

MINUTES OF THE DALLAS CITY COUNCIL  
MONDAY, NOVEMBER 10, 2008

08-3020  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar (\*11:05 a.m.), Davis, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

ABSENT: [0]

The meeting was called to order at 8:02 a.m.

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

The invocation was given by Councilmember Hill.

Councilmember Neumann 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 5:04 p.m.

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Mayor

ATTEST:

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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.**

MINUTES OF THE DALLAS CITY COUNCIL  
MONDAY, NOVEMBER 10, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
MONDAY, NOVEMBER 10, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3021

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: Joshua Weiss, 6405 Shadow Lane  
SUBJECT: Issues with Building Inspection

SPEAKER: Marie Beveridge-Pickett, P.O. Box 180363  
SUBJECT: House burned; percent charged to seniors needs

SPEAKER: Jim Adams, 2426 Simpson Stuart  
REPRESENTING: Cliff View Apartments  
SUBJECT: Available funds for DART bus routes

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

SPEAKER: Cynde Carlston, 1818 Corsicana  
REPRESENTING: MDHA  
SUBJECT: Homeless

SPEAKER: Frank Ward, P. O. Box 50694  
REPRESENTING: The Trinity Reunion Church/Community  
SUBJECT: Is there not a cause? I shall not want.

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Corrupt DPD, /DART Police and racism

SPEAKER: Gwain Wooten, 3625 Bryan St.  
SUBJECT: Justice under the law

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: City Manager

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3022

Item 1: Approval of Minutes of the October 22, 2008 City Council Meeting

Councilmember Neumann moved to approve the minutes with a request by Councilmember Rasansky the minutes reflect as a note that he requested addendum addition consent agenda items 8 and 15 be discussed and voted on as separated items instead of being discussed and voted on together.

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

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3023

### CONSENT AGENDA

The consent agenda, consisting of agenda items 2-68 and addendum addition consent agenda items 1-18, was presented for consideration.

The Assistant City Secretary requested that consent addendum addition agenda item 2 be considered as an individual item to allow citizens to speak. 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 the Assistant City Secretary's request.

Mayor Pro Tem Garcia 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 Mayor Pro Tem Garcia's request.

Councilmember Neumann requested that consent agenda items 13, 14, 45, 58 and addendum addition consent items 1 and 12 be considered as individual items. Mayor Leppert stated that consent agenda items 13, 14, 45, 58 and addendum addition consent items 1 and 12 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Hill requested that consent agenda items 10 and 31 be considered as individual items. Mayor Leppert stated that consent agenda items 10 and 31 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Hill's request.

Councilmember Rasansky requested that consent agenda items 7, 10, 19, 25, 34, 45, 46 and addendum addition consent agenda items 5, 13, 15 and 16 be considered as individual items. Mayor Leppert stated that consent agenda items 7, 10, 19, 25, 34, 45, 46 and addendum addition consent agenda items 5, 13, 15 and 16 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-3023

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Councilmember Hunt requested that consent agenda item 24 be considered as an individual item. Mayor Leppert stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Kadane moved to approve all items on the consent agenda with the exception of consent agenda items 7, 10, 13, 14, 19, 24, 25, 31, 34, 45, 46, 58 and addendum addition consent agenda items 1, 2, 5, 12, 13, 15 and 16 which would be considered later in the meeting.

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

Mayor Leppert stated at the request of Councilmember Allen that addendum addition consent agenda items 8 and 9 be considered as individual items.

Councilmember Kadane moved to reconsider the consent agenda so that addendum addition consent agenda items 8 and 9 could be considered as individual items later in the meeting.

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

Councilmember Kadane moved to approve all items on the consent agenda with the exception of consent agenda items 7, 10, 13, 14, 19, 24, 25, 31, 34, 45, 46, 58 and addendum addition consent agenda items 1, 2, 5, 8, 9, 12, 13, 15 and 16 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3024

Item 2: Authorize the purchase of a hazardous duty robot and accessories for the Dallas Police Department - Remotec, Inc., lowest responsible bidder of two - Not to exceed \$207,671 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3025

Item 3: Authorize the purchase and installation of a global positioning system based surveying and grade control system to be installed on selected pieces of heavy equipment at the McCommas Bluff Landfill - Construction & Survey Instruments, Inc. dba GeoShack, lowest responsible bidder of two - Not to exceed \$104,745 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3026

Item 4: Authorize a service contract for the purchase and installation of four high mast light poles at the Central Wastewater Treatment Plant - Archer Western Contractors, lowest responsible bidder of two - Not to exceed \$75,420 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3027

Item 5: Authorize a service contract for the purchase and installation of two underground closed circuit television inspection systems - Underground, Inc., lowest responsible bidder of two - Not to exceed \$105,980 - Financing: Current Funds (to be reimbursed from Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3028

Item 6: Authorize a service contract to replace five existing air conditioning units at City Hall - Trevino Mechanical Contractors, lowest responsible bidder of four - Not to exceed \$224,610 - Financing: 1995 Bond Funds (\$150,000), 2006 Bond Funds (\$74,610)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3029

Item 7: Authorize a sixty-month service contract for cleaning and repair of fire-fighting and proximity personnel protection equipment - Lion TotalCare, Inc., only bidder - Not to exceed \$3,229,092 - Financing: Current Funds (subject to annual appropriations)

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, consent agenda item 7 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3030

Item 8: Authorize a thirty-six-month master agreement for cardiac and pharmaceutical injectable drugs for Fire-Rescue units - GTL Supply Solutions, LLC in the amount of \$800,241, Regimed Medical in the amount of \$179,946, Bound Tree Medical, LLC in the amount of \$139,247, and Ever Ready First Aid & Medical Supply in the amount of \$15,272 lowest responsible bidders of four - Total not to exceed \$1,134,706 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3031

Item 9: Authorize a twenty-four-month master agreement for food, food supplements and grocery items for feeding the City's animals - Lab Animal Supplies, Inc. in the amount of \$513,836, Big Cheese Rodent Factory in the amount of \$472,270, Sunbeam Foods, Inc. in the amount of \$293,021, Central Nebraska Packing, Inc. in the amount of \$190,076, Paradise Fruits & Vegetables, LP in the amount of \$183,500, The Bug Company in the amount of \$126,000, Timberline Fisheries Corp. in the amount of \$124,550 and Frank Roberts in the amount of \$56,490, lowest responsible bidders of sixteen - Total not to exceed \$1,959,743 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3032

Item 10: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Fulbright & Jaworski, L.L.P., for additional legal services necessary in connection with the Convention Center Hotel project - Not to exceed \$100,000, from \$25,000 to \$125,000 - Financing: Convention and Event Services Capital Construction Funds (to be reimbursed from the future sale of Hotel Revenue Bonds)

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

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

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.

Councilmember Natinsky moved to approve the item.

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 vote, with Councilmember Hill and Councilmember Hunt voting "No." (Garcia, Rasansky abstain; Salazar, Atkins absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3033

Item 11: Authorize Supplemental Agreement No. 1 to the consultant services contract with William J. Clough for additional expert witness support services in the lawsuit styled Billy James Smith v. City of Dallas, et al., Civil Action No. 3:07-CV-2414-BH - Not to exceed \$25,000, from \$25,000 to \$50,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3034

Item 12: Authorize Supplemental Agreement No. 2 to the professional services contract with the consulting firm of Analytic Focus, L.L.C., for additional consultant, expert witness support, and general financial and analytical support services in the lawsuit styled AHF Community Development, LLC v. City of Dallas, et al., Cause No. 3:06-CV-1035-D - Not to exceed \$120,000, from \$40,000 to \$160,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3035

Item 13: Authorize an increase in the service contract with AXON Solutions, Inc. for additional consulting and implementation services for activities related to the Pay1 Project schedule extension and data encryption enhancements and validation for SAP - Not to exceed \$471,374, from \$13,499,723 to \$13,971,097 - Financing: 2006 Water Revenue Bond Funds

Councilmember Neumann requested that consent agenda item 13 be considered as an individual item. Mayor Leppert stated that consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3036

Item 14: Authorize a twenty-four-month service contract with Advantaged Solutions (AXON Solutions, Inc. as agent) through the Federal General Services Administration to provide continued technical support of the Pay1 System, installation of latest SAP software release, consulting and implementation services for activities related to data encryption, and development and implementation of an SAP technical support structure for Communication & Information Services - Total not to exceed \$9,538,271 - Financing: 2006 Water Revenue Bond Funds (\$1,903,884), Current Funds (\$7,634,387) (subject to annual appropriations)

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3037

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Excellence 2000, Inc., of approximately 211,368 square feet of land located near Bonnie View Road and Highland Hills Drive for the construction of the Highland Hills Branch Library - \$96,600 (\$95,000 plus closing cost not to exceed \$1,600) - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3038

Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from PBH Investments, L.L.C., of approximately 1,950 square feet of land located near the intersection of Hugo and Woodside Streets for the Woodside Pedestrian Way Extension Project - \$108,014 (\$106,275 plus closing costs not to exceed \$1,739) - Financing: State-Thomas TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3039

Item 17: A resolution declaring approximately 33,975 square feet of City-owned land located near the intersection of Clearfield and Prairie Creek Roads unwanted and unneeded and authorizing its advertisement for sale by sealed bid with a minimum bid of \$27,520 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3040

Item 18: A resolution authorizing the advertisement for lease with an option to purchase by sealed bid of approximately 87,367 square feet of City-owned land, improved with a skating rink located near the intersection of Ledbetter Drive and Sunnyvale Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3041

Item 19: Authorize the quitclaim of 29 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$326,481

Councilmember Rasansky requested that consent agenda item 19 be considered as an individual item. Mayor Leppert stated that consent agenda item 19 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, consent agenda item 19 was brought up for consideration.

Councilmember Rasansky moved to approve the item for 27 properties with the exception of 4218 W. Ledbetter and 3915 S. Tyler.

The motion died for a lack of a second.

After discussion, Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Hill.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3042

Item 20: Authorize moving expense and replacement housing payments for Inez Jones as a result of an official written offer of just compensation to purchase real property to be used in conjunction with the Bexar Street Redevelopment Project as part of the Neighborhood Investment Program - Not to exceed \$61,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3043

Item 21: An ordinance abandoning portions of various easements to PC LH Land Partners, LP, the abutting owner, containing a total of approximately 4 acres of land located near the intersection of Skillman Street and Walnut Hill Lane - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27382

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3044

Item 22: An ordinance abandoning portions of a sewer easement and a fire lane, access and utility easement to Prestonwood Tradition, LP, the abutting owner, containing a total of approximately 31,973 square feet of land located near the intersection of Prestonwood Boulevard and Arapaho Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27383

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3045

Item 23: Authorize the Office of Economic Development to: **(1)** submit an application to the United States Citizenship and Immigration Services to gain designation as an EB-5 Regional Center; and **(2)** prepare and issue a Request for Qualifications to select an investment fund team to manage and operate the EB-5 program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3046

Item 24: Authorize **(1)** a development agreement with Motor Street Apartments Limited Partnership, to provide funding for the design, engineering, professional services, and construction of public infrastructure improvements for the Alexan Farmers Market Project located in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District); and **(2)** the Farmers Market TIF District Board of Directors to dedicate up to \$2,687,500 from Farmers Market TIF revenues in accordance with the development agreement - \$2,687,500 - Financing: Farmers Market TIF District Funds

Councilmember Hunt requested that consent agenda item 24 be considered as an individual item. Mayor Leppert stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, consent agenda item 24 was brought up for consideration.

Councilmember Hunt moved to defer the item until the December 10, 2008 voting agenda meeting of the city council to provide enough time for developer to review and execute the development agreement.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3047

Item 25: Authorize a public hearing to be held on December 10, 2008 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) **(1)** to increase the geographic area of the Southwestern Medical TIF District to include the area bounded by Harry Hines Boulevard, Inwood Road and Maple Avenue and the area bounded by Production Drive, Hawthorne Avenue and Afton Street (excludes the single-family houses at the corner of Hawthorne Avenue and Afton Street); **(2)** support development of the private bio-medical industry and applied research associated with the UT Southwestern Medical Center; **(3)** improve pedestrian connections between DART's Parkland light rail station and adjacent neighborhoods to the north and south; **(4)** add environmental remediation and Bio-Medical Industry development as eligible categories for TIF spending under the budget for the Southwestern Medical TIF District; **(5)** increase the total Southwestern Medical TIF budget from \$10,777,998 to \$18,418,663 (an increase of \$7,640,665, NPV in 2006 dollars); and, at the close of the hearing, **(6)** consideration of an ordinance amending Ordinance Nos. 25965, previously approved on April 27, 2005 and 26204, previously approved on January 11, 2006 to reflect these changes - Financing: No cost consideration to the City

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 Rasansky's request.

Later in the meeting, consent agenda item 25 was brought up for consideration.

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

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3048

Item 26: Authorize **(1)** a public hearing to be held on December 10, 2008, to receive comments on an amendment to Tax Increment Reinvestment Zone Number Sixteen (Davis Garden TIF District) to increase the geographic area of the TIF District to include selected adjacent properties; and at the close of the hearing, **(2)** consideration of an ordinance amending Ordinance Nos. 26799 and 27090 to increase the geographic area of the Davis Garden TIF District to include selected adjacent properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3049

Item 27: Authorize a development agreement with Uptown Dallas Inc., in an amount not to exceed \$2,300,000 for utility work related to the State-Thomas TIF Group I, Group II, Group III and Group IV projects including payments to utility companies related to the overhead utility burial work, installation of specialty pedestrian lights and payment for completion of the project - Not to exceed \$2,300,000 - Financing: State-Thomas TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3050

Item 28: Ratify an emergency purchase and installation of an additional cooling unit at the Science Place 1 IMAX Theater located at 1318 South Second Avenue - V Tec Mechanical, Inc., lowest responsible bidder of three - Not to exceed \$49,672 - Financing: 2007 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3051

Item 29: Authorize **(1)** a professional services contract with SafirRosetti, Inc., in the amount of \$31,168 to provide security consulting, architectural and engineering services for the physical security enhancements at City Hall, and **(2)** an increase in appropriations in Equipment and Building Services budget - Not to exceed \$31,168 - Financing: Contingency Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3052

Item 30: Authorize a construction contract for renovation of the Hall of State located at 3939 Grand Avenue - Gilbert May, Inc. dba Phillips/May Corporation, lowest responsible bidder of three - \$6,253,000 - Financing: 1995 Bond Funds (\$59,000) and 2006 Bond Funds (\$6,194,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3053

Item 31: Authorize a professional services contract with Mitchell Enterprises, Ltd. to provide design and construction management services for the interior and exterior renovation of a vacant City facility located at 5221 South Westmoreland Road - \$165,663 - Financing: Building Inspection Current Funds

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

Later in the meeting, consent agenda item 31 was brought up for consideration.

Councilmember Hill moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3054

Item 32: A resolution declaring 2 properties unwanted and unneeded and authorizing their conveyance by Deed without Warranty to Kaminski Holdings, Inc., for \$10 and provision of a parking lot on the properties for a mixed-use development adjacent to the properties within 3 years of execution of the deed (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3055

Item 33: Authorize the reconstruction on-site of five homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 1944 Gallagher Street in the amount of \$87,500, 3618 Chicago Street in the amount of \$87,500, 2714 Fernwood Avenue in the amount of \$87,500, 3327 Spring Avenue in the amount of \$87,500, and 2604 Larry Drive in the amount of \$87,500 - Total not to exceed \$437,500 - Financing: 2006-07 Community Development Grant Funds (\$322,198), 2004-05 HOME Funds (\$88,138), and 2006-07 HOME Funds (\$27,164)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3056

Item 34: Authorize a loan in the amount of \$928,473 to Carpenter's Point, L.P., a single asset entity, for partial funding of all pre-development soft costs, including the Texas Department of Housing and Community Affairs tax credit commitment fee, and partial funding of hard construction costs associated with the construction of the Carpenter's Point Senior Apartments, a 150-unit multi-family residential development for seniors located at 3326 Mingo Street - Not to exceed \$928,473 - Financing: 2007-08 HOME Funds

Councilmember Rasansky requested that consent agenda item 34 be considered as an individual item. Mayor Leppert stated that consent agenda item 34 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, consent agenda item 34 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3057

Item 35: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses, **(2)** the sale of 5 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3058

Item 36: Authorize the purchase of approximately 4,000 bus passes which includes Paratransit coupon books from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2008 clean air initiative - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3059

Item 37: Authorize the acceptance of a grant from the U.S. Department of Justice under the Community Oriented Policing Services Technology Program for the upgrade of hardware and software to improve efficiency and allow for easier data sharing with other agencies in the region - Not to exceed \$93,530 - Financing: U.S. Department of Justice Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3060

Item 38: Authorize a personal services contract with Barbara T. McCall Associates, Inc. to provide federal legislative services from December 1, 2008 through September 30, 2009 - Not to exceed \$132,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3061

Item 39: Authorize a professional services contract with HillCo Partners LLC to provide state legislative information and related services from December 1, 2008 through September 30, 2009 - Not to exceed \$64,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3062

Item 40: Authorize a personal services contract with Kwame Walker & Associates for state legislative services from December 1, 2008 through September 30, 2009 - Not to exceed \$37,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3063

Item 41: Authorize a personal services contract with Randy C. Cain for state legislative services from December 1, 2008 through September 30, 2009 - Not to exceed \$63,334 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3064

**Trinity River Corridor Project**  
**Legislative Services**

**Note:** Item Nos. 42 and 43 must  
be considered collectively.

Item 42: Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project from October 1, 2008 through September 30, 2009 - Not to exceed \$73,800 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3065

**Trinity River Corridor Project**  
**Legislative Services**

**Note:** Item Nos. 42 and 43 must  
be considered collectively.

Item 43: Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project from October 1, 2008 through September 30, 2009 - Not to exceed \$43,650 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3066

Item 44: Authorize the acceptance of a Loan Star Libraries Grant from the Texas State Library and Archives Commission for improving public access to library resources and services at the Dallas Public Library for the period September 1, 2008 through August 31, 2009; and execution of the grant agreement - \$241,604 - Financing: Loan Star Libraries Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3067

Item 45: Authorize the annual adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City

Councilmember Neumann and Councilmember Rasansky requested that consent agenda item 45 be considered as an individual item. Mayor Leppert stated that consent agenda item 45 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, consent agenda item 45 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3068

Item 46: Authorize execution of the Texpool Resolution Amending Authorized Representatives for the investment of City funds in the Texas Local Government Investment Pool ("TexPool") - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 46 be considered as an individual item. Mayor Leppert stated that consent agenda item 46 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, consent agenda item 46 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3069

Item 47: Authorize **(1)** adoption of the Preliminary FY 2008-09 Consolidated Plan Reprogramming Budget #2 to **(a)** reallocate \$259,440 of HOME Investment Partnership Program Funds from the Mortgage Assistance Program to the Reconstruction/SHARE Program and \$518,880 of Community Development Grant Funds from the Reconstruction/SHARE program to People Helping People, a Volunteer Home repair program; and **(b)** adjust appropriations to reflect realignment of Code Compliance Services by increasing Code Compliance Services by \$258,659 and decreasing City Attorney's Office appropriation by the same amount; and, **(2)** a public hearing to be held on December 10, 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

NOVEMBER 10, 2008

08-3070

Item 48: Authorize a contract for a new pedestrian plaza, security lighting, landscaping, irrigation and site furnishings at Pike Park located at 2807 Harry Hines Boulevard - Texas Standard Construction, Ltd., lowest responsible bidder of four - \$140,250 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3071

Item 49: Authorize **(1)** an increase in the contract with MetalMan Design/Build Corporation for the "Our History" and community recognition ("The Conversation") components of the project at Opportunity Park located at 3105 Pine Street in an amount not to exceed \$136,268, from \$590,246 to \$726,514; and **(2)** approval of the use of 2006 Bond Funds for public art funding for Opportunity Park in the amount of \$89,327 - Not to exceed \$136,268 - Financing: Capital Gifts, Donation and Development Funds (\$2,500), 1998 Bond Funds (\$33,341), 2003 Bond Funds (\$12,845) and 2006 Bond Funds (\$87,582)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3072

Item 50: Authorize application for and acceptance of the 2007 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Bureau of Justice Assistance for partial reimbursement of approved bulletproof vest purchases for the period April 1, 2007 through September 30, 2011 - \$230,879 - Financing: Bureau of Justice Assistance Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3073

Item 51: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersections of IH 35E and Commonwealth Drive, Eighth Street, Empire Central Drive, Kiest Boulevard, Ledbetter Drive, Marsalis Avenue, and Oak Lawn Avenue - Not to exceed \$135,529 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3074

Item 52: Authorize an agreement with the Texas Department of Transportation for operation and maintenance of a roadway illumination system on Interstate Highway 20 at the Spur 408 interchange - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3075

Item 53: Authorize **(1)** the acceptance of funds from Dallas Area Rapid Transit for reimbursement of material and labor provided by the City related to the installation and upgrade of traffic signals in the vicinity of Dallas Area Rapid Transit facilities (list attached); and **(2)** an increase in appropriations in the amount of \$425,733 in the Capital Projects Reimbursement Fund - Not to exceed \$425,733 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3076

Item 54: Authorize a contract for construction of erosion control improvements along the creek banks near Galway Drive and Clearbrook Lane - Austin Filters Systems, Inc., lowest responsible bidder of two - Not to exceed \$980,822 - Financing: 2003 Bond Funds (\$101,422) and 2006 Bond Funds (\$879,400)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3077

Item 55: Authorize a professional services contract with Criado & Associates, Inc. for the design of a thoroughfare reconstruction project for Westmoreland Road from Ninth Street to Sheldon Avenue - Not to exceed \$171,687 - Financing: 2006 Bond Funds (\$152,062) and Water Utilities Capital Construction Funds (\$19,625)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3078

Item 56: Authorize a professional services contract with Halff Associates, Inc. to create an integrated floodplain database, analyzing flood control alternatives for site specific locations, provide public outreach in flood prone areas, staff training, floodplain reviews and coordination with various entities regarding drainage, floodplain and permitting activities - Not to exceed \$142,000 - Financing: Current Funds (to be reimbursed from Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3079

Item 57: Authorize a twelve-month contract, with a twelve-month renewal option, for asbestos abatement and demolition services for structures ordered demolished by municipal court order and the emergency demolition of unsafe buildings due to fire damage in the eastern sector of Dallas, to include areas east of the Dallas North Tollway, north of IH 30 through downtown, and east of IH 45 - Intercon Environmental, Inc., lowest responsible bidder of three - Not to exceed \$1,944,378 - Financing: Demolition Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3080

Item 58: Authorize a twelve-month contract, with a twelve-month renewal option, for asbestos abatement and demolition services for structures ordered demolished by municipal court order and the emergency demolition of unsafe buildings due to fire damage in the western sector of Dallas, to include areas west of the Dallas North Tollway, south of IH 30 through downtown, and west of IH 45 - RNDI Companies, Inc., lowest responsible bidder of three - Not to exceed \$1,833,286 - Financing: Demolition Reserve Funds

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

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Davis.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3081

Item 59: Authorize an increase in the contract with Austin Bridge & Road, L.P. to provide additional repairs to the street base and curbs for 2008 Asphaltic Concrete Street Resurfacing Group 2 - Not to exceed \$380,400, from \$8,552,247 to \$8,932,647 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3082

Item 60: Authorize an increase in the contract with P & E Contractors, Inc. to add additional locations to Street Group 03-444 for asphalt resurfacing and miscellaneous improvements on City owned parking lots near the West End and Deep Ellum - Not to exceed \$157,500, from \$1,151,728 to \$1,309,228 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3083

Item 61: Authorize **(1)** Supplemental Agreement No. 8 to the contract with HNTB Corporation to provide additional construction administration and resident project representative, as required by the Federal Aviation Administration for the runway safety area enhancement project, Phase 1, additional design services for Taxiway "L" extension/reconstruction (reconstruction of the holding apron) and consultant interim support for technical review of airfield-related civil engineering projects associated with the Love Field modernization program at Dallas Love Field in the amount of \$348,562, from \$3,073,668 to \$3,422,230; and **(2)** an increase in appropriations in an amount not to exceed \$290,518 in the Aviation Airport Improvement Program Grant Fund and \$183,044 in the Aviation Capital Construction Fund - Not to exceed \$348,562 - Financing: Aviation Capital Construction Funds (\$58,044); Aviation Passenger Facility Charge Funds (\$72,629); and Federal Aviation Administration Airport Improvement Program Grant Funds (\$217,889)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3084

Item 62: Authorize ordinances granting six 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: \$3,000

Approved as part of the consent agenda.

Assigned ORDINANCE NOS. 27384, 27385, 27386, 27387, 27388 AND 27389

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3085

Item 63: Authorize **(1)** a Utility Joint Use Acknowledgement Agreement with the State of Texas, acting through the Texas Department of Transportation (TxDOT), and **(2)** an increase in the Advance Funding Agreement with TxDOT for additional estimated construction costs, in conjunction with the water and wastewater main relocations and adjustments in Northwest Highway (Loop 12) from 0.1 mile west of Midway Road to U.S. Highway 75 (North Central Expressway) - \$221,524, from \$829,103 to \$1,050,627 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3086

Item 64: Authorize a contract for the installation of water and wastewater mains at 12 locations (list attached) - P & E Contractors, Inc., lowest responsible bidder of five - \$5,998,748 - Financing: Water Utilities Capital Improvement Funds (\$5,994,572), and 2003 Bond Funds (\$4,176)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3087

**Renewable Energy Leasing Project**

**Note:** Item Nos. 65 and 66 must be considered collectively.

Item 65: Authorize a twenty-year lease agreement with a five-year renewal option, with Ameresco Dallas, LLC, for the lease of 108,000 square feet of unimproved land and the development of an energy recovery facility at the Southside Wastewater Treatment Plant - Estimated Annual Revenue: \$1,080 (Base Rental Payment)

Item 66: Authorize the disbursement of monthly payments to Ameresco Dallas, LLC, for the term of the lease agreement, for the electricity produced and delivered by the energy recovery facility per kilowatt-hour (kWh) per year, ranging in cost from \$0.06495/kWh in the first year to \$0.08095/kWh in the twentieth year - \$44,000,000 (Total estimated cost for 20-year term) - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3088

Item 67: Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional engineering services for the design of a water transmission main from the East Side Water Treatment Plant to the City of Hutchins west corporate limits - \$6,383,297, from \$2,674,500 to \$9,057,797 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3089

Item 68: Authorize Supplemental Agreement No. 1 to the professional services contract with TCB, Inc. to provide additional engineering services for the design of a water transmission main from the City of Hutchins West Corporate limits to the Sorcey Pump Station - \$5,689,500, from \$3,487,195 to \$9,176,695 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3090

Item 69: 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)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3091

Item 70: An ordinance granting an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, on the west side of Holmes Street, south of Pennsylvania Avenue - Z078-207 - Financing: No cost consideration to the City

Councilmember Davis moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27390

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3092

Item 71: Authorize adoption of the City of Dallas' State Legislative Program for the 81st Session of the Texas State Legislature - Financing: No cost consideration to the City

The Mayor requested the vote be divided to consider the 2009 State Legislative Proposals and the amended proposal by Councilmember Hill to the City Council's 2009 State Legislative program package that relates to group facilities be considered separately due to a conflict of interest by Councilmember Koop on the proposed amendment by Councilmember Hill.

Councilmember Hill moved to approve the 2009 State Legislative Proposals.

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

Councilmember Koop announced she had a conflict of interest on the proposed amendment to the 2009 State Legislative proposals and would abstain from voting or participating in any discussion. Councilmember Koop left the city council chamber.

Later in the meeting, Councilmember Hill moved to approve the proposed amendment to the 2009 State Legislative to regulate the following specific "group facilities": Community Homes for Disabled Persons, Assisted Living Facilities, Intermediate Care Facilities for the Mentally Retarded, Special Care Facilities, Maternity Homes, and Home and Community Support Services.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3093

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 72-75, was presented for consideration.

Agenda item 73 was removed from the consent zoning docket, to be considered as an individual hearing.

Agenda item 72: Zoning Case Z078-215 (RB)

~~Agenda item 73: Zoning Case Z078-280 (MAW)~~ **[considered individually]**

Agenda item 74: Zoning Case Z078-283 (MW)

Agenda item 75: Zoning Case Z078-288 (JH)

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

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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3094

Item 72: Zoning Case Z078-215 (RB)

The consent zoning docket, consisting of agenda items 72-75, was presented for consideration.

A public hearing was called on zoning case Z078-242 (OTH), an application for and an ordinance granting an amendment to and expansion of the Tract 1 portion of Subarea D-1 within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District on property zoned Tract 1, Subarea D-1 and Subarea D within Planned Development District No. 468 in the north quadrant of Zang Boulevard and Plowman Avenue

(The staff and city plan commission recommended approval, subject to A Tract 1 and 3 conceptual plan/Tract 2 development 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. 27391

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3095

Item 73: Zoning Case Z078-280 (MAW)

The consent zoning docket, consisting of agenda items 72-75, was presented for consideration.

Councilmember Rasansky requested that zoning consent item 73 be considered as an individual item. Mayor Leppert stated that zoning consent item 73 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 Z078-280 (MAW), an application for and an ordinance granting a Planned Development District for RR Regional Retail District uses on property zoned an RR Regional Retail District located on the northwest corner of Walnut Hill Drive and Manderville Lane

(The staff and city plan commission recommended approval; subject to a development 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.

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

Maelissa Watson, 6956 Lakeshore Dr.

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

Councilmember Natinsky moved to close the public hearing, approve the alternate ordinance creating Planned Development No. 804, a copy of which is attached to this motion and has been distributed to the city council. The alternative ordinance reads:

- Allows for development under the existing Regional Retail standards for other than the proposed medical office complex;
- Requires certain pedestrian enhancements for reduced parking provisions;
- Eliminates bars and restaurants from being able to utilize reduced parking provisions (unless the use is part of a medical office complex); and
- Limits the amount of retail that can be developed as part of the medical office complex to 20,000 square feet.

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
08-3095  
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Motion seconded by Councilmember Koop and unanimously adopted. (Rasansky abstain)

Assigned ORDINANCE NO. 27392

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3096

Item 74: Zoning Case Z078-283 (MW)

The consent zoning docket, consisting of agenda items 72-75, was presented for consideration.

A public hearing was called on zoning case Z078-283 (MW), to receive comments regarding a Landmark Commission authorized hearing to consider expansion of the Junius Heights Historic District Overlay No. 128, Tract C, on property zoned Planned Development District No. 99 on the southeast side of Gaston Avenue between Huntley and Glendale Streets with revisions to exhibits and an ordinance granting the expansion

(The staff and city plan commission recommended approval; subject to Preservation Criteria)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27393

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3097

Item 75: Zoning Case Z078-288 (JH)

The consent zoning docket, consisting of agenda items 72-75, was presented for consideration.

A public hearing was called on zoning case Z078-288 (JH), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IR Industrial Research District on the north corner of Maple Avenue and Kimsey 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. 27394

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3098

Item 76: Zoning Case Z078-238(RB) INDIVIDUAL

A public hearing was called on zoning case Z078-238 (RB), an application for and an ordinance granting a Planned Development Subdistrict for an animal clinic with outside run, kennel with outside run, and GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict on the tract at the southwest corner of Oak Lawn Avenue and Congress Avenue, and zoned a GR General Retail Subdistrict and an MF-3-D Multiple Family Subdistrict with the Dry Liquor Control Overlay on the tract along the west line of Oak Lawn Avenue, south of Congress Avenue, with both tracts within Planned Development District No. 193, the Oak Lawn Special Purpose District with consideration being given to permitting the requested animal clinic with outside run and kennel with outside run by specific use permit

(The staff recommended denial and city plan commission recommended approval; subject to a development 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:

Chip Cannon, 2732 Oak Lawn, the applicant  
Erle Rawlins, 3610 Congress, representing City Vet  
Mary Katherine Rawlins, 3610 Congress Avenue, representing City Vet

Councilmember Hunt moved to close the public hearing, accept the recommendation of the city plan commission for approval with the following changes:

- Changing the allowed maximum area for the outside run on Tract 1 from 1,598 square feet to 1,213 square feet; and
- Submitting a revised development plan.

and pass the ordinance.

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

Assigned ORDINANCE NO. 27395

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3099

Item 77: Zoning Case Z078-243 (OTH) INDIVIDUAL

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

A public hearing was called on zoning case Z078-243 (OTH), an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the southwest corner of Military Parkway and Donna Drive

(The staff recommended denial and city plan commission recommended denial without prejudice)

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

Juan Carlos Ruvalcada, 5670 Locust Grove Rd., **Garland, TX**, the applicant  
Leroy Diggles, Jr., 3826 Diamond Ave.  
John Davis, 10416 Harvest Road  
Barbara McGowan, 3050 Remond Drive  
Curtis Diggles, 7207 Elam Road  
Mr. Macon, no address given  
Mario Gonzalez, 6711 Starbuck Drive

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

Mark Rupe, 7319 Toland  
Rocky Valdivia, 6827 Woodard  
Sherry Miller, no address given  
Marisela Mack, no address given

Councilmember Davis moved to close the public hearing, accept the recommendation of the city plan commission to deny without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3100

Item 78: Zoning Case Z078-259 (RB) INDIVIDUAL

A public hearing was called on zoning case Z078-259 (RB), an application for and an ordinance granting a Specific Use Permit for a hospital on property zoned an MU-2-D Mixed Use District with a Dry Liquor Control Overlay on the south line of Northaven Road, west of North Central Expressway

(The staff recommended approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions, with retention of the Dry Liquor Control Overlay and city plan commission recommended approval for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions, with 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:

Karl Crawley, representing the applicant

Councilmember Koop moved to close the public hearing and follow the city plan commission recommendation for approval with the following changes:

- Granting the specific use permit for a period of 30 years; and
- With 10-year automatic renewals.

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

Assigned ORDINANCE NO. 27396

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3101

Item 79: Zoning Case Z078-278 (MAW) INDIVIDUAL

A public hearing was called on zoning case Z078-278 (MAW), an application for and an ordinance granting a new subdistrict within Planned Development District No. 71 for residential uses located on the north side of Forest Lane between Preston Road and Hillcrest Road

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

Tom Rasco, 1109 Holbrook Dr. **Garland, TX**, representing the applicant

Councilmember Koop moved to close the public hearing and approve the amendments to Planned Development No. 71 with the following additions:

- The location of the ingress and egress point shown on the development plan is approximate. The permanent location of the ingress and egress point must be approved by the director of public works and transportation. The centerline of the ingress and egress point must be offset from the centerline of Robledo Drive by at least 10 feet.
- In Subarea B, the developer must provide a right-turn-only sign on the Property at the ingress and egress point during site development and preparation.

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

Assigned ORDINANCE NO. 27397

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3102

Item 80: Zoning Case Z078-115 (MAW) UNDER ADVISEMENT - INDIVIDUAL

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

Note: This item was considered by the City Council at a public hearing on October 22, 2008, and was held under advisement until November 10, 2008, with the public hearing open.

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

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

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27398

**Note:** Councilmember Hill requested the record reflect she made the motion for approval of this item after much thought.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3103

Item 81: Zoning Case Z078-246 (WE) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z078-246 (WE), an application for a Planned Development District for a private school and the termination of Specific Use Permit No. 1262 for a private school on property zoned an R-10(A) Single Family District with Specific Use Permit No. 1262 on the northwest corner of Midway Road and Rosa Road with consideration being given to an amendment to, and expansion of, Specific Use Permit 1262 and an ordinance granting a Planned Development District and an ordinance expanding and amending Specific Use Permit No. 1262

(The staff recommended approval of an amendment to, and expansion of, Specific Use Permit No. 1262 for a private school for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions in lieu of a Planned Development District and city plan commission recommended approval, of a Planned Development District for R-10(A) Single Family District uses, subject to conditions and approval of the expansion of and amendment to Specific Use Permit No. 1262 for a private school use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, a traffic management plan and conditions)

Note: This item was considered by the City Council at a public hearing on October 22, 2008, and was held under advisement until November 10, 2008, with the public hearing open.

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

Kirk R. Williams, 17318 Club Hill Dr., representing Oak Hill Academy

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

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

- The specific use permit is approved for a two-year period maximum and without automatic renewals; and
- With signage along Midway Road for no standing or queuing.

and pass the ordinance.

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

Assigned ORDINANCE NOS. 27399 AND 27400

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3104

Item 82: Zoning Case Z078-265 (OTH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z078-265 (OTH), an application for and an ordinance granting an amendment to Planned Development District No. 696 for a Public School other than an open-enrollment charter school and R-16(A) Single Family uses in an area bounded by Ridgeside Drive, Welch Road, Rickover Drive and Crestline Avenue

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

Note: This item was considered by the City Council at public hearings on October 22, 2008, and was held under advisement until November 10, 2008, with the public hearing open.

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:

William Hopkins, 2011 Leath St.

Councilmember Rasansky moved to close the public hearing and follow the city plan commission recommendation for approval with the following changes:

- Amending the Landscaping provision to require the additional trees shown on the revised development plan to comply with the Article X regulations regarding street trees; and be at least 10 feet in height and 3 caliper inches; and
- Submitting a revised development plan.

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

Assigned ORDINANCE NO. 27401

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3105

Item 83: Zoning Case Z078-201 (JH) UNDER ADVISEMENT - INDIVIDUAL

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

A public hearing was called on zoning case Z078-201 (JH), an application for a Planned Development District for CR uses and attended donation center use on property zoned a CR Community Retail District on the southwest side of Haskell Avenue, between Lafayette Street and Delano Place

(The staff and city plan commission recommended denial)

Note: This item was considered by the City Council at public hearings on October 22, 2008, and was held under advisement until November 10, 2008, with the public hearing open.

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

Councilmember Hunt moved to continue the public hearing and hold under advisement until the January 14, 2009 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3106

Item 84: Zoning Case Z078-235 (MAW) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z078-235 (MAW), an application for a Specific Use Permit for a commercial amusement (inside) use limited to a bingo parlor on property zoned a CR Community Retail District on the south side of Oates Drive, between Rustown Drive and Maverick Avenue

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

Note: This item was considered by the City Council at public hearings on October 22, 2008, and was held under advisement until November 10, 2008, with the public hearing open.

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

Peter Kavanagh, representing the applicant  
Linda McMullen, the applicant  
Maria Gerizer, no address given  
Barbara Johnson, no address given

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3107

Item 85: Zoning Case Z078-203 (JH) UNDER ADVISEMENT - INDIVIDUAL

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

A public hearing was called on zoning case Z078-203 (JH), an application for and an ordinance granting a new subdistrict within Planned Development District No. 317, the Cedars Area Special Purpose District, and an ordinance granting a Specific Use Permit for a commercial engraving and etching facility on property zoned Subdistrict 2 within Planned Development District No. 317 on the east corner of Ervay Street and Hickory Street

(The staff recommended denial and city plan commission recommended approval of a new subdistrict and approval of a Specific Use Permit for a 15-year period, subject to a site plan and conditions)

Note: This item was considered by the City Council at public hearings on September 24 and October 22, 2008, and was held under advisement until November 10, 2008, with the public hearing open.

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

George Macatee, 6440 N. Central Expressway  
Eric Anderson, 7329 Lakehurst Avenue  
Kendra Ramick, 1811 S. Ervay  
Rocky McClure, 6129 Sarotoya, representing Miller Ferry Row Association  
Charles Brossman, 1817 S. Ervay, representing Miller Ferry residences in the Cedar Neighborhood  
Michael Jung, 4400 Bank of America Plaza, representing various property owners

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-3107

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Mayor Leppert allowed additional citizens to state their names and addresses in opposition of the city plan commission's recommendation to deny for the record:

Mark Stephens, 1805 S. Ervay Street

Belinda Thomas, 1803 S. Ervay Street, representing Millers Ferry Row Association

Jeffrey Thomas, 1803 S. Ervay Street, representing Millers Ferry Row Association

Nader Badir, 1815 S. Ervay Street

Gwen Gannon, 2201 S. Harwood

Michael Przekwas, 1602 Beaumont Street

Phillip T. Robertson, 1500 McKee Street representing Cedars Neighborhood Association

Laura Dixon, 1821 S. Ervay

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

Dale Crownover, 2001 Dale Acres, **Italy, TX**, representing Texas Nameplate

Melisia Matamoros, 1804 Browder Street, representing Texas Nameplate

Karl Crawley, 900 Jackson St., representing the applicant

Councilmember Medrano moved to close the public hearing, approve the amendments to Planned Development No. 317 and grant the Specific Use Permit No. 1723 with the following changes:

- The specific use permit is granted for a 10-year period.

and pass the ordinance.

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

Assigned ORDINANCE NOS. 27402 AND 27403

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3108

Item 86: DEVELOPMENT CODE AMENDMENTS

A public hearing to receive comments regarding consideration of amendments to Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended;" making the provisions of Chapter 51 and Chapter 51A more consistent; incorporating Chapter 51A by reference into Chapter 51 when the language in the codes is identical; updating definitions, department names, and other references; moving off-street loading regulations to the use regulations in Chapter 51; updating uses to make consistent with state and federal law; moving appropriate uses from the residential use category to a new lodging use category to make consistent with Chapter 51A; adding and updating accessory use regulations in Chapter 51; adding language to assist in the interpretation of Chapter 51; making amendments to Chapter 51A necessary to accommodate the amendments to Chapter 51; and making other formatting and grammatical changes 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 Neumann moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

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

Assigned ORDINANCE NO. 27404

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3109

Item 87: DEVELOPMENT CODE AMENDMENTS - UNDER ADVISEMENT - INDIVIDUAL

A public hearing to receive comments regarding consideration of amendments to Chapter 51A of the Dallas City Code to add an Article XIII creating new "Form Districts" for walkable, mixed use developments at a range of densities and an ordinance granting the amendments

(The staff recommended approval of staff alternative recommendations and city plan commission recommended approval of attached ordinance)

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

Councilmember Salazar moved to continue the public hearing and hold under advisement until the December 3, 2008 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3110

Item 88: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements for Korgan Street from South Ewing Avenue west to dead-end, and, at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with McMahon Contracting, L.P., lowest responsible bidder of seven - \$442,224 - Financing: 2003 Bond Funds (\$281,548) and Water Utilities Capital Construction Funds (\$160,676)

No one addressed the city council regarding the item.

Deputy Mayor Pro Tem Caraway moved to close the public hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 27405

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3111

Item 89: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Industrial Boulevard between Market Center Boulevard and its southern terminus south of Corinth Street to Riverfront Boulevard - \$89,050 - Financing: Current Funds

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

Tina Romero Goodson, 827 Buckalew  
Rusty Tomlinson, 2615 Royal Lane  
Loretta Haldenwing, Director of External Affairs of the Greater Dallas of Hispanic Chamber of Commerce  
Ramiro Luna, no address given  
Anna Belen, 14647 Lasater Lane  
Albert Ruiz, 1520 N. Beckley Avenue, representing Cesar Chavez Task Force

Mayor Leppert allowed additional citizens to state their names and addresses in opposition of the city plan commission's recommendation to deny for the record:

Renato De Los Santos, 1531 Duncanville Road, representing LULAC District 3  
Marian Avalos, representing Green Party of Dallas County  
Suzanna Jaramillo, no address given  
Benito Murel, no address given

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

Matt Ferguson, 306 Hillside Drive, **Forney, TX**, representing Stemmons Corridor Business Association  
Jim Lake, Jr., 1403 Slocum, representing Jim Lake Companies  
Bob Darrouzet, 12013 Lueders Lane, representing Trinity & Design Association  
Andrea Stoller, 8117 Preston Road, representing property owners of Industrial & Commerce Street  
Parker Benda, 801 S. Industrial Boulevard, owner of Fuel City  
Mike Galvin, no address given  
Craig Holcomb, 3601 Turtle Creek, representing Trinity Commons Foundation  
Mark Bryant, 505 Industrial Boulevard, representing JPI  
Paul Hardie, 1119 S. Industrial Boulevard, representing Hurt & Hardie Inc.  
Lauren Oznick, 923 Evergreen Hills Road, representing Jiffy Properties

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-3111

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

William Lawrence, 175 Oak Lawn Avenue, representing William & Wesley Co.  
Tony Borino, 2221 High Country, representing Tri-Tex Enterprises  
William Maddox, 17252 Lechlade Lane  
Marcus Wood, 5335 Ridgelawn Drive, representing Mixmaster Business Association

Councilmember Neumann moved to close the public hearing, reverse the city plan commission's decision to deny the naming of Industrial Boulevard to Riverfront Boulevard and approve the renaming of Industrial Boulevard to Riverfront Boulevard.

Motion seconded by Councilmember Rasansky.

After discussion, Councilmember Salazar moved to substitute Councilmember Neumann's motion to delay the matter for city council discussion and resolution and continue the public hearing and hold under advisement until January 28, 2009 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia.

Mayor Leppert called the vote on Councilmember Salazar's substitute motion to delay the matter for city council discussion and resolution and continue the public hearing and hold under advisement until January 28, 2009 voting agenda meeting of the city council:

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

Mayor Leppert declared the substitute motion failed.

Mayor Leppert called the vote on Councilmember Neumann's original motion to close the public hearing, reverse the city plan commission's decision to deny the naming of Industrial Boulevard to Riverfront Boulevard and approve the renaming of Industrial Boulevard to Riverfront Boulevard:

Voting Yes: [12] Leppert, Caraway, Neumann, Hill, Davis, Atkins, Kadane, Allen,  
Koop, Natinsky, Rasansky, Hunt  
Voting No: [3] Garcia, Medrano, Salazar

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27406

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3112

Item 90: A public hearing to receive comments regarding a proposal for and an ordinance waiving certain street name change standards and changing the name of Ross Avenue between Live Oak Street and Houston Street to Cesar Chavez Boulevard - \$24,850 - Financing: Current 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.

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

Soozy Martin, 3008 Ross Avenue  
Darwin Payne, 9021 Gunnison Dr., representing History of the Ross Brothers  
Ken Skaggs, 3008 Avenue

Mayor Leppert allowed additional citizens to state their names and addresses in opposition of the city plan commission's recommendation to deny for the record:

Brian D. Melton, Chair, Dallas Bar Association  
Ellen Amirkhan, 3907 Ross Avenue, representing Oriental Rug Cleaning Company  
Kelvin Meyers, 4859 Cedar Springs, representing First United Methodist Church  
Susan Nelson, 6216 McCommas  
James Parks, III, 3510 Ross Avenue, representing J. B. Parks Wholesale Florist  
Wayne Smith, 927 Liberty Street  
Mark Rupe, 7319 Toland

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

Councilmember Hunt moved to follow the city plan commission's recommendation to deny the proposed name change of Ross Avenue to Cesar Chavez Boulevard.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3113

Item 91: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by 2100 Downtown Condominiums, LLC located near the intersection of Central Expressway and Marilla Street and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to NT 109 Land Acquisition Limited Partnership by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The assistant city secretary read the following statement into the record:

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

The following individuals addressed the city council regarding the item:

David Whitten, representing the applicant  
Alex Fuhrmann, professional geoscientist

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

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

Assigned ORDINANCE NO. 27407

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3114

Item 92: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by RCC Maple, Ltd., Tomaino Properties, L.P. and Dallas Nephros Land Company LP located near the intersection of Maple and Bomar Avenues and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to RCC Maple, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The assistant city secretary read the following statement into the record:

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

The following individuals addressed the city council regarding the item:

Rick Rogers, representing the applicant  
Kenneth Graham, professional geoscientist

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

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

Assigned ORDINANCE NO. 27408

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3115

Item 93: A public hearing to receive comments on the proposed use of a portion of Reverchon Park, totaling approximately 4,409 square feet of land, for the installation of a 54-inch wastewater main; and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

Closed Session [**08-3116; HELD**]

5ES

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

- Ashley Yarberry v. City of Dallas, Civil Action No. 3:07-CV-0893-M

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Discussion regarding the performance review of City Auditor Craig Daniel Kinton
- Discussion regarding the performance review of City Secretary Deborah A. Watkins

At 8:02 a.m. Mayor Leppert announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

Closed Session

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Discussion regarding the performance review of City Auditor Craig Daniel Kinton

Mayor Leppert reconvened the city council meeting after the closed session at 9:35 a.m. No other matters were discussed during the closed session.

At 12:19 p.m. Mayor Leppert announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

Closed Session

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

- Ashley Yarberry v. City of Dallas, Civil Action No. 3:07-CV-0893-M

Mayor Leppert reconvened the city council meeting after the closed session at 1:18 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3117

Addendum addition 1: Authorize **(1)** the City Manager and the President of the Love Field Airport Modernization Corporation to enter into a Program Development Agreement with Southwest Airlines Company to provide for development of the Love Field Modernization Program; and **(2)** the City Manager to execute a Donation Agreement with Southwest Airlines Company to provide for the acceptance of donated materials to be used to construct the new capital improvements - Financing: No cost consideration to the City

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

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

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3118

Addendum addition 2: Authorize a twelve-month service contract, with two additional twelve-month renewal options, each subject to funding availability with the six Business Assistance Center (BAC) contractors listed herein for each contract as follows: **(1)** Greater Dallas Hispanic Chamber of Commerce located at 4622 Maple Avenue in an amount not to exceed \$80,000; **(2)** Innerscity Community Development Corporation located at 4907 Spring Avenue in an amount not to exceed \$80,000; **(3)** Greater Dallas Hispanic Chamber of Commerce located at 2060 Singleton Boulevard in an amount not to exceed \$80,000; **(4)** Greater Dallas Hispanic Chamber of Commerce located at 351 West Jefferson Boulevard in an amount not to exceed \$80,000; **(5)** MBA Consultants located at 1201 West Camp Wisdom Road in an amount not to exceed \$80,000; and **(6)** BAC Greater Dallas Asian American Chamber of Commerce/Multi-Ethnic Education and Economic Development Center located at 1327 North Peak Street in an amount not to exceed \$80,000 to assist potential and existing Microenterprise businesses to establish, manage and operate businesses within the City - Not to exceed \$480,000 - Financing: 2008-09 Community Development Grant Funds

The Assistant City Secretary requested that addendum addition consent agenda item 2 be considered as an individual item to allow citizens to speak. 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 the Assistant City Secretary's request.

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

The following individuals addressed the city council regarding the item:

Van Howard, 923 Green Castle Dr., representing Business Assistance Center Contractors

John Martinez, 2926 Lovers Lane, President of Hispanic Contractors Association

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-3118

Page 2

Mayor Pro Tem Garcia moved to approve the item with Option 1 that provides awards to the following agencies:

- Agency 1: Greater Dallas Hispanic Chamber of Commerce (GDHCC) \$80,000
- Agency 2: Inner City Community Development Corp.(ICDC) \$80,000
- Agency 3: Greater Dallas Hispanic Chamber of Commerce(GDHCC) \$80,000
- Agency 4: Greater Dallas Hispanic Chamber of Commerce(GDHCC) \$80,000
- Agency 5: MBA Consultants \$80,000
- Agency 6: Greater Dallas American Asian Chamber of Commerce –  
Multi-Ethnic Education and Economic Development Center (MEED) \$80,000

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3119

Addendum addition 3: Authorize a resolution **(1)** declaring the Council's intent to include a proposition in the City's next General Obligation Bond Program, in recognition of a substantial homeless need, **(2)** directing City staff to take steps to include in the City's next General Obligation Bond Program a proposition in an amount not less than \$2,000,000 for the purpose of balancing the need for permanent supportive housing in respect to the Jules E. Muchert United States Army Reserve Center, and **(3)** directing City staff to continue to explore additional sources of funding for Permanent Supportive Housing initiatives prior to the next General Obligation Bond Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3120

Addendum addition 4: Authorize **(1)** support for the Garland Road Advisory Committee to initiate the Gaston/Garland Road Corridor Study (Garland Road Vision Study); **(2)** support for a Regional Transportation Council (RTC) Sustainable Development Program grant in the amount of \$120,000 in RTC local funds for the Garland Road Vision Study, to be administered according to the Sustainable Development Call For Project Rules; **(3)** the City Manager to negotiate related agreements between the City of Dallas, the North Central Texas Council of Governments and the RTC; and **(4)** the acceptance of private funds from the Communities Foundation of Texas on behalf of various Garland Road Advisory Committee contributors in the amount of \$30,000 serving as the local match, and return of any unused local match fund balance to the Communities Foundation of Texas with a project financing summary to include North Central Texas Council of Governments Funds of \$120,000 and Private Funds of \$30,000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3121

Addendum addition 5: Authorize (1) a public hearing to be held on December 10, 2008 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to increase the geographic area of the Downtown Connection TIF District to include 2307 Caroline Street, 2311 Caroline Street, 1600 Ashland Street, and 1601 Cedar Springs Road under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) to allow the Downtown Connection TIF District to capture the entire increment generated by the Akard Place project; and, at the close of the hearing (2) consideration of an ordinance amending Ordinance Nos. 26020 and 26096 to reflect these changes - Financing: No cost consideration to the City

Councilmember Rasansky requested that addendum addition consent agenda item 5 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 5 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 5 was brought up for consideration.

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

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3122

Addendum addition 6: Authorize **(1)** a public hearing to be held on December 10, 2008, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and the Dallas Independent School District, to receive comments to consider the creation of a Tax Increment Financing Reinvestment Zone for the Maple-Mockingbird area (Maple-Mockingbird TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and, at the close of the hearing, **(2)** consideration of an ordinance creating the Maple-Mockingbird TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3123

Addendum addition 7: Authorize an amendment to the lease agreement with Cash Flow Management, Inc. to extend and amend the lease of approximately 3,600 square feet of office space for an additional four years at the leased facility Santa Fe Place located at 1110 South Santa Fe Trail, Duncanville, Texas for the continued use as a Women, Infants and Children Program office for the period April 1, 2012 through March 31, 2016, plus additional rental for leasehold improvements not to exceed \$139,578 - Total not to exceed \$369,522 - Financing: 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

NOVEMBER 10, 2008

08-3124

Addendum addition 8: Authorize a lump sum payment to the City Manager Mary K. Suhm, in the amount of \$10,710, to be made in two equal payments of \$5,355 on April 9, 2009 and September 10, 2009, in addition to her base pay of \$267,750, plus the associated pension contribution in the amount of \$680 for a total additional cost of \$11,390 - Financing: Current Funds

Councilmember Allen 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 Allen's request.

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

Councilmember Allen moved to approve the item with the following revision:

- 4 percent added to the annual base pay effective October 1, 2008.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3125

Addendum addition 9: Authorize (1) the reappointment of City Attorney Thomas P. Perkins, Jr., for an additional two-year term, beginning November 10, 2008, and (2) a lump sum payment to the City Attorney Thomas P. Perkins, Jr., in the amount of \$9,440, to be made in two equal payments of \$4,720 on April 9, 2009 and September 10, 2009, in addition to his base pay of \$236,000, plus the associated pension contribution in the amount of \$599 and Medicare contribution in the amount of \$137, for a total additional cost of \$10,176 - Financing: Current Funds

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

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

Councilmember Allen moved to approve the item with the following revision:

- 4 percent added to the annual base pay effective October 1, 2008.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3126

Addendum addition 10: An ordinance denying Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program Rate Adjustment; and, setting Gas Reliability Infrastructure Program Rates to be charged by Atmos Energy Corp. Mid-Tex Division - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27409

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3127

Addendum addition 11: Authorize a public hearing to be held on December 10, 2008 to receive comments on the proposed use of the Juanita J. Craft Park and Recreation Center for the development and operation of a community wellness center dedicated to providing charity care and health services for diabetes care and prevention - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3128

Addendum addition 12: Authorize a design-build contract for design and pre-construction services and an early-start allowance for landscaping and infrastructure for the Dallas Zoo African Savanna Exhibit, including improvements to the existing Wilds of Africa plaza area located at 650 South R.L. Thornton Freeway with Sedalco/MetalMan Design/Build Corporation, a Joint Venture, most advantageous proposer of three - Total not to exceed \$3,181,869 - Financing: 2003 Bond Funds (\$1,000,000) and 2006 Bond Funds (\$2,181,869)

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

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

Councilmember Neumann moved to approve the item.

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 vote, with Councilmember Rasansky voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3129

Addendum addition 13: Authorize Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. for schematic design through construction administration services for the Dallas Aquarium at Fair Park located at 1462 First Avenue - Not to exceed \$444,000, from \$302,025 to \$746,025 - Financing: 2006 Bond Funds

Councilmember Rasansky requested that addendum addition consent agenda item 13 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 13 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 13 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3130

Addendum addition 14: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements for State-Thomas infrastructure improvements, Groups I through IV - Gibson and Associates, Inc., lowest responsible bidder of three - Not to exceed \$4,602,238 - Financing: State-Thomas TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3131

Addendum addition 15: Authorize **(1)** a contract for drainage improvements for Woodall Rodgers Deck Plaza from St. Paul Street to Pearl Street with North Texas Contracting, Inc., lowest responsible bidder of four in the amount of \$751,475; **(2)** the receipt and deposit of funds in the amount of \$300,590 in the Capital Gifts, Donation and Development Fund; and **(3)** an increase in appropriations in the amount of \$300,590 in the Capital Gifts, Donation and Development Fund - Not to exceed \$751,475 - Financing: 2006 Bond Funds (\$450,885) and Capital Gifts, Donation and Development Funds (\$300,590)

Councilmember Rasansky requested that addendum addition consent agenda item 15 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 15 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 15 was brought up for consideration.

Councilmember Hunt 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 vote, with Councilmember Rasansky voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3132

Addendum addition 16: Authorize **(1)** a contract for the construction of paving, drainage and streetscape improvements, for the Dallas Center for the Performing Arts, Phase 2B at Flora Street from Crockett Street to Routh Street, Leonard Street from Flora Street to Ross Avenue, and Jack Evans Street from the Woodall Rodgers service road to Ross Avenue with McMahon Contracting, L.P., lowest responsible bidder of six, in an amount not to exceed \$3,062,072; and **(2)** assignment of the construction contract to the Dallas Center for the Performing Arts Foundation, Inc., as the City's agent and construction manager for all purposes, including inspection, supervision and coordination of construction work - Not to exceed \$3,062,072 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that addendum addition consent agenda item 16 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 16 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 16 was brought up for consideration.

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3133

Addendum addition 17: Authorize **(1)** a professional services contract with HDR Engineering, Inc., for design of Levee Drainage System - Sump A improvements in an amount not to exceed \$4,333,000; and **(2)** a professional services contract with URS Corporation for preparation of 35% design plans and specifications for Charlie Pump Station, Delta Pump Station, Hampton Pump Station, Trinity-Portland Pump Station with connecting culverts, and Nobles Branch Culverts, to meet federal requirements of the Water Resources Development Act of 2007, in an amount not to exceed \$3,600,000 - Total not to exceed \$7,933,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3134

Addendum addition 18: Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 197,480 square feet improved with a 120-room motel from Stemmons Hotel Limited Partnership located at the intersection of Commonwealth Drive and Stemmons Freeway (service road) for the Trinity Parkway Project - Not to exceed \$3,970,600 (\$3,949,600, plus closing costs not to exceed \$21,000) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3135

Addendum addition 19: Authorize a lump sum payment to the City Auditor Craig Daniel Kinton, in an amount to be determined by City Council, to be made in two equal payments on April 9, 2009 and September 10, 2009, in addition to his base pay of \$172,000, plus the associated pension and Medicare contribution amounts - Financing: Current Funds

Councilmember Allen moved to approve the item with the following revision:

- 4 percent added to the annual base pay effective October 1, 2008.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3136

Addendum addition 20: Authorize **(1)** the reappointment of the City Secretary Deborah Watkins for an additional two-year term, beginning November 10, 2008; and **(2)** a lump sum payment to the City Secretary Deborah Watkins, in an amount to be determined by City Council, to be made in two equal payments on April 9, 2009 and September 10, 2009, in addition to her base pay of \$120,840, plus the associated pension contribution -  
Financing: Current Funds

Councilmember Kadane moved to defer the item until the November 19, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Hill and unanimously adopted.

MINUTES OF THE DALLAS CITY COUNCIL  
MONDAY, NOVEMBER 10, 2008

EXHIBIT C

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3111

Item 89: A public hearing to receive comments regarding a proposal for and an ordinance changing the name of Industrial Boulevard between Market Center Boulevard and its southern terminus south of Corinth Street to Riverfront Boulevard - \$89,050 - Financing: Current Funds

The following individuals addressed the city council on the item:

Tina Romero Goodson, 827 Buckalew

Rusty Tomlinson, 2615 Royal Lane

Loretta Haldenwing, Director of External Affairs of the Greater Dallas of Hispanic Chamber of Commerce

Ramiro Luna, no address given

Anna Belen, 14647 Lasater Lane

Albert Ruiz, 1520 N. Beckley Avenue, representing Cesar Chavez Task Force

Matt Ferguson, 306 Hillside Drive, **Forney, TX**, representing Stemmons Corridor Business Association Jim Lake, Jr., 1403 Slocum, representing Jim Lake Companies

Bob Darrouzet, 12013 Lueders Lane, representing Trinity & Design Association

Andrea Stoller, 8117 Preston Road, representing property owners of Industrial & Commerce Street

Parker Benda, 801 S. Industrial Boulevard, owner of Fuel City Mike Galvin, no address given Craig Holcomb, 3601 Turtle Creek, representing Trinity Commons Foundation

Mark Bryant, 505 Industrial Boulevard, representing JPI

Paul Hardie, 1119 S. Industrial Boulevard, representing Hurt & Hardie Inc.

Lauren Oznick, 923 Evergreen Hills Road, representing Jiffy Properties

Mayor Leppert allowed the following individuals to state their names and addresses on the item:

Renato De Los Santos, 1531 Duncanville Road, representing LULAC District 3

Marian Avalos, representing Green Party of Dallas County

Suzanna Jaramillo, no address given

Benito Murel, no address given

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-3111

Page 2

Mayor Leppert allowed the following individuals to state their names and addresses on the item: (continued)

William Lawrence, 175 Oak Lawn Avenue, representing William & Wesley Co.

Tony Borino, 2221 High Country, representing Tri-Tex Enterprises

William Maddox, 17252 Lechlade Lane

Marcus Wood, 5335 Ridgelawn Drive, representing Mixmaster Business Association

Councilmember Neumann moved to close the public hearing, reverse the city plan commission's decision to deny the naming of Industrial Boulevard to Riverfront Boulevard and approve the renaming of Industrial Boulevard to Riverfront Boulevard.

Motion seconded by Councilmember Rasansky.

After discussion, Councilmember Salazar moved to substitute Councilmember Neumann's motion to delay the matter for city council discussion and resolution and continue the public hearing and hold under advisement until January 28, 2009 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia.

Mayor Leppert called the vote on Councilmember Salazar's substitute motion to delay the matter for city council discussion and resolution and continue the public hearing and hold under advisement until January 28, 2009 voting agenda meeting of the city council:

Voting Yes: [5] Garcia, Caraway, Medrano, Salazar, Atkins

Voting No: [10] Leppert, Neumann, Hill, Davis, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

Mayor Leppert declared the substitute motion failed.

Mayor Leppert called the vote on Councilmember Neumann's original motion to close the public hearing, reverse the city plan commission's decision to deny the naming of Industrial Boulevard to Riverfront Boulevard and approve the renaming of Industrial Boulevard to Riverfront Boulevard:

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

Voting No: [3] Garcia, Medrano, Salazar

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27406

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

NOVEMBER 10, 2008

08-3112

Item 90: A public hearing to receive comments regarding a proposal for and an ordinance waiving certain street name change standards and changing the name of Ross Avenue between Live Oak Street and Houston Street to Cesar Chavez Boulevard - \$24,850 - Financing: Current 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 on the item:

Soozy Martin, 3008 Ross Avenue  
Darwin Payne, 9021 Gunnison Dr., representing History of the Ross Brothers  
Ken Skaggs, 3008 Avenue

Mayor Leppert allowed the following individuals to state their names and addresses on the item:

Brian D. Melton, Chair, Dallas Bar Association  
Ellen Amirkhan, 3907 Ross Avenue, representing Oriental Rug Cleaning Company  
Kelvin Meyers, 4859 Cedar Springs, representing First United Methodist Church  
Susan Nelson, 6216 McCommas  
James Parks, III, 3510 Ross Avenue, representing J. B. Parks Wholesale Florist  
Wayne Smith, 927 Liberty Street  
Mark Rupe, 7319 Toland

Councilmember Hunt moved to follow the city plan commission's recommendation to deny the proposed name change of Ross Avenue to Cesar Chavez Boulevard.

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