

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 28, 2007

07-0640

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

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

ABSENT: [1] Fantroy

The meeting was called to order at 9:23 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.

Matthew George, Woodrow Wilson High 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 5:39 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 28, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 28, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0641

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: Roy Williams, 1551 Prestonview Blvd.
REPRESENTING: Green Party
SUBJECT: New Leadership – New Direction

SPEAKER: DeWayne Dallas, 6266 St. Albans Dr.
SUBJECT: TXU versus Texas Pacific Group (Kohlberg, Krivas, Roberts & Company)

SPEAKER: Steven Weir, 3347 Latham Dr.
SUBJECT: Taxi Regulation

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Civil rights Violation against Police Chief, DISD and SW Police Station

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Ongoing problems with corrupt Dallas Police Officers, Code Compliance and Mayor

SPEAKER: Jewel Floyd, 3827 Myrtle St.
SUBJECT: Code Enforcement – District 2 & 7

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0642

Item 1: Approval of Minutes of the February 14, 2007 City Council Meeting

The City Secretary read the following statement into the record:

Approval of the Consent agenda and all individual items 23, 34 and items 57-69 and addendum item 1 should reflect Councilmember Oakley absent when vote was taken; Zoning consent agenda items 41-43 and individual zoning agenda items and public hearings 52-56 should reflect Councilmember Oakley present.

Councilmember Oakley moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0643

CONSENT AGENDA

The consent agenda, consisting of agenda items 1-71 and addendum addition consent agenda items 1-17, were presented for consideration.

The City Secretary requested that addendum addition consent agenda item 13 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 13 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Deputy Mayor Pro Tem Garcia requested that consent agenda item 54 be considered as an individual item. Mayor Miller stated that consent agenda item 54 be considered as an individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Councilmember Chaney requested that consent agenda item 64 be considered as an individual item. Mayor Miller stated that consent agenda item 64 be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Natinsky requested that consent agenda item 34 and addendum addition consent agenda item 14 be considered as individual items. Mayor Miller stated that consent agenda item 34 and addendum addition consent agenda item 14 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Rasansky requested that consent agenda items 24, 28, 41, 45, 50, 51, 69, and addendum addition consent agenda items 2 and 3 be considered as individual items. Mayor Miller stated that consent agenda items be 24, 28, 41, 45, 50, 51, 69, and addendum addition consent agenda items 2 and 3 considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-0643

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Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 24, 28, 34, 41, 45, 50, 51, 54, 64, 69 and addendum addition consent agenda items 2, 3, 13 and 14 which would be considered later in the meeting.

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

The city secretary announced that at the time the consent agenda was considered, consent agenda item 32 was omitted from consideration as an individual item as requested by Councilmember Rasansky.

Councilmember Oakley moved to reconsider the approval of the consider agenda to include item 32.

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

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 24, 28, 32, 34, 41, 45, 50, 51, 54, 64, 69, and addendum additional consent items. 2, 3, 13, and 14 which would be considered later in the meeting.

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

Later in the meeting, Councilmember Oakley requested to reconsider the consent agenda in order to allow consent agenda item 59 to be considered as an individual item due to a conflict of interest.

Deputy Mayor Pro Tem Garcia moved to reconsider the consent agenda so that consent agenda item 59 could be considered as an individual item due to conflict of interest by Councilmember Oakley.

Motion seconded by Councilmember Medrano.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-0643

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After discussion, Mayor Miller called the vote on the motion to reconsider the approval of the consent agenda so that consent agenda item 59 could be considered as an individual item due to a conflict of interest by Councilmember Oakley.

Mayor Miller declared the motion adopted. (Hill, Blaydes absent when vote taken; Fantroy absent)

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 24, 28, 32, 34, 41, 45, 50, 51, 54, 59, 64, 69 and addendum addition consent agenda item 2, 3, 13 and 14 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0644

Item 2: Authorize a professional services contract with Half Associates, Inc. for data acquisition, preliminary design, construction documents, bidding, construction administration services, permitting of the facility, and commissioning, training and follow-up for the stormwater wetland Supplemental Environmental Project at the Dallas Zoo located at 650 South R. L. Thornton Freeway - \$191,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0645

Item 3: Authorize a contract for the construction of new training areas at the Dodd J. Miller Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road - Texas Standard Construction, Ltd., lowest responsible bidder of four - \$179,000 - Financing: 2005 Assistance to Firefighters Grant Funds (\$126,000), 1998 Bond Funds (\$53,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0646

Item 4: Authorize a contract for the construction of the Port Boulevard storm sewer extension improvements - Gin-Spen, Inc., lowest responsible bidder of thirteen - \$342,430 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0647

Item 5: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Mouser Street from Bonnie View Road to Cedar Crest Boulevard - P & E Contractors, Inc., lowest responsible bidder of three - \$1,584,386 - Financing: 2004-05 Community Development Grant Funds (\$1,296,436), Water Utilities Capital Improvement Funds (\$279,300), and Water Utilities Capital Construction Funds (\$8,650)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0648

Item 6: Authorize a contract for the reconstruction of alley paving, drainage and wastewater main improvements for Alley Group 03-2017 (list attached) - VAS Engineering & Construction, lowest responsible bidder of six - \$768,753 - Financing: 2003 Bond Funds (\$644,618), Water Utilities Capital Improvement Funds (\$120,835), and Water Utilities Capital Construction Funds (\$3,300)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0649

Item 7: Authorize a contract for the construction of waste cell 6A, with a composite liner and leachate collection system, at the McCommas Bluff Landfill - Rodman Excavation, Inc., lowest responsible bidder of five - \$3,190,846 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0650

Item 8: Authorize a contract for the construction of water and wastewater main replacements and rehabilitation at 9 locations in the Joe's Creek drainage area (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of three - \$9,193,055 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0651

Item 9: Authorize Supplemental Agreement No. 5 to the design-build contract with MetalMan Design/Build Corporation to increase the Guaranteed Maximum Price for the design and construction of additions and amendments for entry plaza building enhancements, shade structure and landscaping, pumping station for exhibits in the lower Wilds of Africa, animal education holding building, construction and maintenance trades shops building, Perentie Monitor Exhibit, Asian Forest Exhibit (Sloth Bear and Hornbill Exhibits), Nile Crocodile Exhibit, African Penguin Exhibit, Birds of Prey Exhibit, Kangaroo Exhibit, expansion of the elephant building, construction of a pavilion on cat green, construction of a new concession building at Zoo North, streetscape improvements at Zoo North and delete the design for hand railings of The Hill area at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$2,263,526, from \$2,556,526 to \$4,820,052 - Financing: 1998 Bond Funds (\$102,361), 2003 Bond Funds (\$1,973,002), Dallas Zoo Trust Funds (\$83,163) and Dallas Zoo Education Trust Funds (\$105,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0652

Item 10: Authorize an increase in the contract with JRJ Paving, LP to provide additional quantities of concrete curb and gutter, a sidewalk, and barrier free ramps on Malcolm X Boulevard from Grand Avenue to Hatcher Street - \$410,790, from \$8,190,741 to \$8,601,531 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0653

Item 11: Authorize **(1)** an increase in the contract with Tiseo Paving Company for the construction of paving, storm drainage, landscaping and irrigation improvements to provide for additional fencing, concrete base and edge restraint for landscaping pavers and grade adjustments on Merrifield Road from Grady Niblo Road to Kiest Boulevard in the amount of \$78,630, from \$2,672,781 to \$2,751,411, **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$39,315, and **(3)** an increase in appropriations in the amount of \$39,315 in the Capital Projects Reimbursement Fund - Total not to exceed \$78,630 - Financing: 2003 Bond Funds (\$39,315), Capital Projects Reimbursement Funds (\$39,315)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0654

Item 12: Authorize an increase in the contract with McMahon Contractor, L.P. to provide additional storm drainage, and water and wastewater main improvements for Carbondale Street from Linfield Road to the Loop 12 east bound service road - \$552,270, from \$2,364,786 to \$2,917,056 - Financing: 2003 Bond Funds (\$47,137), Water Utilities Capital Improvement Funds (\$446,758), and Water Utilities Capital Construction Funds (\$58,375)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0655

Item 13: Authorize an increase in the contract with Tiseo Paving Company for the reconstruction of street paving, storm drainage, and water main improvements on Calvert Street from Irving Boulevard to Halifax Street, to add cement stabilization to the subgrade soil - \$41,961, from \$960,189 to \$1,002,150 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0656

Item 14: Authorize an increase in the contract with JRJ Paving, LP to provide additional quantities of concrete base repair for the 2006 Asphaltic Concrete Street Resurfacing Group 2 (list attached) - \$728,127, from \$3,193,282 to \$3,921,409 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0657

Item 15: Authorize a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition and construction of paving and drainage improvements on Park Lane from Sarah Nash Court to Greenville Avenue - \$316,650 - Financing: 1995 Bond Funds (\$14,276), 1998 Bond Funds (\$302,374)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0658

Item 16: Authorize **(1)** street paving, storm drainage and wastewater main improvements on Detonte Street from Gifford Street to the dead-end east of Gifford Street; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on April 11, 2007, to receive comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0659

Item 17: Authorize **(1)** street paving and water and wastewater main improvements on Bissonet Avenue from the alley north of Antler Avenue to Elam Road; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on April 11, 2007, to receive comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0660

Item 18: Authorize an Advanced Funding Agreement with the Texas Department of Transportation for the relocation of an existing fire hydrant and routine appurtenance adjustments along Spur 366 (Woodall Rodgers Freeway) at Pearl and Olive Streets - \$13,059 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0661

Item 19: Authorize an Advanced Funding Agreement with the Texas Department of Transportation for wastewater main replacements and water and wastewater main adjustments in Elam Road from St. Augustine Road to Acres Drive - \$998,219 - Financing: Water Utilities Capital Improvement Funds (\$954,523), Water Utilities Capital Construction Funds (\$43,696)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0662

Item 20: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 2006 Frumkin Family Trust of approximately 49,589 square feet of unimproved land located near the intersection of Lake June and St. Augustine Roads for the Prairie Creek Branch Library - \$185,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0663

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Iglesia Bautista Caminando Con Cristo of approximately 52,714 square feet of land improved with a 1-story vacant building located near the intersection of Lake June and St. Augustine Roads for the Prairie Creek Branch Library - \$155,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0664

Item 22: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Farah Real Estate, LP of approximately 66,363 square feet of unimproved land located near the intersection of Lake June and St. Augustine Roads for the Prairie Creek Branch Library - \$250,000
- Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0665

Item 23: Authorize the deposit of a Special Commissioners' Award in the lawsuit styled City of Dallas v. Mary Lee Frazer, et al., Cause No. cc-06-00293-B, pending in Dallas County Court at Law No. 2, for a tract of land containing approximately 47 acres located near the intersection of Long Acre Lane and Loop 12 for the Trinity River Corridor Project - \$106,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0666

Item 24: Authorize the conveyance of an easement and right-of-way to TXU Electric Delivery Company containing approximately 25,426 square feet of land located at Dallas Love Field - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 24 be considered as an individual item. Mayor Miller stated that consent agenda item 24 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 24 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0667

Item 25: Authorize Supplemental Agreement No. 2 to the lease with the Federal Aviation Administration to add approximately 2,400 square feet of land for the new generation runway visual range site to service Runway 13R at Dallas Love Field - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0668

Item 26: An ordinance abandoning a portion of a sanitary sewer easement to Turnpike West, LLC, the abutting owner, containing approximately 18,465 square feet of land located near the intersection of Chalk Hill Road and IH 30 - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26581.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0669

Item 27: An ordinance abandoning various easements to Harvest/NPE, L.P., the abutting owner, located near the intersection of Park Lane and North Central Expressway, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26582.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0670

Item 28: Authorize the quitclaim of 8 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$160,034

Councilmember Rasansky requested that consent agenda item 28 be considered as an individual item. Mayor Miller stated that consent agenda item 28 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 28 was brought up for consideration.

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0671

Item 29: An ordinance abandoning a water easement to Creeks of Preston Hollow, L.P., the abutting owner, containing approximately 10,350 square feet of land located near the intersection of Royal Lane and Inwood Road - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26583.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0672

Item 30: An ordinance abandoning a portion of an alley to Richard S. Roper and Donna K. Roper, the abutting owners, containing approximately 1,779 square feet of land located near the intersection of South Central Expressway and Grand Avenue, and authorizing the quitclaim - Revenue: \$8,094 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26584.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0673

Item 31: Authorize a 7-year lease agreement with Parusa Investment Corp. for approximately 4,717 square feet of office space located at 801 West Freeway, Suite 400, in Grand Prairie, to be used as a Women, Infants and Children Clinic for the period May 1, 2007 through April 30, 2014 - Not to exceed \$569,578 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0674

Item 32: Authorize the release of non-tax City liens against the privately held vacant property located at 421 Alcalde Street, in exchange for Holland Capital Corporation, Inc., providing an unsecured promissory note in the amount of the non-tax liens estimated to be \$4,694, paying all delinquent taxes, post judgment amount, penalties and interest on the property, and providing affordable housing on the property for a low-income household in accordance with the City's Land Transfer Policy and Program Statement - Estimated revenue foregone: \$4,694

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

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0675

Item 33: Authorize the private sale by quitclaim deed of 5408 Bexar Street acquired by the taxing authorities from a Sheriff's Sale to East Dallas Community Organization through an exception to the Land Assembly Process under the Land Transfer Program - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0676

Item 34: Authorize a service contract for citizen survey and comparative data analysis services to collect citizen opinions regarding City of Dallas services and comparison to citizen opinions of services in other major cities - National Research Center, Inc. - Sole Source - Not to exceed \$52,930 - Financing: Current Funds

Councilmember Natinsky 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 Councilmember Natinsky's request.

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0677

Item 35: Authorize a thirty-six-month master agreement for emergency lights, parts and audible warning devices for emergency response equipment with the lowest responsible bidders of five - Cop Stuff LLC in the amount of \$559,538, All American Sales Corp. in the amount of \$478,342, G.T. Distributor's Inc. in the amount of \$363,316, and Midway Auto Supply, Inc. in the amount of \$52,066 - Total not to exceed \$1,453,262 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0678

Item 36: Authorize a thirty-six-month master agreement for automotive, truck and equipment batteries with the only bidder - Interstate Batteries of Dallas - Not to exceed \$405,187 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0679

Item 37: Authorize a twenty-four-month master agreement for the rental of cranes with operators with the lowest responsible bidder of two - Louisiana Crane Company LLC. - Not to exceed \$90,584 - Financing: Current Funds (\$64,044), Water Utilities Current Funds (\$26,540)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0680

Item 38: Authorize a thirty-six-month master agreement for shelf ready audio/visual materials for the Dallas Public Libraries with the lowest responsible bidders of three - Midwest Tape LLC in the amount of \$1,373,247 and Ingram Library Services, Inc. in the amount of \$194,148 - Total not to exceed \$1,567,395 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0681

Item 39: Authorize the purchase of twelve months of access to an on-line newspaper database service for Dallas Public Library patrons from NewsBank, Inc. - Sole Source - Not to exceed \$116,135 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0682

Item 40: Authorize a thirty-six-month master agreement for the lease, maintenance and service of microfilm scanners, readers and printers with the only bidder - Business Equipment Solutions, LLC - Not to exceed \$325,101 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0683

Item 41: Authorize a twenty-four-month master agreement for steel trash receptacles with lids, with the only bidder - Nationwide Supplies - Not to exceed \$302,400 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 41 be considered as an individual item. Mayor Miller stated that consent agenda item 41 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 41 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to defer the item until March 28, 2007 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0684

Item 42: Authorize the purchase of a global positioning survey equipment system for land surveys on construction projects from Western Data Systems, Inc. - Sole Source - Not to exceed \$117,945 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0685

Item 43: Authorize a twelve-month master agreement for butterfly valves with the lowest responsible bidders of two - Valve and Equipment Consultants in the amount of \$952,668 and Municipal Valve & Equipment Company in the amount of \$88,413 - Total not to exceed \$1,041,081 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0686

Item 44: Ratify an increase in the contract with William J. Schultz, Inc. dba Circle "C" Construction Co. for emergency replacement of a wastewater main and water main in Buena Vista Street - \$561,178, from \$7,506,525 to \$8,067,703 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0687

Item 45: Authorize Supplemental Agreement No. 2 to the professional services contract with HDR Engineering, Inc. to develop a planning, engineering and financial model to evaluate the wholesale treated water cost of service, revenue requirements and wholesale treated water rates - Not to exceed \$650,000, from \$224,000 to \$874,000 - Financing: Water Utilities Capital Construction Funds

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0688

Item 46: Authorize a fixed payment in lieu of payment for actual non-residential moving and related expenses for Rodney V. Finch, dba Fin-Tex Express, which was displaced as a direct result of real property acquisition of the property at 3131 N. Stemmons Freeway, to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0689

Item 47: An ordinance amending Chapter 18 of the Dallas City Code to **(1)** declare that vegetation projecting over or into an alley, street, or sidewalk right-of-way in violation of Section 18-14.1 of the Dallas City Code is a nuisance; **(2)** authorize the City to cut, trim, and remove the noncomplying vegetation at the property owner's expense; and **(3)** make certain nonsubstantive changes - Estimated Annual Revenue: \$30,000

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26585.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0690

Item 48: Authorize a boundary adjustment agreement with the City of University Park on property located north of Northwest Parkway between Hillcrest Road and Airline Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0691

Item 49: Authorize a boundary adjustment agreement with the City of Mesquite on property located south of Eastpoint Drive and west of Big Town Boulevard -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0692

Item 50: Authorize a seven-month grant agreement, with three twelve-month renewal options, with the World Affairs Council of Dallas/Fort Worth for economic development and protocol services for the period March 1, 2007 through September 30, 2007 - Not to exceed \$135,921 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 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 50 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0693

Item 51: Authorize a second amendment to the development agreement with GS Murray Development, Inc., for the redevelopment of the Gulf States Building located at 1415 Main Street, to extend the deadline to obtain a temporary certificate of occupancy from December 31, 2006 to January 16, 2007 and to ratify the final certificate of occupancy date of February 1, 2007, to accommodate the complications regarding the shared access fire stairway between the historic Gulf States building and the adjoining new construction at 1407 Main Street - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 51 be considered as an individual item. Mayor Miller stated that consent agenda item 51 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 51 was brought up for consideration.

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

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0694

Item 52: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number One, (State-Thomas TIF District), submitted by the State-Thomas TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0695

Item 53: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-696

Item 54: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia requested that consent agenda item 54 be considered as an individual item. Mayor Miller stated that consent agenda item 54 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 54 was brought up for consideration.

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

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0697

Item 55: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0698

Item 56: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0699

Item 57: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0700

Item 58: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0701

Item 59: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Councilmember Oakley requested that consent agenda item 59 be considered as an individual item. Mayor Miller stated that consent agenda item 59 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Oakley's request.

Later in the meeting agenda item 59 was brought up for consideration.

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

Deputy Mayor Pro Tem Garcia moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0702

Item 60: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0703

Item 61: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0704

Item 62: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0705

Item 63: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0706

Item 64: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law
- Financing: No cost consideration to the City

Councilmember Chaney requested that consent agenda item 64 be considered as an individual item. Mayor Miller stated that consent agenda item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting agenda item 64 was brought up for consideration.

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 Oakley moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0707

Item 65: A resolution accepting the FY 2006 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0708

Item 66: Authorize **(1)** an amendment to the service contract with Enterprise Community Partners, Inc., a non-profit corporation, for the operation and administration of the Downtown Mortgage Assistance Program, including homebuyer education; and **(2)** an amendment to the Mortgage Assistance Program Statement to add the Downtown Mortgage Assistance Program - \$1,950,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0709

Item 67: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low income housing tax credits pursuant to Sec. 49.5(a) (7) (A-C) of the Qualified Allocation Plan for TDHCA's low income housing tax credit financing for the acquisition and new construction of the proposed Frazier Berean 150-unit residential development for seniors located at 3326 Mingo Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0710

Item 68: Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low income housing tax credits pursuant to Section 49.5 (a) (7) (A-C) of the Qualified Allocation Plan for TDHCA's low income housing tax credit financing for the acquisition and new construction of the proposed 130-unit SDC Fiji Senior Villas apartment project located at 201 Fran Way - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0711

Item 69: A resolution adopting the City's Federal Legislative Agenda for the 110th Congress - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 69 be considered as an individual item. Mayor Miller stated that consent agenda item 69 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 69 was brought up for consideration.

Councilmember Rasansky moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0712

Item 70: Authorize a contract with the Greater Dallas Asian American Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2007 through March 31, 2008 - Not to exceed \$37,674 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0713

Item 71: Authorize a contract with the Greater Dallas Hispanic Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2007 through March 31, 2008 - Not to exceed \$54,212 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0714

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

Agenda items 73, 75, 77, and 78 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 72: Zoning Case Z067-110 (RB)
~~Agenda item 73: Zoning Case Z067-120 (WE) [considered individually]~~
Agenda item 74: Zoning Case Z067-121 (WE)
~~Agenda item 75: Zoning Case Z067-124 (WE) [considered individually]~~
Agenda item 76: Zoning Case Z067-132 (OTH)
~~Agenda item 77: Zoning Case Z056-325 (OTH) [considered individually]~~
~~Agenda item 78: Zoning Case Z056-284 (RB) [considered individually]~~
Agenda item 79: Zoning Case Z067-125 (WE)

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

The following individuals addressed the city council regarding the items:

William Hopkins, 2011 Leath (items 73 and 77)
Ozumba Lnuk-X, 4106 Vineyard Dr.

Councilmember Natinsky 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 Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill, Salazar, Chaney, Blaydes absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0715

Item 72: Zoning Case Z067-110 (RB)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z056-315 (RB), an application for a Planned Development Subdistrict for LC Light Commercial Subdistrict Uses on property zoned an LC Light Commercial District and an MF-3-D Multiple Family Subdistrict with the D Dry Liquor Control Overlay on a portion of the site within Planned Development District No. 193, the Oak Lawn Special Purpose District, and the termination of the D Dry Liquor Control Overlay in an area generally bounded by Harwood Street, Jack Street, McKinnon Street and Ivan Street and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses with retention of the D Dry Liquor Control Overlay on a portion of the site

(The city plan commission recommended approval subject to a conceptual plan and conditions, with retention of the D Dry Liquor Control Overlay)

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. 26586.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0716

Item 73: Zoning Case Z067-120 (WE)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z067-120 (WE), an application for and an ordinance granting a Planned Development District for CS Commercial Service District uses and a transit passenger station or transfer center on property zoned an A(A) Agricultural District and a CS-D-1 Commercial Service District with a Dry Liquor Control Overlay on the south side Scyene Road at Lawnview Avenue

(The city plan commission recommended approval, subject to a development plan and conditions with retention of the D-1 Dry Liquor Control Overlay on a portion of the site)

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 Chaney moved to close the public hearing and accept the city plan commission's recommendation with the following amendment:

- "Amend the landscaping regulations to allow street trees to be planted within 100 feet of the projected street curb."

and pass the ordinance.

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

Assigned ORDINANCE NO. 26587.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0717

Item 74: Zoning Case Z067-121 (WE)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z067-121 (WE), an application for and an ordinance granting a Specific Use Permit for a transit passenger station or transfer center on property zoned an IR Industrial Research District and a CS Commercial Service District on the west side of Denton Drive, between Butler Street and Inwood Road

(The city plan commission recommended approval for a permanent time period, 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. 26588.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0718

Item 75: Zoning Case Z067-124 (WE)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z067-124 (WE), an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an MU-3 Mixed Use and an IR Industrial Research District on the southeast corner of Regal Row and Viceroy Drive

(The city plan commission recommended approval, for a ten-year period with eligibility for automatic renewals for additional ten-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:

William Hopkins, 2014 Leath St.
Peter Hayes, 900 Clarence Bohls Lane, **Pflugerville, Tx. 78660**, representing applicant

Councilmember Medrano moved to close the public hearing and accept the city plan commission's recommendation with the following changes:

- "Delete the enrollment cap"

and pass the ordinance.

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

Assigned ORDINANCE NO. 26589.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0719

Item 76: Zoning Case Z067-132 (OTH)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z067-132 (OTH), an application for and an ordinance granting an amendment to Planned Development District No. 262 and Historic District No. 31 on the west corner of Maple Avenue and Oak Lawn Avenue

(The city plan commission recommended approval, subject to development plan, landscape plan, revised scheme B 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. 26590.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0720

Item 77: Zoning Case Z056-325 (OTH)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z056-325 (OTH), an application for and an ordinance granting a Planned Development District for a public school other than open-enrollment charter school and MF-2(A) Multifamily District uses on property zoned a CS Commercial Service District and an MF-2(A) Multifamily District on the west side of Brockbank Drive, south of Park Lane and on the southeast corner of Brockbank Drive and Valley Meadow Drive

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

The following individuals addressed the city council regarding the item:

William Hopkins, 2011 Leath

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

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

Linda Neel, 2927 Kendale

Santos T. Martinez, 900 Jackson St.

Councilmember Natinsky moved to close the public hearing and accept the recommendation of the city plan commission and bring the ordinance back to the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0721

Item 78: Zoning Case Z056-284 (RB)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z056-284 (RB), 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 north quadrant of Kings Road and Fairmount Street

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

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

Myron Dornk, 5026 Maple Springs

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 March 28, 2007 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0722

Item 79: Zoning Case Z067-125 (WE)

The consent zoning docket consisting of agenda items 72-79 were presented for consideration.

A public hearing was called on zoning case Z067-125 (WE), an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the north side of Monitor Street, west of Wycliff Avenue

(The city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26591.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0723

Item 80: Zoning Case Z067-110 (WE) INDIVIDUAL

A public hearing was called on zoning case Z067-110 (WE), an application for a Planned Development Subdistrict for GR General Retail Subdistrict uses and other related uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on both sides of Carlisle Street, between Hall Street and Carlisle Place

(The city plan commission recommended denial)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0724

Item 81: Zoning Case Z067-127 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z067-127 (OTH), an application for a TH-3(A) Townhouse District on property zoned an R-10(A) Single Family District on the west side of Inwood Road at Drane Drive

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.

(The city plan commission recommended denial)

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

Jonathan Vinson, 901 Main St., representing the applicant

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

Emmanuel Boror, 6931 Inwood Rd.

Linda Atwill, 5311 Drane Dr.

Laura Smith, 7014 Robin Rd.

Julia Dodson, 4031 Inwood Rd.

Joyce C. Lockley, 4718 Wateka Dr. representing North Park Love Field Community Civic League

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

Motion seconded by Councilmember Natinsky and unanimously adopted. (Salazar, Chaney, Blaydes absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0725

Item 82: Zoning Case Z056-320 (WE) UNDER ADVISEMENT

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)

Note: This item was considered by the City Council at public hearings on January 10, and January 24, 2007, and was taken under advisement until February 28, 2007, with the public hearing open.

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

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

Eugene Thomas, 5654 Winding Wood Trail

Deputy Mayor Pro Tem Garcia moved to close the public hearing and accept the recommendation of the city plan commission, "except that the Specific Use Permit will expire in one year, with no renewal options, and only six classrooms are permitted" and pass the ordinance.

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

Assigned ORDINANCE 26592.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0726

Item 83: Zoning Case Z056-323 (MF) UNDER ADVISEMENT

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

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.
(The city plan commission recommended approval)

Note: This item was considered by the City Council at a public hearing on February 14, 2007, and was taken under advisement until February 28, 2007, with the public hearing open.

The following individual addressed the city council regarding the item:

Beth Bentley, 5551 Vickery Blvd, representing Vickery Place Neighborhood

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

Navaid Hussein, 5928 Kenwood Ave.
Donald Bounds, 5927 Kenwood Ave.
Robert Chickering, 6022 Winton St.
Brent Henning, 6043 Penrose
Les St. John, 6026 Anita St.

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

Councilmember Hunt moved to close the public hearing and deny without prejudice.

Motion seconded by Councilmember Oakley and unanimously adopted. (Salazar, Chaney, Blaydes absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0727

Item 84: Zoning Case Z056-327 (OTH) UNDER ADVISEMENT

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)

Note: This item was considered by the City Council at a public hearing on February 14, 2007, and was taken under advisement until February 28, 2007, with the public hearing open.

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 close the public hearing, and accept the recommendation of the city plan commission with the following amendment to the Parking Requirements:

- "Amend the parking requirements for multiple-family uses to require a minimum of 1.5 parking spaces for each dwelling unit or 1 parking space per bedroom, whichever is greater. This amendment, however, does not effect the visitor parking requirements",

and pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted. (Salazar, Chaney, Blaydes absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26593.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0728

Item 85: Zoning Case Z067-105 (WE) UNDER ADVISEMENT

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

(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)

Note: This item was considered by the City Council at public hearings on January 24 and February 14, 2007, and was taken under advisement until February 28, 2007, with the public hearing open.

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 accept the recommendation of the city plan commission to approve the Specific Use Permit with the following changes:

- 1) "The specific use permit is approved for a five-year period and is eligible for automatic renewal for additional five-year periods.
- 2) A six-foot masonry fence must be maintained on the east property line.
- 3) Limit special events to six per year.
- 4) Allow indoor special events on Monday through Friday to be held only between the hours of 9:00 a.m. and 10:00 p.m.
- 5) Allow all outdoor special events and indoor special events on Saturday and Sunday to be held only between the hours of 8:00 a.m. and 9:00 p.m.
- 6) Allow 30 minutes for set up and clean up before and after special event.
- 7) Require the existing concrete-filled bollards at the ingress/egress points on Frankford Road to be removed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-0728

Page 2

- 8) Require security gates to be installed in the location shown on the attached site plan and require that the gates remain closed when the school is not in session and special events are not being conducted. The gates must be attached to a solid bollard or pole and swing open and closed.
- 9) Prohibit banners and portable signs.
- 10) Limit the signs on the property to one monument sign not exceeding eight feet in height and 50 square feet in area and one attached sign mounted to the outside of the school facing Frankford Road.
- 11) Replace the city plan commission approved site plan and traffic management plan with the attached site plan and traffic management plan.
- 12) Require all compact parking as shown on the attached site plan to be double-striped.
- 13) Require that, prior to making any changes to the Property, the development plan for Tract F of PD No. 173 be amended to match the site plan for the specific use permit”,

and pass the ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Salazar, Chaney, Blaydes absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26594.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0729

Item 86: 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

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

Note: This item was considered by the City Council at public hearings on November 8 and December 13, 2006, and February 14, 2007, and was taken under advisement until February 28, 2007, with the public hearing open.

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 accept the recommendation of the city plan commission with the following changes to the number of stories, signage, automatic garage doors, and visitor parking:

- 1) "Lots 24, 25, and 26 are limited to two stories.
- 2) Directional signage and visitor parking signage must be provided in Residential Area 2 and 3 prior to any final inspection.
- 3) Garages within twenty feet of the access easement must have an operable automatic garage door installed within 90 days.
- 4) Visitor parking spaces and landscaping must be completed prior to any final inspection in Residential Area 2 or 3,"

and pass the ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Salazar, Chaney, Blaydes absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26595.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0730

Item 87: A public hearing to receive comments regarding the consideration of amendments to Chapter 51A of the Dallas Development Code, Sections 51A-3.102 and 51A-3.103, requiring City Council approval of Board of Adjustment and Landmark Commission rules adopted to govern their proceedings and an ordinance granting the amendments - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26596.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0731

Item 88: 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 28, 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 Alfred Lagos, Dallas Member, to the Reinvestment Zone Three Board (Oak Cliff Gateway).

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Oakley, Thornton-Reese, Salazar, Chaney, Blaydes, Rasansky absent when vote taken; 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 Deputy Mayor Pro Tem Garcia and unanimously adopted. (Oakley, Thornton-Reese, Salazar, Chaney, Blaydes, Rasansky absent when vote taken; Fantroy absent)

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

07-0764 MLB MUNICIPAL LIBRARY BOARD
07-0765 RZ03 REINVESTMENT ZONE THREE BOARD (OAK CLIFF GATEWAY)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0732

Item 89: Authorize **(1)** adoption of the Preliminary FY 2006-07 Consolidated Plan Reprogramming Budget #2 to appropriate \$3,343,732 of Section 108 Intown Housing Program Income; and **(2)** a public hearing to be held on April 11, 2007 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia

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

Voting Yes: [10] Miller, Hill, Garcia, Medrano, Oakley, Thornton-Reese,
Chaney, Griffith, Koop, Natinsky
Voting No: [2] Rasansky, Hunt
Absent when vote taken: [2] Salazar, Blaydes
Absent: [1] Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0733

Item 90: Authorize an amendment to Section 1.2 of the Dallas Housing Finance Corporation's Bylaws to allow the Dallas Housing Finance Corporation (DHFC) by a majority vote of the Board of Directors, to purchase, lease, own, hold title to, or otherwise acquire an interest in a residential development, directly or indirectly through a subsidiary of the DHFC provided that the City Council, by resolution, prior to the transaction being consummated by the DHFC, **(1)** finds and determines that such transaction should be undertaken; **(2)** approves the form of the transaction; and, **(3)** authorizes such purchase, lease, or ownership of, holding of title to, or acquisition of the interest in the residential development - Financing: No cost consideration to the City

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0734

Item 91: **Dallas Morning News at Southport** **Note:** Item Nos. 91 and 92
must be considered collectively.

Authorize rescinding Resolution No. 05-1608, previously approved on May 25, 2005, that authorized an infrastructure cost participation agreement with Dallas Morning News, L.P. at South Port in an amount up to 50 percent of the total cost of public improvements not to exceed \$1,300,000 - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0735

Item 92: **Dallas Morning News at Southport** **Note:** Item Nos. 91 and 92
must be considered collectively.

Authorize an amendment to the tax abatement agreement previously approved on May 25, 2005, by Resolution No. 05-1609, reducing the ten-year tax abatement with Dallas Morning News, L.P. at South Port from 90 percent to 50 percent on added value to real property, jobs created from 152 to 80, and required investment for real property improvements from \$46,000,000 to \$23,000,000 - Revenue: First year tax revenue estimated at \$83,858; ten-year tax revenue estimated at \$838,580 (Estimated revenue foregone for ten-year abatement is \$838,580)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0736

Item 93: 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

The following individuals addressed the city council regarding the item:

William Foster, 4504 North Versailles

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0737

Item 94: 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 Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0738

Item 95: 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 Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0739

Item 96: 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

The following individuals addressed the city council regarding the item:

Rick Gonzales, 4283 S. Cresthaven
Wilma Avalos, 2318 Anson Rd. representing Love Field West Neighborhood
Maria Alba, 7011 Denton Dr.
Linda Blase, 2310 Roanoke Ave. representing Love Field West Neighborhood
Kay Shelton, DART representative
Joyce Foreman, DART Board member
Lynn Flint Shaw, DART Board member
Doug Allen, DART Executive Vice President

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0740

Item 97: 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 Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0741

Closed Session (**HELD**)

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

- Legal issues regarding the Earth Day Jam 2007
Charity Participation Agreement with Earth Day Jam 2007, LLC
- Love Terminal Partners, L.P. et al. v. Laura Miller, Cause No. 06-06358-E,
Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al.,
Cause No. 06-10182-E, Love Terminal Partners, L.P. et al. v.
City of Dallas, Texas, et al., Cause No. 06-11650-E,
Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al.,
Civil Action No. 3:06-CV-1279-D

At 1:35 p.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:

- Love Terminal Partners, L.P. et al. v. Laura Miller, Cause No. 06-06358-E,
Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al.,
Cause No. 06-10182-E, Love Terminal Partners, L.P. et al. v.
City of Dallas, Texas, et al., Cause No. 06-11650-E,
Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al.,
Civil Action No. 3:06-CV-1279-D

The Mayor reconvened the city council after the closed session at 2:45 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0742

Addendum addition 1: Authorize **(1)** a contract for the renovation of the Moorland Y.M.C.A. building located at 2700 Flora Street for the Dallas Black Dance Theatre with TMV LLC dba Triune Associates, best value proposer of nine in the amount of \$3,941,766, **(2)** the receipt and deposit of \$1,576,706 in participation costs in the Dallas Black Dance Theatre Participation Fund, and **(3)** the establishment of appropriations in the amount of \$1,576,706 in the Dallas Black Dance Theatre Participation Fund - Total not to exceed \$3,941,766 - Financing: 2003 Bond Funds (\$2,365,060), Private Funds (\$1,576,706)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0743

Addendum addition 2: Authorize Supplemental Agreement No. 1 to the development agreement with Ervay Residential Limited Partnership, Inc. to increase the design, construction management and reimbursables for the Republic Center Tower I Project located at 300 North Ervay Street - Not to exceed \$405,677, from \$2,028,651 to \$2,434,328 - Financing: City Center TIF District Funds (to be advanced by the developer)

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0744

Addendum addition 3 : Authorize **(1)** an increase in the contract with Centex Construction, LLC for exterior exterior restoration and shell construction at 1530 and 1524 Main Street in an amount not to exceed \$137,670, from \$7,792,846 to \$7,930,516; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; **(3)** an increase in appropriations in the amount of \$47,893 in the City Center TIF District Fund; and **(4)** a decrease in the payment to TIF Hotel, Inc. in an amount not to exceed (\$89,777) for design, reimbursables and construction management - Total not to exceed \$47,893 - Financing: City Center TIF District Funds (to be advanced by the developer)

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

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

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

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0745

Addendum addition 4: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on SH 289 (Preston Road) at Belt Line Road - \$12,346 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0746

Addendum addition 5: A resolution authorizing the rejection of the only bid received from Margaux City Lights Partners, Ltd. for City-owned land containing a total of approximately 83,478 square feet located at the intersection of Live Oak and Cantegral Streets, and the re-advertisement for sale at a minimum cash bid requirement of \$3,339,120 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0747

Addendum addition 6: Authorize a thirty-six-month service contract for temporary information technology professionals with the best value bidder of six - CIBER, Inc. - Not to exceed \$6,822,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0748

Addendum addition 7: Authorize a twelve-month master agreement for automobiles, light trucks, vans, and utility trucks, with the lowest responsible bidders of fifteen - McKinney Dodge in the amount of \$1,638,800, Sam Pack's Five Star Ford in the amount of \$1,361,748, Southwest International in the amount of \$1,092,673, Sonic Lute Riley L.P. in the amount of \$863,260, Windham Motor Co. in the amount of \$721,200, B & C Body Co. in the amount of \$685,384, Planet Ford in the amount of \$333,900, Continental Equipment in the amount of \$287,780, Equipment Southwest in the amount of \$156,000, Prestige Ford in the amount of \$152,844, Landmark Equipment in the amount of \$130,197, Metro Truck Sales, Inc. in the amount of \$83,145 and Holt of Texas in the amount of \$61,158 - Total not to exceed \$7,568,089 - Financing: Current Funds (\$386,266), Water Utilities Current Funds (\$91,686), Water Utilities Capital Construction Funds (\$824,443), 2006 Equipment Acquisition Contractual Obligation Notes (\$6,265,694)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0749

Addendum addition 8: Authorize payment to the U.S. Department of Justice as stipulated penalties for certain instances of noncompliance with the terms of the Consent Decree entered in the lawsuit styled United States of America and the State of Texas v. City of Dallas, Civil Action No. 3-06-CV-0845-B - Not to exceed \$80,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0750

Addendum addition 9: Authorize three-year contracts, with one two-year renewal option, with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, Inc. (Team A) and Vinson & Elkins, L.L.P. and West and Associates, L.L.P. (Team B) to provide bond counsel and co-bond counsel services - Financing: Bond and co-bond counsel fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0751

Addendum addition 10: Authorize **(1)** moving expense and rental assistance payments for tenant Rocio Reyes; and **(2)** moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for homeowners Charlie Robinson and Doretha Robinson in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$69,850 - Financing: 2003 Bond Funds (\$54,850) and Deerfield Housing Funds (\$15,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0752

Addendum addition 11: An ordinance granting an MU-2 Mixed Use District on the north side of Park Lane, east of Greenville Avenue and a resolution accepting deed restrictions volunteered by the applicant - Z067-108 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26597.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0753

Addendum addition 12: Authorize the City Manager to **(1)** evaluate the best practices of municipalities and other jurisdictions that have implemented employment re-entry programs for former offenders; and **(2)** modify policies and procedures where appropriate so that former offenders are not unreasonably denied City employment - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0754

Addendum addition 13: Authorize a twelve-month time extension for Community Development Block Grant projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Sharon Harris, 813 Ryan Rd.

Councilmember Oakley moved to approve the item with the amendment that the E-Haven be put back into the budget extension.

Motion seconded by Councilmember Thornton-Reese.

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

Voting Yes: [8] Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar, Chaney,
Rasansky
Voting No: [6] Miller, Griffith, Blaydes, Koop, Natinsky, Hunt
Absent: [1] Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0755

Addendum addition 14: An ordinance amending Chapters 2, 5A, 10A, 17, 18, 24, 27, 45, and 50 of the Dallas City Code to revise and establish various fees for City services - Estimated Annual Revenue: \$742,018 - General Fund

Councilmember Natinsky requested that addendum addition consent agenda item 14 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 14 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 addendum addition consent agenda item 14 was brought up for consideration.

The following individual addressed the city council regarding the item:

Kathy Carlton, 2907 Kathleen Ln., Representing the Apartment Association of Greater Dallas

Councilmember Natinsky moved to approve the item with the following changes:

- “Retain the multi-tenant registration fee at \$2.00 and not revise to \$3.00
- Change reinspection fee instead of increasing from \$30.00 to \$40.00 that we increase from \$30.00 to \$45.00,”

and pass the ordinance.

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

Assigned ORDINANCE NO. 26598.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0756

Addendum addition 15: Authorize the adoption of the operation and maintenance plans and manuals for the Dallas Floodway Levee System, the Rochester Park Levee System, the Central Wastewater Treatment Plant Levee System, the Southside Wastewater Treatment Plant Levee System, and the McCommas Bluff Landfill Levee System - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0757

Addendum addition 16: Authorize a participation agreement with Dunhill 1530 Main, L.P. for infrastructure improvements along Main Street between Akard and Ervay Streets, in accordance with the Public/Private Partnership Guidelines and Criteria, which shall not exceed 30 percent of the total contract price
- Not to exceed \$193,300 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0758

Addendum addition 17: Authorize a public hearing to be held on March 28, 2007 to receive comments in preparation of the FY 2007-08 Operating, Capital, Grant, and Trust budgets - Financing:
No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0759

Addendum addition 18: Zoning Case Z067-109 (RB) INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned an NS Neighborhood Service District, an MF-2 Multiple Family Subdistrict, a GR General Retail Subdistrict, and a P Parking Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, and a resolution terminating the existing deed restrictions on a portion of the site in an area generally bounded by Cedar Springs Road, Knight Street, Dickason Avenue, and Douglas Avenue and a resolution authorizing a variance to Dallas City Code, Section 43-62, prohibition against angled parking adjacent to the public right-of-way

(The city plan commission recommended approval of a Planned Development Subdistrict for GR General Retail Subdistrict Uses, subject to a development plan and conditions, and approval of the termination of existing deed restrictions on a portion of the site)

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

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

Appearing in favor of the city plan's recommendation:

Sandra Lugo- Camacho, 3003 Knight St.
Frank Stitch, 4224 N. Hall, representing the Oak Lawn Community
R. J. Muszynski, 8802 Forest Hills

Councilmember Medrano 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. (Thornton-Reese, Salazar, Chaney, Blaydes absent when vote taken, Oakley abstain; Fantroy absent)

Assigned ORDINANCE NO. 26599.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0760

Addendum addition 19: A resolution directing the Judicial Nominating Commission, pursuant to Section 2-164 of the Dallas City Code, to review and evaluate the performance of each administrative law judge regarding the application of the City's personnel rules, civil service rules and procedures, the City Charter, and other regulations governing personnel matters in conducting employee disciplinary appeals -
Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to approve the resolution.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Thornton-Reese, Salazar, Chaney, Blaydes absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0761

Addendum addition 20: An ordinance amending Chapter 34 of the Dallas City Code to revise grievance and appeal procedures for sworn members of the police department who have been discharged - Financing: No cost consideration to the City

The city secretary announced that Councilmember Salazar had deferred consideration of addendum addition consent agenda item 20 until the March 28, 2007 voting meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 28, 2007

07-0762

Addendum addition 21: **Waterworks and Sewer System Revenue Refunding Bonds, Series 2007** **Note:** Item Nos. 21 and 22 must be considered collectively.

Authorize the preparations of plans for issuance in an amount not to exceed \$500,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2007 - Financing: This action has no cost consideration to the City

Addendum addition 22: An ordinance authorizing the issuance and sale of an amount not to exceed \$500,000,000 in City of Dallas Waterworks and Sewer System Revenue Refunding Bonds, Series 2007; establishing parameters regarding the sale of the Bonds; approving the execution of a bond purchase contract and escrow agreement; and all other matters related thereto - \$812,000 - Financing: Water Utilities Current Funds

Mayor Miller, Councilmembers Griffith, Natinsky and Rasansky announced they had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Miller, Councilmembers Griffith, Natinsky and Rasansky left the city council chamber.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Thornton-Reese, Salazar, Chaney, Blaydes absent when vote taken; Miller, Griffith, Natinsky, Rasansky abstain; Fantroy absent)

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 28, 2007

EXHIBIT C