FY 2008-09 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$33,124,448 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$19,321,137, **(b)** HOME Investment Partnerships Program in the amount of \$7,925,416, **(c)** American Dream Down-Payment Initiative in the amount of \$72,460, **(d)** Housing Opportunities for Persons with AIDS in the amount of \$3,332,000, and **(e)** Emergency Shelter Grant in the amount of \$772,437; **(2)** adoption of the proposed FY 2007-08 Reprogramming Budget in the amount of \$1,700,998; and **(3)** a public hearing to be held on May 28, 2008 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1459

Addendum addition 5: Authorize **(1)** a contract for construction of the AT&T Plaza area alterations located at 208 South Akard Street in the amount of \$796,027 - Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two; and **(2)** assignment of the contract to AT&T Services, Inc. for construction management - Not to exceed \$796,027 - Financing: 2003 Bond 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.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1460

Addendum addition 6: Authorize (1) the City Manager to proceed with the preparation and distribution of the Preliminary Official Statement for the sale of City of Dallas, Texas Combination Tax and Revenue Certificates of Obligation, Series 2008, in an amount not to exceed \$42,000,000, (2) that it is the intention of the City Council to authorize purchase of the tract of land commonly known as “the Chavez site”, and (3) direction to the City Manager to pursue negotiations with hotel developers and operators for construction and operation of a publicly-owned convention center hotel to be built on the Chavez site - Financing: No cost consideration to the City

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

The following individuals addressed the city council in opposition to the item:

Anne Raymond, 4111 W. Lawther Dr., representing Crow Holdings
Frank Ward, P. O. Box 50694
Leslie Allen Davis, 3035 E. Ledbetter
Ray Garfield, 6306 Stonehill Dr.

The following individuals addressed the city council in favor of the item:

Phillip Jones, 325 N. Saint Paul St., representing Dallas Convention and Visitors Bureau
Arthur Hallingsworth, 1 Coventry Court, representing Dallas Convention and Visitors Bureau
Donald Freeman, Jr., 6 Glenheather Court, representing Freeman
John Crawford, 1412 Main St., President of the Organization of Downtown Dallas
Ozumba Lnuk-X, 4106 Vineyard Dr.
John Martinez, 2926 W. Lovers Lane, representing Hispanic Contractors Association
Erle Nye, 12211 Creek Forest Dr., representing Greater Dallas Chamber
Leigh Ann Stockard, 11032 Pinocchio St., representing American Heart Association
Jacob Johnson, 1622 Stratford Lane, **Duncanville, TX**, representing Black Contractors Association
Jan Hart-Black, 4563 Isabella Lane, representing Greater Dallas Chamber

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1460

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The following individuals addressed the city council in favor of the item:
(continued)

John Cappello, 7335 Briarnoll Dr., President and Chairman of West Dallas Chamber of Commerce

Peter Ng, 17515 River Hill Dr., Past Chairman of the Dallas Asian Chamber of Commerce

Tom Garcia, 1321 Commerce, representing The Adolphus Hotel and Chair of the Hotel Association of Greater Dallas

Joe Walker, 3500 Oak Lawn Ave., representing The JWE Group, Inc.

Tim Sullivan, 2222 Stemmons Freeway, representing Renaissance Dallas Hotel

Reginald Gates, 1357 Bar Harbor Dr., representing Dallas Black Chamber of Commerce

C. C. Rojas, 4622 Maple Ave., representing The Greater Dallas Hispanic Chamber of Commerce

Margo Posey, 2710 N. Stemmons Freeway, President and CEO of DFW Minority Business Council

Steve Taylor, 15923 Archwood Lane, President of The North Dallas Chamber of Commerce

Jade Edwards, 509 Brookhurst Dr., representing A+ Student Staffing

Luis Salcedo, 400 S. Zang, Chairman of Oak Cliff Chamber of Commerce

Bobby De La Cruz, 4001 Ross Ave., representing SEIU

Royce West, 1305 Greenhills Court, **Duncanville, TX**

Mayor Leppert allowed additional citizens to state their name and whether they were for or in opposition to the item.

The following individuals addressed the city council in favor of the item:

Mike Rawlins, representing Dallas Convention and Visitors Bureau

Jason Tyson, General Manager of The Sheraton Suites Market Center, 2101 N. Stemmons Freeway

Prasad Thotakura, 3952 Lark Spur Dr. **Ft. Worth, TX**, representing Indian American Friendship Council

Renee McKenney, 2813 Daniel Ave., representing Helms Eriscoe

Laurie Sprouse, 11122 Lawn Haven, representing Ultimate Ventures

Janelle Lipton Walters, representing Oak Cliff Chambers of Commerce and Board of Dallas Convention and Visitors Bureau

Ross Cruseman, 7110 Twin Tree Lane, representing Dallas Convention and Visitors Bureau

Janice Burklund, 7240 Hillwood Lane, representing Dallas Convention and Visitors Bureau

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1460

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The following individuals addressed the city council in favor of the item:
(continued)

Dave Brown, 3929 Wycliff, representing American Airline Center and Sports Tourism Industry
Steven Foster, 100 Winding Creek Way, representing Circle R Ranch, **Denton, TX**
Crayton Webb, 4217 Concho, representing Mary Kay Inc.
Tony Street, 7839 Claremont, representing Y.O. Ranch Steakhouse
Hattie Hill, 5220 Spring Valley, representing Hattie Hill Enterprises
Jay Khan, 2738 Rolling Dale, representing RJ Mexican Cuisine
Jay Forte, 4588 Adrian Way, **Plano, TX**, representing American Language Technologies
Laura Estrada, 1339 Cedar Hill Ave., representing Dallas Convention and Visitors Bureau
Ken Thornton, representing Fun Factory Events
Sherry Andrus, 6104 Yellowrock Trail
Mary B., General Manager of the Dallas Center Market Suites
Penny Goldsberry, 3030 McKinney, representing Event One Meetings
John Myers, 2222 Stemmons Freeway, representing Renaissance Dallas Hotel
Sheryl Richards, 1731 Windmill Hill Lane, **DeSoto, TX**
Noeha Coutry, representing Ritz Carlton Dallas
John Underwood, 8808 Lacrosse Dr., representing Big 12 Conference
Lisa Alonzo, representing Ateza Omega Group
Tara Green, 516 Pedmore Dr., **Coppell, TX**, representing Sports Marketing Department of the Dallas Convention and Visitors Bureau
Bryan Aitcheson, representing VIP Events
Cassandra Matej, 6017 Davin Oak Dr.
Jaime Peña, representing Marriott Market Center
Jason Ware, 5750 E. University Blvd., representing American Heart Association
Karen Hughes, Director of Sales and Marketing for the Renaissance Dallas Hotel
Kathy Walzach, Director of Sales for the Rosewood Mansion at Turtle Creek and Rosewood Crescent Hotel
Eve Becker-Doyle, 3163 Citation Dr., representing National Athletic Trainers Association
Dvorah Evans, 7253 Charles Court, representing Dallas Black Chamber of Commerce
Hugh Harrison, representing Dallas Convention and Visitors Bureau
Sandi Fouke, 107 Arborcreek Dr., **Euless, TX**
Clifton Miller, 1401 Elm St., representing MBE Institute for Public Policy

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1460

Page 4

The following individuals addressed the city council in favor of the item:
(continued)

Judith Collier-Reed, 9101 LBJ Freeway, Executive Director of Southwest Veterinary Symposium

Adon Offill, 2009 Memphis, **Bedford, TX**, Director of Sales for the Tribute Golf Club

Tony Lee, 4040 Avondale Ave., representing House of Blues

Kathy Summerville, representing Dallas Renaissance Hotel

Warren Weatherford, Chairman of the Economic Development of the Oak Cliff Commerce of Chambers

Ken Carter, no address given

Greg Ellum, 7730 Chavinton Dr

Michael Everett, 3366 Miller Park South, representing Fun Factory Events

Lisa Buchanan, representing Fun Factory Events

Pam Madewell, Senior Sales Manager, representing Fun Factory Events

Jason Sims, representing Fun Factory Events

Carol Sheripata, representing Fun Factory Events

Rachael Avera, 1204 Brandon Court, **Irving, TX**, representing Fun Factory Events

Dawn Dreyer, 3366 Miller Park South, representing Fun Factory Events

Douglas Chase, 3366 Miller Park South, representing Fun Factory Events

Alex Hurtado, 3366 Miller Park South, representing Fun Factory Events

Valencia Ingram, 4448 Chaha Rd., representing Fun Factory Events

Vickie Rawlins, representing City Club Dallas

Emily Turner, no address given

Eddie Deen, 944 S. Lamar, representing Eddie Deen Ranch

Chris Chung, 2220 Canton St., representing USA Host – Destination Management Services

Brenda Porter, representing Service Employee International Union

Mayor Leppert requested the assistant city secretary to read the individual names which did not speak but signed up in the city secretary's office in favor of the item.

Judy Anderson, 6013 Sundown, **Watauga, TX**, representing Gamestop

Chris Arredondo, 2205 W. Division, **Arlington, TX**, representing Eclipse Entertainment

Rachael Avera, 1204 Brandon Court, **Irving, TX**, representing Fun Factory Events

Cassidi Ball, 3421 Omar Lane, **Plano, TX**, representing Gemini Stage lighting, Sound and Video

Sean Baxler, 935 Lausanne Ave., representing Freeman

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1460

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Mayor Leppert requested the assistant city secretary to read the individual names which did not speak but signed up in the city secretary's office in favor of the item.

(continued)

Eve Becker-Doyle, 3163 Citation Dr., representing National Athletic Trainers Association

Jack Bewley, 2515 Irving Blvd., representing Yellow Cab

Ruth Bilbo, 3777 Whitehall, representing The Adolphus

Rene Bomyea, 1110 N. Oak Cliff Blvd.

Jim Breslauer, 454 Park Hurst Dr., representing Weaver Multimedia Group

Tim Brown, 16622 Sonora St., **Tustin, CA**, representing Meeting Sites Resources

Norman Burkhalter, 1325 W. Walnut Hill Lane, **Irving, TX**, representing Dallas

Convention Center Advisory Board

Kaye Burkhardt, 7116 Leameadow Dr., representing Dallas Fan Fares

Dana Carroll, 1444 Oak Lawn, representing BBJ Linens

Bruce Collier, 3936 Travis St., representing Collier Communications

Rafael Colorado, 5227 Bradford Dr.

Sherri Cook, 4108 Oberlin Way, **Addison, TX**, representing Sherri Cook and Associates

Gretchen Darby, 3926 Holland Ave., representing Stoneleigh Hotel and Spa

Leslie Deblieux, 2722 Knight St., representing The Adolphus

Marla Dexter, 900 Austin Lane, **McKinney, TX**

Clinton Encinias, 3762 Matador Dr.

Lindsey Encinias, 3762 Matador Dr.

Dean Faulkner, 3826 Pendelton Court, **Irving, TX**, representing Live Wire Special Events

Lauren Fouke, 6253 Prospect Ave.

Alicia Fuqua, 4239 McKinney Ave., representing USA Hosts

Lisa Galvan, 2300 Victory Park Lane, representing Luna De Noche

Kathleen Gibson, 4934 Crooked Lane

Melanie Goodwin, 5850 Beltline Rd, representing Ultimate Venture

Kitty Hall, 10410 Royal Wood Dr.

Callan Hamann, 4500 Harry Hines Blvd., representing Holiday Inn

Phyllis Hammond, 8409 Vista View, representing Dallas Convention Visitors Bureau

Alynn Hanford, 4255 Amon Carter Blvd., **Ft. Worth, TX**, representing American Airlines

Karen Heese, 2222 Stemmons Freeway, representing Renaissance Dallas Hotel

Paul Hermann, 1339 Cedar Hill Ave.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1460

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Mayor Leppert requested the assistant city secretary to read the individual names which did not speak but signed up in the city secretary's office in favor of the item.

(continued)

Karen Hoard, 2209 Reed Way Court, **Arlington, TX**
Russell Holloway, 6211 W. Northwest Highway
Delores Howard, 1840 Wilson Blvd., **Arlington, VA**, representing National Science Teachers Association
Kirsten Kaminski, 7024 Autumnwood Trail, **Plano, TX**, representing Dallas Convention and Tourism
Meredith Krennenner, 5210 Long Prairie Rd., **Flower Mound, TX**, representing Outstanding Productions
Jazz Kepner, 2222 Stemmons Freeway, representing Renaissance Dallas Hotel
James W. Keys, 5907 Gladside
Kerri Kinchello, 1401 Commerce St., representing the Magnolia Hotel
Don Lucas, 3607 Oak Lawn, representing Lukes Locker Incorporated
George Manning, 2907 Magnolia Hill Court, representing Jones Day
Chris Matej, 6017 Davin Oak Dr.
Susan Miller, 7001 W. Parker Rd., **Plano, TX**
Suzy Morse, 3015 Sierra Dr., **Carrollton, TX**, representing Outstanding Productions
Ric Nicholson, 1920 Valley View Dr., **Cedar Hill, TX**, representing The Adolphus
Sharon Niemczyk, 6416 N. Carline Spring Rd., **Arlington, VA**
Audrey Palacios, 5227 Bradford Dr.
Corraina Pullum, 6814 Kennison Dr.
Justin Ray, 4606 Cedar Springs, representing The Adolphus
William Reeser, 704 Throeau, **Allen, TX**
Roger Ritchie, 7306 Park Highland Place
Shelle Sills, 1618 Main St., representing Neiman Marcus
Patricia Smith, 3355 Bee Cave Rd., **Austin, TX**, representing Texas Library Association
Susan Spradley, 2 Dorset Place, representing Nokia Siemens Network
Jolene Thrasher, 2222 Stemmons Freeway, representing Renaissance Dallas Hotel
Patricia Towell, 4255 Timberglad Rd., representing Hospitality Community
Sandrine Vaz, 8344 East R. L. Thornton Freeway, representing Front Line Protective Services
John Young, 4099 Valley View Lane, **Farmers Branch, TX**, representing Double Tree Hotel

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1460

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Mayor Leppert called a recess of the city council meeting at 11:37 a.m. in order for the city council to attend the Police Memorial Day Service.

Mayor Leppert reconvened the city council meeting after the Police Memorial Day Service at 12:56 p.m.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Allen.

After discussion, Councilmember Hill moved to divide the question for the city council to vote on each section as follows:

- 1) Purchase the land known as the Chavez property.
- 2) Proceed with the hotel building plan with the understanding that the city will have full ownership of the hotel.

Motion seconded by Councilmember Hunt.

Later in the meeting, Mayor Leppert called the vote on Councilmember Hill's motion to divide the question:

Voting Yes: [6] Medrano, Hill, Salazar, Atkins, Koop, Hunt

Voting No: [7] Leppert, Caraway, Neumann, Davis, Kadane, Allen, Natinsky

Abstain: [2] Garcia, Rasansky

Mayor Leppert declared the motion failed.

Deputy Mayor Pro Tem Caraway ask Councilmember Natinsky if he would accept a friendly amendment, to revise (1) Section 1 of the resolution so that the sale be considered no sooner than May 21, 2008 and no later than May 28, 2008 and (2) Section 2 of the resolution so that the purchase of the land be authorized no sooner than May 21, 2008 and no later than May 28, 2008.

Councilmember Natinsky accepted Deputy Mayor Pro Tem Caraway's friendly amendment as a part of his motion.

Councilmember Allen who seconded the original motion also accepted Deputy Mayor Pro Tem Caraway's friendly amendment.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1460

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After further discussion, Mayor Leppert called the vote on Councilmember Natinsky's motion with the friendly amendment to revise (1) Section 1 of the resolution so that the sale be considered no sooner than May 21, 2008 and no later than May 28, 2008 and (2) Section 2 of the resolution so that the purchase of the land be authorized no sooner than May 21, 2008 and no later than May 28, 2008.

Voting Yes: [11] Leppert, Caraway, Medrano, Neumann, Salazar, Davis, Atkins,
Kadane, Allen, Koop, Natinsky

Voting No: [2] Hill, Hunt

Abstain: [2] Garcia, Rasansky

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2008

08-1461

Addendum addition 7: Authorize **(1)** the issuance and sale of City of Dallas, Texas Combination Tax and Revenue Certificates of Obligation, Series 2008, in an amount not to exceed \$42,000,000; **(2)** approval of the Preliminary Official Statement; and **(3)** execution of the bond purchase agreement, and all other matters related thereto - Not to exceed \$211,400 - Financing: 2008 Certificates of Obligation

Note: The City Manager intends for Addendum Item No. 7 to be deferred for action on May 28, 2008.

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 Leppert announced the item does not need approval or vote and read the following statement into the record:

At this time, as a result of having received an extension on the date under the land purchase agreement to exercise the City's right to purchase the land without incurring a penalty, the item on today's City Council agenda, authorizing the issuance and sale of Certificates of Obligation, shall be delayed until the next regularly scheduled meeting of the City Council, to be held on May 21, 2008 and no later than May 28, 2008. This agenda item shall be posted for consideration at the next regular scheduled meeting of the City Council, in accordance with applicable law.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2008

EXHIBIT C