

“CORRECTION”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 14, 2007

07-0460

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.

Bianca Williams, Junior at DISD's Irma Rangel Young Women's Leadership 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 3:08 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, FEBRUARY 14, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 14, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0461

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: Rich Sheridan, 3022 Forrest Lane
SUBJECT: Valentine heart for our homeless

SPEAKER: Albert Parker, 6318 Elm Rd.
SUBJECT: Mayor Accountability

SPEAKER: Marvin E. Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J. B. Jackson, Jr. Institute
SUBJECT: A New Day

SPEAKER: Neely Kerr, 2306 Millmar Dr.
SUBJECT: Trinity River Project at Lemmon Hill

SPEAKER: Diana Pinderhughes, 2120 52nd St. (Dist. 5) (714-251-9056)
SUBJECT: Police Conduct

OPEN MICROPHONE – END OF MEETING

SPEAKER: Gwain Wooten, 4625 Bryan
SUBJECT: Distribution of Bond Money to the Black Community

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

FEBRUARY 14, 2007

07-0462

Item 1: Approval of Minutes of the January 24, 2007 City Council Meeting

Deputy Mayor Pro Tem Garcia moved to approve the minutes.

Motion seconded by Councilmember Medrano and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0463

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-40 and addendum addition consent agenda items 1-3, were presented for consideration.

Deputy Mayor Pro Tem Garcia requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 be considered as an individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Councilmember Natinsky requested that consent agenda item 23 be considered as an individual item. Mayor Miller stated that consent agenda item 23 be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

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

Councilmember Koop moved to approve all items on the consent agenda with the exception of consent agenda items 23, 34, and addendum addition consent agenda item 1 which would be considered later in the meeting.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0464

Item 2: Authorize a professional services contract with Halff Associates, Inc. for topographic survey, schematic design, design development, construction documents, bidding, and construction administration services for erosion control, trail repair, and realignment and streambank stabilization improvements of the White Rock Creek at Anderson-Bonner Park located at 12000 Park Central Drive - \$51,850 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0465

Item 3: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design, design development, construction documents, bidding, construction administration services, and topographic survey for a pavilion, walking trail, foot bridge, and security lighting at Lake Highlands North Park located at 9344 Church Road - \$62,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0466

Item 4: Authorize a contract for the installation of the playground equipment, site furnishings, basketball goals, drinking fountain, and concrete sidewalk at Jamestown Park located at 12433 Jamestown Road - Gilbert May, Inc. dba Phillips/May Corporation, lowest responsible bidder of four - \$163,696 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0467

Item 5: Authorize a contract for the installation of park identification signs at 59 park sites, Phase III (list attached) - Artografx, Inc., lowest responsible bidder of four - \$257,228 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0468

Item 6: Authorize a contract for the construction of a parking lot and soccer field grading at Arlington Recreation Center located at 1505 Record Crossing - Jeske Construction Company, lowest responsible bidder of nine - \$125,285 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0469

Item 7: Authorize a contract for the pylon and sculpture base reconstruction and sitework for The Contralto and The Countertenor sculptures at Fair Park - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$186,776 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0470

Item 8: Authorize a contract for the construction of the Trinity River Audubon Center and additional work associated with the Deepwood Landfill closure, including utilities, landscaping, and a barrier fence - Sedalco, LP, best value proposer of five - Not to exceed \$10,789,400 - Financing: 1998 Bond Funds (\$10,381,400) and 2003 Certificates of Obligation (\$408,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0471

Item 9: Authorize a contract for the construction of erosion control improvements on Coombs Creek and Spruce Valley Lane at Five Mile Creek and Park Vista Drive at Ash Creek - Allied Builders, Inc., lowest responsible bidder of four - \$213,775 - Financing: 1995 Bond Funds (\$85,000), 2003 Bond Funds (\$128,775)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0472

Item 10: Authorize a contract for the reconstruction of paving and drainage improvements on Roundrock Road and Briaridge Road from Spring Creek Road to Coit Road and on Roundrock Road and Woodstone Lane from Roundrock Road to Spring Creek Road in Alley Group 03-2024 - Allied Builders, Inc., lowest responsible bidder of nine - \$360,175 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0473

Item 11: Authorize contract for the reconstruction of street paving and drainage improvements on King William Drive from Deason Street to Manana Drive and Inwood Road from Caladium Drive to Meadowcrest Drive in Street Group 03-611 - Jeske Construction Company, lowest responsible bidder of eight - \$625,053 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0474

Item 12: Authorize a contract for streetscape improvements on Akard Street from Pacific Avenue to Ross Avenue and on Ervay Street from Pacific Avenue to Ross Avenue, and streetscape and minor street improvements on Ervay Street on St. Paul Street and Pacific Avenue adjacent to the Republic Center - Texas Standard Construction, Ltd., lowest responsible bidder of three - \$2,726,193 - Financing: 2003 Bond Funds (\$2,690,918); City Center TIF District Funds (\$35,275)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0475

Item 13: Authorize Supplemental Agreement No. 1 to the contract with Halff Associates, Inc. for additional surveying, construction documents, construction administration services, and bidding for stormwater quality improvements at the wetland treatment area, Okapi Exhibit and Zoo North at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$94,250, from \$459,570 to \$553,820 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0476

Item 14: Authorize Supplemental Agreement No. 1 to the contract with Halff Associates, Inc. for surveying for additional utility master plan mapping updates for Phase II and Phase III of the stormwater quality improvements at the Gorilla, River, Interactive Bird, Tamarin, and Hornbill and Sloth Bear Exhibits at the Dallas Zoo located at 650 South R. L. Thornton Freeway - \$14,850, from \$14,000 to \$28,850 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0477

Item 15: Authorize **(1)** Supplemental Agreement No. 4 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for paving and drainage improvements for the McKinney Avenue Trolley Extension Project in the amount of \$551,483, from \$1,049,500 to \$1,600,983, **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$369,494 in the Capital Projects Reimbursement Fund, and **(3)** an increase in appropriations in the amount of \$369,494 in the Capital Projects Reimbursement Fund - Total not to exceed \$551,483 - Financing: 1995 Bond Funds (\$181,989), Capital Projects Reimbursement Funds (\$369,494)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0478

Item 16: Authorize Supplemental Agreement No. 6 to the contract with HNTB Corporation to provide design services and construction administration for Phase 1 of the runway safety area enhancements at Dallas Love Field - \$816,331, from \$967,490 to \$1,783,821 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0479

Item 17: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for the installation of a water main and fire hydrant to provide fire protection at Winfrey Point in White Rock Lake Park - \$70,627, from \$7,212,382 to \$7,283,009 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0480

Item 18: Authorize payment to Dallas County for the construction of paving and drainage improvements on Rosemeade Parkway from Midway Road to SH 190 (President George Bush Turnpike) - \$294,016 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0481

Item 19: Authorize settlement in lieu of proceeding with condemnation for a tract of land containing approximately 83,847 square feet from Etta Gurstel, Rhea Isaacs, Paula Modell and Norma Gurstel, as trustees under the Jules Gurstel Credit Trust and Etta Gurstel Family Limited Partnership located near the intersection of Webb Chapel Road and El Centro Drive for the Walnut Hill Library Project - \$1,400,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0482

Item 20: An ordinance abandoning a portion of Cedar Springs Road to Crescent Tower Residences, L.P., the abutting owner, containing approximately 3,511 square feet of land located near the intersection of Cedar Springs Road and Pearl Street, and authorizing the quitclaim - Revenue: \$263,325 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26568.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0483

Item 21: A resolution authorizing the sale of approximately 6,250 square feet of unwanted and unneeded City-owned land located near the intersection of Pennsylvania Avenue and Latimer Street to the only bidders, Duc Huy Pham and Andy Pham - Revenue: \$7,010

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0484

Item 22: An ordinance abandoning a portion of Routh Street to Billingsley Arts Partners, Ltd., the abutting owner, containing approximately 1,303 square feet of land located near the intersection of Routh Street and Ross Avenue and authorizing the quitclaim in exchange for approximately 1,679 square feet of land needed for the improvement of Routh Street - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26569.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0485

Item 23: Authorize a thirty-six-month master agreement for replacement full body reflective decals for Police squad cars and City fleet vehicles, and non-reflective labels for storage containers, with the only bidder - Chroma-Tone, Inc. - Not to exceed \$99,361 - Financing: Current Funds

Councilmember Natinsky requested that consent agenda item 23 be considered as an individual item. Mayor Miller stated that consent agenda item 23 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 23 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0486

Item 24: Authorize a twenty-four-month master agreement for roofing materials to be used for minor repairs and routine maintenance, with the only bidder - Craddock Lumber Company - Not to exceed \$133,472 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0487

Item 25: Authorize settlement of the lawsuit, styled Mark Phillips and Venus Phillips v. Angelia Lee Guerrero and City of Dallas, Cause No. 05-00526-E - Not to exceed \$15,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0488

Item 26: Authorize settlement of the lawsuit styled Sergio Ramirez et al. v. City of Dallas, Cause No. 04-09839-L - Not to exceed \$175,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0489

Item 27: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Carrington, Coleman, Sloman & Blumenthal, L.L.P. for additional legal services related to the Simpkins property at the Elam Landfill and South Loop Landfill - Not to exceed \$40,000, from \$25,000 to \$65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0490

Item 28: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P. for additional legal services and related expenses necessary in the lawsuit styled David Pabis, Individually and as Heir to and on Behalf of the Estate of Jason Pabis, Deceased v. Michael Adrian Tayem et al., Cause No. DC-06-06446-L, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0491

Item 29: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Joe C. Tooley, Attorneys and Counselors, for additional legal services necessary in the lawsuit styled Victor Alvarado DeLeon v. Mark DeLaPaz, et al., Civil Action No. 3:02-CV-1097-K - Not to exceed \$90,000, from \$125,000 to \$215,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0492

Item 30: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services necessary in the lawsuit styled City of Dallas, Texas v. H. Dale Hall, et al., Civil Action No. 3:07-CV-0060-P and related matters - Not to exceed \$375,000, from \$25,000 to \$400,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0493

Item 31: An ordinance authorizing a correction to Ordinance No. 25824 for a Planned Development Subdistrict for Townhouse Subdistrict and Office Subdistrict uses on Throckmorton Avenue between Avondale Avenue and Hawthorne Avenue to accurately reflect the zoning change from Planned Development Subdistrict No. 55 to Planned Development Subdistrict No. 59 within Planned Development District No. 193, the Oak Lawn Special Purpose District - Z034-289 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26570.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0494

Item 32: Authorize an amendment to the development agreement with Presideo Investment, Inc., previously approved on September 14, 2005, by Resolution No. 05-2638, for the Buzz Condominium Project to **(1)** split the current development into two phases **(a)** the residential phase consisting of a minimum of 46 residential units and **(b)** the commercial phase consisting of a minimum of 1,250 square feet of commercial space consisting of a mo-ped charging bay and retail and/or office space; **(2)** extend the deadline from January 31, 2007 to April 30, 2007 for the residential phase and from January 31, 2007 to October 31, 2007 for the commercial phase and allow for repayment of a portion of the TIF-eligible project costs related to the residential phase upon completion; **(3)** expand the scope of the project to include additional wastewater infrastructure; **(4)** reduce the TIF subsidies for this project in the amount of (\$100,000), from \$564,462 to \$464,462; **(5)** authorize the Director of the Office of Economic Development to extend project deadlines up to 6 months for good cause, if supported by additional consideration or benefit to the City; and **(6)** authorize the Cedars TIF District Board of Directors to dedicate future tax increment revenue of the Cedars TIF District for TIF-eligible expenditures - Not to exceed \$154,436 - Financing: Cedars TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0495

Item 33: Authorize a second amendment to the construction loan documents with DCAR Properties, Ltd. (formerly known as DLD Properties, Ltd.) previously approved on October 13, 2004, by Resolution No. 04-2967, for the construction of a mixed-use development located at 1407 Main Street, to remove the restaurant restriction on the retail space in the building - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0496

Item 34: Authorize an amendment to the contract with the Department of State Health Services to **(1)** accept additional grant funds for the continuation of the City of Dallas Immunization Initiative Program, and **(2)** fund two additional Senior Community Service Worker positions for the period September 1, 2006 through August 31, 2007 - Not to exceed \$114,702, from \$243,761 to \$358,463 - Financing: Department of State Health Services Grant Funds

Deputy Mayor Pro Tem Garcia requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Later in the meeting agenda item 34 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0497

Item 35: Authorize **(1)** approval of the development plan submitted by Dallas Neighborhood Alliance for Habitat for the construction of affordable houses, **(2)** the sale of 6 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat; 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

FEBRUARY 14, 2007

07-0498

Item 36: Authorize **(1)** a public hearing to be held on March 28, 2007 to receive comments on the proposed private sale by quitclaim deed of 1 unimproved property at 2440 Starks Avenue, acquired by the taxing authorities from the Sheriff's Sale, to East Dallas Community Organization, a qualified non-profit organization; and, at the close of the public hearing, **(2)** consideration of approval of the sale of this property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0499

Item 37: Authorize the reconstruction on-site of the home located at 1410 Toronto Street, in accordance with the Replacement Housing Program Statement requirements - \$70,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0500

Item 38: Authorize the application for and acceptance of a grant from the Texas Commission on the Arts for general operation and project support of arts and cultural organizations in the City of Dallas for the period September 1, 2006 through August 31, 2007, and execution of the grant agreements - Not to exceed \$45,831 - Financing: Texas Commission on the Arts Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0501

Item 39: Authorize a five-year food and drink concession contract, with one three-year renewal option, with Dallas East Soccer Association, Inc. at Samuell-Garland Park located at 12200 Garland Road for the period February 1, 2007 through January 31, 2012 - Estimated Annual Revenue: \$2,500

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0502

Item 40: Authorize a five-year program management contract with DOWNTOWNDALLAS Improvement District at Pegasus Plaza located at 1500 Main Street for the period February 1, 2007 through January 31, 2012 - Estimated Annual Revenue: \$2,400

Approved as part of the consent agenda.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0503

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 41-43 were presented for consideration.

There were no items removed from the consent zoning docket, to be considered as individual hearings.

- Agenda item 41: Zoning Case Z056-315 (RB)
- Agenda item 42: Zoning Case Z067-112 (OTH)
- Agenda item 43: Zoning Case Z067-117 (JH)

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

Councilmember Chaney moved to close the public hearing, accept the recommendation of the city plan commission on the consent zoning case and pass the ordinance, subject to a site plan and conditions submitted by the applicant as presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0504

Item 41: Zoning Case Z056-315 (RB)

The consent zoning docket consisting of agenda items 41-43 were presented for consideration.

A public hearing was called on zoning case Z056-315 (RB), an application for and an ordinance granting a TH-3(A) Townhouse District on property currently zoned an R-7.5(A) Single Family District and a resolution accepting deed restrictions volunteered by the applicant on the west line of Inwood Road, north of University Boulevard

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

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. 26571.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0505

Item 42: Zoning Case Z067-112 (OTH)

The consent zoning docket consisting of agenda items 41-43 were presented for consideration.

A public hearing was called on zoning case Z067-112 (OTH), an application for and an ordinance granting an expansion of and amendment to Specific Use Permit No. 445 for an Institution of Charitable or Philanthropic Nature for the War on Poverty on property zoned an R-5(A) Single Family District on the east side of Gentry Drive, south of Canada Drive

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26572.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0506

Item 43: Zoning Case Z067-117 (JH)

The consent zoning docket consisting of agenda items 41-43 were presented for consideration.

A public hearing was called on zoning case Z067-117 (JH), an application for a CR Community Retail District on property zoned an R-7.5(A) Single Family District with deed restrictions volunteered by the applicant on the south side of Webb Chapel Extension, northeast of Overlake Drive

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

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

Approved as part of the consent zoning docket.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0507

Item 44: Zoning Case Z056-210 (RB) – INDIVIDUAL

A public hearing was called on zoning case Z056-210 (RB), an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the northeast line of Maple Avenue, southeast of Inwood Road

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

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

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

Jamie Huizenga, 8835 Lakemount Dr., property owner

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

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

Assigned ORDINANCE NO. 26573.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0508

Item 45: Zoning Case Z056-308 (JH) - INDIVIDUAL

A public hearing was called on zoning case Z056-308 (JH), an application for and an ordinance granting an IM Industrial Manufacturing District, an ordinance granting a Specific Use Permit for an outside industrial potentially incompatible use, and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the north side of Mañana Drive, west of Newkirk Street

(The city plan commission recommended approval of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant and approval of a Specific Use Permit for a two-year period subject to a site plan and conditions)

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

Councilmember Salazar moved to closed the public hearing and accept the recommendation of the city plan commission and pass the ordinances.

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

Assigned ORDINANCE NO. 26574 AND 26575.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0509

Item 46: Zoning Case Z056-309 (OTH) - INDIVIDUAL

A public hearing was called on zoning case Z056-309 (OTH), an application for and an ordinance granting an amendment to Planned Development District No. 251 for R-7.5(A) Single Family District uses and a private school use on the northwest corner of Buckner Boulevard and Lake Highlands Road

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

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

Councilmember Griffith moved to closed 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. (Fantroy absent)

Assigned ORDINANCE NO. 26576.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0510

Item 47: Zoning Case Z056-323 (MF) - INDIVIDUAL

A public hearing was called on zoning case Z056-323 (MF), an application for and an ordinance granting a Neighborhood Stabilization Overlay on property zoned an R-7.5(A) Single Family District on Matilda Street, Winton Street, Skillman Street, Revere Place, Concho Street and Kenwood Avenue

(The city plan commission recommended approval)

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

Brent Hennig, 6043 Penrose Ave.
Gregory Hening, 6043 Penrose Ave.
David Hassin, 5927 Penrose Ave.

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

Joanne Rhone, 5821 Vickery Blvd.
Rick Savard, 6028 Penrose Ave.

Councilmember Hunt moved to continue the public hearing and hold under advisement until the February 28, 2007 voting agenda meeting of the city council.

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

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0511

Item 48: Zoning Case Z056-327 (OTH) - INDIVIDUAL

A public hearing was called on zoning case Z056-327 (OTH), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast corner of Cedar Springs Road and the Dallas North Tollway

(The city plan commission recommended approval subject to 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:

Karl Crawley, 900 Jackson St., representing the applicant

Councilmember Medrano moved to continue the public hearing and hold under advisement until the February 28, 2007 voting agenda meeting of the city council.

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

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0512

Item 49: Zoning Case Z067-105 (WE) – UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-105 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1505 for a private school within Tract F of Planned Development District No. 173 for Single Family, Office, Retail and Park uses on the north side of Frankford Road, east of Hillcrest Road

Note: This item was considered by the City Council at a public hearing on January 24, 2007, and was taken under advisement until February 14, 2007, with the public hearing open.

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

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

Councilmember Natinsky moved to continue the public hearing and hold under advisement until the February 28, 2007 voting agenda meeting of the city council.

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

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0513

Item 50: Zoning Case Z067-108 (OTH) – UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-108 (OTH), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned a GO(A) General Office District on the north side of Park Lane, east of Greenville Avenue

Note: This item was considered by the City Council at a public hearing on January 24, 2007, and was taken under advisement until February 14, 2007, with the public hearing open.

(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:

Karl Crawley, 900 Jackson St., representing the applicant

Councilmember Rasansky moved to close the public hearing and accept the city plan commission’s recommendation with the following deed restrictions:

“The following uses are prohibited, alcohol beverage establishments, labor hall, overnight general purpose shelter, commercial amusement inside, commercial amusement outside, a liquor store, bus shelter, bus transfer center, a travel agency, or travel ticketing office.”

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

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0514

Item 51: Zoning Case Z056-248 (RB) – UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-248 (RB), A City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the development plan and conditions for the Residential 2 and Residential 3 portions of Planned Development District No. 222 for Shopping Center District Uses on the north line of Frankford Road, west of Preston Road and an ordinance granting the amendments

Note: This item was considered by the City Council at public hearings on November 8 and December 13, 2006, and was taken under advisement until February 14, 2007, with the public hearing open.

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

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

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

Robert Reeves, 900 Jackson St., representing the applicant

Councilmember Natinsky moved to continue the public hearing and hold under advisement until the February 28, 2007 voting agenda meeting of the city council.

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

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0515

Item 52: DEVELOPMENT CODE AMENDMENTS

A public hearing to receive comments regarding the consideration of amendments to Chapter 51A, the Dallas Development Code, regarding the number of notification signs required to be posted and the timing of the posting for notification signs required for public hearings before the City Plan Commission, the Landmark Commission, and the Board of Adjustment and an ordinance granting the amendments

(The city plan commission recommended approval)

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26577.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0516

Item 53: DEVELOPMENT CODE AMENDMENTS

A public hearing to consider comments regarding consideration of amendments to Chapter 51A, the Dallas Development Code, regarding the applicability of a residential proximity slope height restriction to a monopole cellular tower use when a Specific Use Permit is required and an ordinance granting the amendments

(The city plan commission recommended approval)

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26578.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0517

Item 54: A public hearing to receive comments regarding an ordinance amending Chapter 51, 51A and Chapter 52 of the Dallas City Code consolidating the certificate of occupancy regulations into Chapter 52, requiring information with the application for a certificate of occupancy, establishing standards for denial, providing information on the certificate of occupancy, voiding a certificate of occupancy if an SUP expires or a compliance date is set, ensuring an establishment has any required licenses or permits, strengthening enforcement and revocation, and clarifying the appeal process - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26579.

“CORRECTION”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0518

Item 55: **Private Sale of Unimproved Properties** **Note:** Item Nos. 55 and 56 must be considered collectively.

A public hearing 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 to the Dallas Neighborhood Alliance for Habitat, Inc. and East Dallas Community Organization, Inc., qualified non-profit organizations (list attached) - Financing: No cost consideration to the City

Item 56: Authorize the private sale, as provided for by Section 34.015 of the Texas Property Tax Code, by quitclaim deed of 2 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to qualified non-profit organizations (list attached) - Revenue: \$6,042

The following individuals addressed the city council regarding the item:

Syble D. Hilton, 3510 Kingsford Ave.
Gerald Carlton, 2400 Lakeside Park, representing East Dallas Community Organization
David L. Brown, 3317 Kingsford Ave.
Buddie Thompson, 3509 Kingsford

Councilmember Thornton-Reese moved to separate for consideration the public hearing regarding the proposed private sale of quitclaim deed of 2 unimproved properties acquired by the taxing authorities from the Sheriff's sale and continue the public hearing relating to the property at 3617 Kingsford.

Motion seconded by Deputy Mayor Pro Tem Garcia.

After discussion, Councilmember Thornton-Reese withdrew her motion.

Deputy Mayor Pro Tem Garcia, who seconded the motion, also withdrew her motion.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 14, 2007

Page 2

Councilmember Chaney moved to closed the public hearing regarding the proposed private sale of quitclaim deed of the unimproved property located at 4422 Baldwin acquired by the taxing authority from the Sheriff's sale and approve the item; continue the public hearing regarding the proposed private sale of quitclaim deed of the unimproved property located at 3617 Kingsford acquired by the taxing authority from the Sheriff's sale.

Motion seconded by Mayor Pro Tem Hill.

After further discussion, Councilmember Chaney withdrew his motion.

Mayor Pro Tem Hill, who seconded the motion also withdrew his motion.

Mayor Pro Tem Hill moved to close the public hearing and approve the item.

Motion seconded by Councilmember Chaney.

Later in the meeting, Mayor Miller called for the vote on the motion to closed the public hearing and approve the item.

Mayor Miller declared the motion adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0519

Item 57: 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 FEBRUARY 14, 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 Medrano moved to appoint Thomas R. Peck to the Board of Adjustment Alternate Member.

Motion seconded by Councilmember Koop and unanimously adopted. (Oakley absent on city business; Fantroy absent)

Councilmember Medrano 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 September 30, 2007.

Motion seconded by Councilmember Koop and unanimously adopted. (Oakley absent on city business; Fantroy absent)

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

07- 0536	BOX	BOARD OF ADJUSTMENT ALTERNATE MEMBER
07- 0537	CPC	CITY PLAN AND ZONING COMMISSION
07-0538	PLA	PERMIT AND LICENSE APPEAL BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0520

Item 58: Authorize the release of two separate liens on real properties held as collateral for loans made by the South Dallas/Fair Park Development Fund (formerly South Dallas/Fair Park Trust Fund) to the Inner City Development Corporation, located at 4907 Spring Avenue in the amount of \$15,000 and Eric L. Byrd dba Byrd Enterprises located at 2711, 2719, 2723 and 2725 Grand Avenue in the amount of \$50,000 - Financing: No cost consideration to the City

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0521

Item 59: Authorize the release of two separate liens on real properties held as collateral for loans made by the South Dallas/Fair Park Development Fund (formerly South Dallas/Fair Park Trust Fund) to the Inner City Development Corporation, located at 4907 Spring Avenue in the amount of \$15,000 and Eric L. Byrd dba Byrd Enterprises located at 2711, 2719, 2723 and 2725 Grand Avenue in the amount of \$50,000 - Financing: No cost consideration to the City

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0522

Item 60: Authorize **(1)** the establishment of a Frazier-Scyene Economic Development Program, pursuant to Chapter 380 of the Texas Local Government Code to make loans and grants to promote local economic development and to stimulate business and commercial activity in the Frazier-Scyene area; and **(2)** the execution of a conditional grant agreement with Frazier Revitalization, Inc. to provide funding for the acquisition of improved and unimproved properties and the demolition of existing structures in accordance with the Frazier-Scyene Economic Development Program - Not to exceed \$750,000 - Financing: Public/Private Partnership Funds

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

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0523

Item 61: **May 12, 2007 Election**

An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 12, 2007, for the purpose of electing the Mayor and 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 for the term beginning June 18, 2007 - Financing: No cost consideration to the City

Councilmember Rasansky moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26580.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0524

Item 62: **May 12, 2007 Election**

A resolution authorizing (1) a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas, Collin, and Denton Counties, for the conduct of a joint election to be held on Saturday, May 12, 2007; and (2) an extension of the agreement for a runoff election, if necessary, to be held on Saturday, June 9, 2007 - \$1,200,000 - Financing: Current Funds

Councilmember Rasansky moved to approve the resolution.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0525

Item 63: **May 12, 2007 Election**

A resolution approving the appointment of citizens to serve as election judges for the May 12, 2007 joint election and the June 9, 2007 runoff election, if necessary - Financing: No cost consideration to the City

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

“To remove the following Election Judges; Ricardo Medrano, Sr. Precinct 3007 from District 2, Glenda Avila Salazar, Precinct 4442 from District 6 and correct the name of Joseph Luna III in Precinct 4440 in District 3.”

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0526

Item 64: **May 12, 2007 Election**

A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the May 12, 2007 general election and submit a canvass report to the full City Council on Wednesday, May 16, 2007 - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the May 12, 2007 general election and submit a canvass report to the full City Council on Wednesday, May 16, 2007.

The Ad Hoc City Council Canvassing Committee will consist of:

Councilmember Bill Blaydes, Chair
Councilmember Maxine Thornton-Reese
Deputy Mayor Pro Tem Elba Garcia
Councilmember Angela Hunt

Motion seconded by Councilmember Medrano and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0527

Item 65: 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 moved to defer the item until the February 28, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0528

Item 66: 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 moved to defer the item until the February 28, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0529

Item 67: 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-1B) located near the intersection of Denton Drive and Sadler Circle (list attached) - Financing: No cost consideration to the City

Councilmember Medrano moved to defer the item until the February 28, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0530

Item 68: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 7 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersections of Wyman Street and Denton Drive, Seelcco Street and Denton Drive, Love Field and Denton Drives and Community and Denton Drives (list attached) - Financing: No cost consideration to the City

Councilmember Medrano moved to defer the item until the February 28, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0531

Item 69: 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-3) located near the intersections of Northwest Highway and Denton Drive, Nagle Street and Denton Drive, and Walnut Hill Lane and Denton Drive (list attached) - Financing: No cost consideration to the City

Councilmember Medrano moved to defer the item until the February 28, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0532

Addendum addition 1: Authorize a professional services contract with Alan Plummer Associates, Inc., for the design of the Pavaho Stormwater Wetland Supplemental Environmental Project downstream of Sylvan Avenue along the west bank of the Trinity River within the Dallas floodway - \$304,840 - Financing: Current Funds

Councilmember Hunt requested that addendum addition consent agenda item 1 be considered as an individual item. Mayor Miller 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 Hunt's request.

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

Councilmember Hunt moved to defer the item for 30 days.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Oakley absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0533

Addendum addition 2: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Vinson & Elkins LLP for additional legal services necessary in connection with litigation and related matters involving Dallas Love Field and the Wright Amendment compromise - Not to exceed \$600,000, from \$275,000 to \$875,000 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0534

Addendum addition 3 : Authorize the acceptance of the only bid received from DLH Master Parcel #4, L.P. for the conveyance of approximately 133,314 square feet of City-owned land located near the intersection of Wintergreen and Lancaster-Hutchins Roads in exchange for the conveyance of approximately 133,387 square feet of needed land and cash
- Revenue: \$10,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0535

Addendum addition 4: Authorize **(1)** a tender agreement with Employers Mutual Casualty Company for completion of the South Dallas Cultural Center renovation and expansion located at 3400 South Fitzhugh Avenue; **(2)** the acceptance and deposit of funds in the amount of \$436,124 from Employers Mutual Casualty Company as the difference in the amount remaining in the contract with Harrison Quality Construction and the amount required to execute a new contract for the same scope of work; **(3)** establishment of appropriations in the amount of \$436,124 in the Capital Construction Fund; **(4)** an increase in the project scope in the amount of \$192,479 to include roof replacement which is included in the 2006 Bond Program; and **(5)** a contract with Reeves Construction Services, Inc. for completion of the South Dallas Cultural Center renovation, expansion, and roof replacement in the amount of \$1,854,152 - Total not to exceed \$1,854,152 - Financing: 2003 Bond Funds (\$904,430) and Capital Construction Funds (\$949,722) (\$223,000 to be reimbursed from 2006 Bond Funds to the Capital Construction Fund)

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Thornton-Reese and unanimously adopted. (Oakley absent on city business; Fantroy absent)

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 14, 2007

EXHIBIT C