

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 10, 2007

07-0150

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR LAURA MILLER, PRESIDING

PRESENT: [14] Miller, Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar,  
Chaney, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt

ABSENT: [1] Fantroy

The meeting was called to order at 9:22 a.m.

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

Mayor Miller asked all members of the city council and the audience to stand for a moment of silence.

August Knappe, Hockaday School, 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 3:23 p.m.

---

Mayor

ATTEST:

---

City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 10, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 10, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0151

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: Marvin Crenshaw, 6936 Clearglen  
SUBJECT: 61 and still kicking

SPEAKER: Albert Parker, 6819 Elam Rd.  
SUBJECT: 330 E. Camp Wisdom Property Tax Exempt

SPEAKER: Dwayne Dallas, 6266 St. Albans Drive  
SUBJECT: Dallas voting public is not that dumb

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Neely Keer, 2306 Milmar Dr.  
SUBJECT: TX DOT Eastern Corridor Project

SPEAKER: Barbara Choice, 2114 Cloudcroft Circle  
SUBJECT: Code Compliance

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Ongoing problems with DPD officers, Mayor, Code Compliance

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0152

Item 1: Approval of Minutes of the December 13, 2006 City Council Meeting

Councilmember Thornton-Reese moved to approve the minutes.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0153

CONSENT AGENDA

The consent agenda, consisting of agenda items 1-22 and addendum addition consent agenda items 1-6, were presented for consideration.

Councilmember Medrano requested that consent agenda items 8 and 11 be considered as individual items. Mayor Miller stated that consent agenda items 8 and 11 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Councilmember Rasansky requested that consent agenda items 5, 8, 15, 18 and 20 be considered as individual items. Mayor Miller stated that consent agenda items 5, 8, 15, 18 and 20 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Natinsky moved to approve all items on the consent agenda with the exception of consent agenda items 5, 8, 11, 15, 18, and 20 which would be considered later in the meeting.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0154

Item 2: Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. for schematic design, design development, construction documents, bidding and construction administration services for the replacement of the existing playground and the existing picnic pavilion at College Park located at 3300 Highland Woods - \$88,412 - Financing: 2003 Bond Funds.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0155

Item 3: Authorize a professional services contract with Jones & Boyd, Inc. for topographic survey, schematic design, design development, construction documents, bidding, and construction administration services for playground and ball field area improvements at Arcadia Park located at 5516 Arcadia Drive - \$38,700 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0156

Item 4: Authorize a contract for the installation of the motorized sun screen systems for the exterior murals at the Centennial, Food and Fiber and Embarcadero Buildings at Fair Park - Phoenix I Restoration and Construction, Ltd., best value proposer of two - Not to exceed \$925,000 - Financing: 1998 Bond Funds (\$288,800), 2003 Bond Funds (\$336,200) and Save America's Treasures Grant Funds (\$300,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0157

Item 5: Authorize **(1)** Supplemental Agreement No. 1 to the design-build contract with Heery International, Inc. to establish the Guaranteed Maximum Price for the replacement of the existing flip seating with bench seats, concrete repairs and waterproofing at the Cotton Bowl in Fair Park located at 3750 Midway Plaza in the amount of \$5,601,655, from \$3,917,250 to \$9,518,905; and, **(2)** an increase in appropriations in the amount of \$5,601,655 in the State Fair of Texas Capital Construction Funds - Total not to exceed \$5,601,655 - Financing: State Fair of Texas Capital Construction Funds

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0158

Item 6: Authorize a secured one percent forgivable Residential Development Acquisition Loan Program loan with the Dallas Neighborhood Alliance for Habitat, to provide for acquisition and demolition of improved properties that have unoccupied substandard structures and are scattered throughout the City of Dallas Neighborhood Investment Program areas for construction of single-family homes restricted for affordability at 80% or less of Area Median Family Income for resale to eligible homebuyers for a period of ten years - \$700,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0159

Item 7: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 2 tracts of land for the construction of the Northwest Corridor Line Section (NW-3) located near the intersection of Royal and Grissom Lanes (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0160

Item 8: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 5 tracts of land for the construction of the Northwest Corridor Line Section (NW-1B) located near the intersection of Denton and Kimsey Drives (list attached) - Financing: No cost consideration to the City

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

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

Councilmember Medrano moved to defer the item until the January 24, 2007 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0161

Item 9: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land from A.L. Rives for the construction of the Southeast Corridor Line Section (SE-2) located near the intersection of Scyene and Claypool Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0162

Item 10: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit for 2 tracts of land and an existing office building for the Paratransit Operations facility and revenue vehicle and employee parking lot located near the intersections of Senate Street and Dilido Road (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0163

Item 11: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 8 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersections of Manor Way and Owens Street, Harry Hines Boulevard and Cullum Lane and Denton Drive and Mockingbird Lane (list attached) - Financing: No cost consideration to the City

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

Later in the meeting agenda item 11 was brought up for consideration.

Councilmember Medrano moved to defer the item until the January 24, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Koop and unanimously adopted. (Fantroy absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0164

Item 12: An ordinance abandoning firelane, access and utility easements to WXIII/PWM Real Estate Limited Partnership, the abutting owner, containing approximately 92,121 square feet of land located near the intersection of Dallas North Parkway and Arapaho Road - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26538.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0165

Item 13: An ordinance abandoning an alley to Horri Investment Corporation, the abutting owner, containing approximately 4,496 square feet of land located near the intersection of Kirby and Deere Streets, and authorizing the quitclaim - Revenue: \$30,573 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26539.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0166

Item 14: Authorize **(1)** a public hearing to be held on February 14, 2007 to receive comments on the proposed private sale by quitclaim deed of 2 unimproved properties acquired by the taxing authorities from the Sheriff's Sale, 4422 Baldwin to Dallas Neighborhood Alliance for Habitat and 3617 Kingsford Avenue to East Dallas Community Organization, qualified non-profit organizations; and, **(2)** at the close of the hearing, consideration of approval of the sale of these properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0167

Item 15: Authorize a thirty-six-month service contract for plumbing services at City facilities with the lowest responsible bidder of two - Concept Facility Services - Not to exceed \$180,550 - Financing: Current Funds (\$56,650), Water Utilities Current Funds (\$123,900)

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0168

Item 16: Authorize a twenty-four-month master agreement for live and frozen rodents and rabbits used for feeding animals at the Dallas Zoo, with the lowest responsible bidders of two - The Gourmet Rodent, Inc. in the amount of \$596,694 and The Animal Works dba The Big Cheese Rodent Factory in the amount of \$100,615 - Total not to exceed \$697,309 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0169

Item 17: Authorize a twenty-four-month service contract for laboratory supplies for water and wastewater treatment plants with the only bidder - Fisher Scientific Company LLC - Not to exceed \$240,574 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0170

Item 18: Authorize a twenty-four-month master agreement to maintain five centrifugal air compressors at the wastewater treatment plants with the only bidder - Atlas Copco Comptec, Inc. - Not to exceed \$859,833 - Financing: Water Utilities Current Funds

Councilmember Rasansky requested that consent agenda item 18 be considered as an individual item. Mayor Miller stated that consent agenda item 18 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting agenda item 18 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Natinsky.

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

Mayor Miller declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0171

Item 19: Authorize a thirty-six-month service contract for general maintenance, and repair or replacement of pumps at City facilities with the lowest responsible bidder of four - Any Time Pump Service Company dba CIE - Not to exceed \$3,407,000 - Financing: Current Funds (\$370,000), Water Utilities Current Funds (\$3,037,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0172

Item 20: Authorize a public hearing to be held on January 24, 2007 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 67 located at property north of Interstate 20 and west of Mountain Creek Parkway; and, at the close of the hearing, consideration of (1) an ordinance creating City of Dallas Reinvestment Zone No. 67; and, (2) a 75 percent real property tax abatement for ten years with Building No. 4, Mountain Creek, LP - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 20 be considered as an individual item. Mayor Miller stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting agenda item 20 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

After discussion, Mayor Miller called the vote on Councilmember Oakley's motion:

Voting Yes: [12] Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar,  
Chaney, Griffith, Blaydes, Koop, Natinsky, Hunt  
Voting No: [ 2 ] Miller, Rasansky  
Absent: [ 1 ] Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0173

Item 21: Authorize an amendment to the special pay schedule for sworn personnel in the Dallas Police Department for clarification of eligibility effective October 1, 2006 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0174

Item 22: Authorize a professional services contract with Saitas and Arenson, to provide consultant services related to environmental issues for the period February 1, 2007 through September 30, 2007 - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0175

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

Agenda items 25 and 29 were removed from the consent zoning docket, to be considered as individual hearings.

- Agenda item 23: Zoning Case Z056-289 (OTH)
- Agenda item 24: Zoning Case Z056-310 (OTH)
- ~~Agenda item 25: Zoning Case Z056-316 (RB)~~ [considered individually]
- Agenda item 26: Zoning Case Z056-317 (RB)
- Agenda item 27: Zoning Case Z056-328 (OTH)
- Agenda item 28: Zoning Case Z056-330 (OTH)
- ~~Agenda item 29: Zoning Case Z056-338 (WE)~~ [considered individually]
- Agenda item 30: Zoning Case Z056-324 (WE)

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

Deputy Mayor Pro Tem Garcia moved to close the public hearing, accept the recommendation of the city plan commission on the consent zoning cases and pass the ordinances, subject to a site plan and conditions submitted by the applicant as presented as part of the consent zoning docket.

Motion seconded by Councilmember Hunt and unanimously adopted. (Hill, Thornton-Reese absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0176

Item 23: Zoning Case Z056-289 (OTH)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

A public hearing was called on zoning case Z056-303 (WE), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on the southeast side of Stutz Road, between Maple Avenue and Forest Park Road

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26540.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0177

Item 24: Zoning Case Z056-310 (OTH)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

A public hearing was called on zoning case Z056-310 (OTH), an application for and an ordinance granting the expansion of and amendment to Specific Use Permit No. 1548 for an open-enrollment charter school on property zoned an IR Industrial Research District on the west line of Forestgate Drive, north of Forest Lane

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26541.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0178

Item 25: Zoning Case Z056-316 (RB)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

Councilmember Natinsky requested that consent agenda item 25 be considered as an individual item. Mayor Miller stated that consent agenda item 25 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

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

A public hearing was called on zoning case Z056-316 (RB), an application for and an ordinance granting an amendment to the site plan and landscape plan for Specific Use Permit No. 1396 for a Public or private school on property zoned a TH-1(A) Townhouse District on the northeast corner of Timberglen Road and Vail Street

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

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

Councilmember Natinsky moved to close the public hearing and follow the City Plan Commission with the follow recommendation:

- 1) except that gates complying with the Dallas Fire Code must be provided within the existing fire lane as indicated on site plan. The gates must remain closed at all times except for emergency access and maintenance functions and
- 2) specific use permit must comply with site plan submitted today,

and pass the ordinance.

Motion seconded by Councilmember Koop and unanimously adopted. (Hill, Thornton-Reese absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26542.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0179

Item 26: Zoning Case Z056-317 (RB)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

A public hearing was called on zoning case Z056-317 (RB), an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 748 for MU-3 Mixed Use District Uses and an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1385 for a Pedestrian skybridge on Motor Street and Amelia Court, southwest of Harry Hines Boulevard

(The city plan commission recommended approval, of an amendment to Planned Development District No. 748 subject to conditions, and approval of an amendment to the site plan and conditions for Specific Use Permit No. 1385)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26543 AND 26544.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0180

Item 27: Zoning Case Z056-328 (OTH)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

A public hearing was called on zoning case Z056-328 (OTH), an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an MF-1(A) Multifamily on the west corner of Fitzhugh Avenue and Homer Street

(The city plan commission recommended approval)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26545.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0181

Item 28: Zoning Case Z056-330 (OTH)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

A public hearing was called on zoning case Z056-330 (OTH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1541 for a childcare facility, community service center, and private recreation center, club or area on property zoned an R-5(A) Single Family District on Bernal Drive between Palacios Avenue and Singleton Boulevard

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26546.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0182

Item 29: Zoning Case Z056-338 (WE)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

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

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

A public hearing was called on zoning case Z056-338 (WE), an application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment for a bar, lounge, or tavern on property within Planned Development District No. 85 for Shopping Center, Office-2 and Multiple Family-3 uses on the northeast corner of Greenville Avenue and Pineland Drive

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

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

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

Roger Albright, 3301 Elm, representing the applicant

Councilmember Rasansky moved to continue the public hearing and hold under advisement until the January 24, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Hill absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0183

Item 30: Zoning Case Z056-324 (WE)

The consent zoning docket consisting of agenda items 23-30 were presented for consideration.

A public hearing was called on zoning case Z056-324 (WE), an application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned a TH-3(A) Townhouse District on the west line of Tyler Street, south of Page Avenue

(The city plan commission recommended approval)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26547.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0184

Item 31: Zoning Case Z056-271 (MF) INDIVIDUAL

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

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

A public hearing was called on zoning case Z056-271 (MF), an application for and an ordinance granting a Specific Use Permit for a Tattoo Parlor and Piercing Studio within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Main Street, west of Pryor Street

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

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

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

William E. Cothrum, 900 Jackson St., representing the applicant  
Al Jernigan, 3408 Main St., owner of property

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

Motion seconded by Councilmember Salazar.

After discussion, Mayor Miller called the vote on Councilmember Medrano's motion:

Voting Yes: [10] Garcia, Medrano, Oakley, Thornton-Reese, Salazar,  
Chaney, Griffith, Blaydes, Koop, Hunt  
Voting No: [3] Miller, Natinsky, Rasansky  
Absent when vote taken: [1] Hill  
Absent: [1] Fantroy

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-0184

Page 2

Mayor Miler requested the vote on Councilmember Medrano's motion reconsideration for clarity, there being no objection voiced, the vote was reconsidered.

Mayor Miller called for reconsideration of the vote on Councilmember Medrano's motion:

Voting Yes: [10] Garcia, Medrano, Oakley, Thornton-Reese, Salazar,  
Chaney, Griffith, Blaydes, Koop, Hunt  
Voting No: [ 3 ] Miller, Natinsky, Rasansky  
Absent when vote taken: [ 1 ] Hill  
Absent: [ 1 ] Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26548.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0185

Item 32: Zoning Case Z056-320 (WE) INDIVIDUAL

A public hearing was called on zoning case Z056-320 (WE), an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an R-7.5(A) Single Family District on the south line of Lynnacre Drive, west of Knoxville Drive

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

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

Aime Salinas, 4743 Lynnacre Dr.

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

Deputy Mayor Pro Tem Garcia moved to continue the public hearing and hold under advisement until the January 24, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Chaney and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0186

Item 33: Zoning Case Z056-292 (TC) INDIVIDUAL

A public hearing was called on zoning case Z056-292 (TC), A City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay with consideration given to incorporating into Conservation District No. 15, the Vickery Place Conservation District, the following areas: the 5400 and 5500 blocks of Bonita Avenue; 5100, 5200, 5500, and 5600 blocks of Goodwin Avenue; 5200 block of Vickery Boulevard; 5200 block of Richard Avenue; 5200 and 5600 blocks of Miller Avenue; 5200, 5500, and 5600 blocks of Willis Avenue and an ordinance granting the amendments

(The city plan commission recommended approval, subject to an amended Exhibit A, an amended Appendix A of Exhibit C, and an amended Appendix B of Exhibit C with the exception of 2815 Greenville Avenue, 2901 Greenville Avenue, and 5627, 5631, 5635, and 5639 Goodwin Avenue)

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

John Lewis, 5531-5533 Bonita

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

Priscilla Rieves, 5530 Goodwin Ave.  
Mark Rieves, 5530 GoodWin Ave.  
Darren Karollo, 5239 Richard Ave.  
Rick Bentley, 5551 Vickery Blvd.  
Nita Wiggins, 5303 Willis Ave.

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Oakley absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26549.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0187

Item 34: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2005-2007 board term updated through JANUARY 10, 2007.

The city secretary noted that the report indicated nominees and re-nominees for individual and full council appointments cleared for council action that met all qualifications for service.

Councilmember Natinsky moved to appoint all the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 2007.

Motion seconded by Councilmember Medrano and unanimously adopted. (Fantroy absent)

Councilmember Griffith moved to appoint Robert Weiss, Chair, of the City Plan and Zoning Commission.

Motion seconded by Councilmember Koop and unanimously adopted. (Fantroy absent)

The city secretary announced two nominees for the position of Vice Chair of the City Plan and Zoning Commission; Angela Marshall nominated by Councilmember Thornton-Reese and Jeff Strater nominated by Councilmember Medrano.

After discussion, Mayor Miller requested the city secretary to provide the attendance and number of terms served of nominees for Vice Chair of the City Plan and Zoning Commission; Angela Marshall and Jeff Strater.

Later in the meeting, the city secretary provided the attendance and number of terms served for the nominees for Vice Chair of the City Plan and Zoning Commission while serving as members for review by the City Council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-0187

Page 2

After further discussion, Councilmember Medrano withdrew the nomination of Jeff Strater as Vice Chair of the City Plan and Zoning Commission.

Councilmember Thornton-Reese moved to appoint Angela Marshall, Vice Chair of the City Plan and Zoning Commission.

Motion seconded by Councilmember Chaney and unanimously adopted. (Fantroy absent)

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

**07- 0198   CPC           CITY PLAN COMMISSION**  
**07- 0199               BOARD OFFICERS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0188

Item 35: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Mounce, Green, Myers, Safi, Paxson & Galatzan P.C., for legal services and representation in Matters Related to the Statement of Intent of TXU Gas Company (now Atmos Energy) to Change Rates in the Company's Statewide Gas Utility System, Railroad Commission of Texas Gas Utilities Docket No. 9400 and related dockets (consolidated) including appeals, collateral litigation, and case expense litigation - Not to exceed \$50,000, from \$270,250 to \$320,250 - Financing: Current Funds

Councilmember Koop moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

Closed Session [07-0189; HELD]

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

- City of Coppell, Texas v. CB Parkway Business Center VI, Ltd. and Trammell Crow Company No. 43, Ltd., Cause No. 05-15940-C; City of Coppell, Texas, Coppell Independent School District v. CB Parkway Business Center VI, Ltd and Trammell Crow Company No. 43, Ltd., Cause No. 06-05249-C; Coppell Independent School District v. CB Parkway Business Center VI, Ltd., Cause No. 05-15967-E; In re City of Coppell, Texas, Cause No. 05-06-01462-CV; City of Dallas v. Doug Stover; Tim Brancheau; Jayne Peters; Briana Hinojosa-Flores; Marsha Tunnel; Billy Faugh; Thom Suhy; and Bill York; each in their respective individual capacity and official capacity as a member of the City Council of the City of Coppell, Cause No. 06-04617-J; City of Dallas v. Kathie Gautille, Cindy Warner, Bennett Ratliff, Susie Kemp, David Apple; Mike Arthur; Scott Orr; each in their respective individual capacity and official capacity as a member of the Coppell Independent School District Board of Trustees, Cause No. 05-06-01504-CV; City of Coppell v. CB Parkway Business Center, et al., Cause No. 05-06-00711-CV
- James F. Hill, et al. v. City of Dallas, No. 95-00975-J, Albert, et al. v. City of Dallas, No. 199-697-94, Arredondo, et al. v. City of Dallas, No. 199-1743-99, Barber, et al. v. City of Dallas, No. 199-624-95, Willis, et al. v. City of Dallas, Cause No. 199-200-95, Martin, et al. v. City of Dallas, No. 1-95-506, Saucedo-Falls, et al. v. City of Dallas, No. 1-02-780
- Legal issues regarding the proposed Fastrill Reservoir
- Legal issues regarding a proposed 40-year contract with TXU Generation Company, LP, for untreated water service

At 10:52 a.m. the Mayor announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- City of Coppell, Texas v. CB Parkway Business Center VI, Ltd. and Trammell Crow Company No. 43, Ltd., Cause No. 05-15940-C; City of Coppell, Texas, Coppell Independent School District v. CB Parkway Business Center VI, Ltd and Trammell Crow Company No. 43, Ltd., Cause No. 06-05249-C; Coppell Independent School District v. CB Parkway Business Center VI, Ltd., Cause No. 05-15967-E; In re City of Coppell, Texas, Cause No. 05-06-01462-CV; City of Dallas v.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

Closed Session [07-0189; HELD]

Page 2

- Doug Stover; Tim Brancheau; Jayne Peters; Briana Hinojosa-Flores; Marsha Tunnel; Billy Faugh; Thom Suhy; and Bill York; each in their respective individual capacity and official capacity as a member of the City Council of the City of Coppell, Cause No. 06-04617-J; City of Dallas v. Kathie Gautille, Cindy Warner, Bennett Ratliff, Susie Kemp, David Apple; Mike Arthur; Scott Orr; each in their respective individual capacity and official capacity as a member of the Coppell Independent School District Board of Trustees, Cause No. 05-06-01504-CV; City of Coppell v. CB Parkway Business Center, et al., Cause No. 05-06-00711-CV
- James F. Hill, et al. v. City of Dallas, No. 95-00975-J, Albert, et al. v. City of Dallas, No. 199-697-94, Arredondo, et al. v. City of Dallas, No. 199-1743-99, Barber, et al. v. City of Dallas, No. 199-624-95, Willis, et al. v. City of Dallas, Cause No. 199-200-95, Martin, et al. v. City of Dallas, No. 1-95-506, Saucedo-Falls, et al. v. City of Dallas, No. 1-02-780
  - Legal issues regarding the proposed Fastrill Reservoir

The Mayor reconvened the city council after the closed session at 1:22 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0190

Addendum addition 1: Authorize an increase in the contract with SYB Construction Company, Inc. for the construction of street paving, storm drainage, water, and wastewater improvements for Street Group 98-437 (list attached) - \$164,958, from \$1,178,211 to \$1,343,169 - Financing: 1998 Bond Funds (\$127,872), Water Utilities Capital Construction Funds (\$37,086)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0191

Addendum addition 2: Authorize an additional payment to the Texas Department of Transportation for the City's share of additional design and construction costs for paving, drainage, landscaping, irrigation, water and wastewater main improvements on Samuell Boulevard from IH 30 to the Mesquite city limits - \$879,497, from \$7,651,082 to \$8,530,579 - Financing: 1998 Bond Funds (\$512,517), Water Utilities Capital Improvement Funds (\$366,980)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0192

Addendum addition 3: Authorize an increase in the contract with Bearcom Operating, LP for the purchase, installation and maintenance of a video wall to monitor the video surveillance camera system in the Central Business District - Not to exceed \$123,571, from \$722,506 to \$846,077 - Financing: 2005 Urban Area Security Initiative Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0193

Addendum addition 4: A resolution declaring a tract of City-owned land containing approximately 133,314 square feet located near the intersection of Wintergreen and Lancaster-Hutchins Roads in the City of Hutchins unneeded and unwanted and authorize its advertisement for sale or exchange for land of comparable value by sealed bid at a minimum bid requirement of \$96,390  
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0194

Addendum addition 5: An ordinance abandoning a portion of a railroad track and utility easement to DLH Master Parcel #5, L.P., the abutting owner, containing approximately 144,276 square feet of land located near the intersection of Wintergreen and Lancaster-Hutchins Roads in the City of Hutchins - Revenue: \$52,290 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26550.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0195

Addendum addition 6:       A resolution opposing efforts by the Texas Legislature to erode municipal revenues - Financing: No cost consideration to the City

Approved as part of the consent agenda.

.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0196

Addendum addition 7: Zoning Case Z056-332 (MF) INDIVIDUAL

A public hearing was called on zoning case Z056-332 (MF), an application for and an ordinance granting a Neighborhood Stabilization Overlay on property zoned an R-7.5(A) Single Family District on either side of North Ridge Drive, Hillbrook Street, South Ridge Drive, Merrilee Lane and Alexander Drive generally between Sperry Street and the properties on the west side of Alexander Drive and Hillbrook Street

(The city plan commission recommended approval)

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

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

Scott Frieling, 6815 Southridge Dr.

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

Motion seconded by Councilmember Hunt and unanimously adopted. (Fantroy absent)

Assigned ORDINANCE NO. 26551.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 10, 2007

07-0197

Addendum addition 8: SPECIAL PROVISION SIGN DISTRICT

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.

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

A public hearing was called on zoning case Z056-332 (MF), an application for and an ordinance granting an amendment to the provisions of the Victory Special Provision Sign District, Subdistrict A the Entertainment Complex Subdistrict, generally located at the south corner of Houston Street and All Star Way

(The city plan commission recommended approval)

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

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

Robert Reeves, 900 Jackson St.. representing Hillwood Victory Park  
Dave Brown, 3737 Cole Ave. Cantra Operating Co.  
Bill Voltrom, 908 Main Street

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

Motion seconded by Councilmember Natinsky and unanimously adopted. (Fantroy absent)

Assigned ORDINANCE NO. 26552.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 10, 2007

EXHIBIT C