

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

07-0950

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.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 6:11 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, MARCH 28, 2007

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0951

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: Sharon Harris, 813 Ryan Rd.
REPRESENTING: E's Haven Academy
SUBJECT: Presentation

SPEAKER: Kevin Thomas, 813 Ryan Rd.
REPRESENTING: E's Haven Academy
SUBJECT: Presentation

SPEAKER: Antonio Swoops, 813 Ryan Rd.
REPRESENTING: E's Haven Academy
SUBJECT: Presentation

SPEAKER: Jack F. Borden
REPRESENTING: SW Citizens
SUBJECT: TXU

SPEAKER: Murdine Berry, 9455 Lancaster-Hutchins Rd.
SUBJECT: Annexation & City Water

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Ongoing problem with DPD Officer, Code Compliance and Mayor

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption with Chief of Police, DISD and Southwest Station

SPEAKER: Jurlin Hollins, 2832 Marjorie
SUBJECT: How to win political race in Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0952

Item 1: Approval of Minutes of the February 28, 2007 City Council Meeting

Councilmember Blaydes moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0953

CONSENT AGENDA

The consent agenda, consisting of agenda items 1-49 and addendum addition consent agenda items 1-24, were presented for consideration.

The City Secretary requested that consent agenda item 27 and addendum addition consent agenda item 2, 7, 8, 10 and 11 be considered as individual items to allow citizens to speak. Mayor Miller stated that consent agenda item 27 and addendum addition consent agenda item 2, 7, 8, 10 and 11 would be considered as individual items 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 43 be considered as an individual item. Mayor Miller stated that consent agenda item 43 be considered as an individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Councilmember Medrano requested that addendum addition consent agenda item 24 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 24 be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Councilmember Natinsky requested that consent agenda item 16 and addendum addition consent agenda item 17 and 20 be considered as individual items. Mayor Miller stated that consent agenda item 16 and addendum addition consent agenda item 17 and 20 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 6, 10, 11, 34, 36, 43, 46, and addendum addition consent agenda items 3 and 23 be considered as individual items. Mayor Miller stated that consent agenda items 6, 10, 11, 34, 36, 43, 46, and addendum addition consent agenda items 3 and 23 considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 6, 10, 11, 16, 27, 34, 36, 43, 46, and addendum addition consent agenda items 2, 3, 7, 8, 10, 11, 17, 20, 23, and 24 which would be considered later in the meeting.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-0953

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

Later in the meeting, Mayor Miller requested to reconsider the consent agenda in order to allow a citizen to speak on addendum addition consent agenda item 6 and to be considered as an individual item.

Councilmember Salazar moved to reconsider the consent agenda so that addendum addition consent agenda item 6 could be considered as an individual item to allow a citizen to speak.

Motion seconded by Councilmember Rasansky.

Councilmember Salazar moved to approve all items on the consent agenda with the exception of consent agenda items 6, 10, 11, 16, 27, 34, 36, 43, 46, and addendum addition consent agenda items 2, 3, 6, 7, 8, 10, 11, 17, 20, 23, and 24 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0954

Item 2: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design, design development, construction documents, bidding, construction administration services, and surveying for the installation of a new playground, parking lot, site furnishings, drinking fountain, and a picnic pavilion at Rose Haggar Park located at 18100 Campbell Road - \$60,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0955

Item 3: Authorize a contract for the installation of storm water interceptors at the Central Service Center located at 3111 Dawson Street, Northeast Service Center located at 8935 Adlora Lane and North Central Service Center located at 6969 McCallum Boulevard - North Texas Contracting, Inc., lowest responsible bidder of two - \$316,800 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0956

Item 4: Authorize a contract with John Chipman Christensen to fabricate and install a site-specific artwork in the median in front of the Bath House Cultural Center located at 521 E. Lawther - Not to exceed \$80,000 - Financing: Water Utilities Public Art Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0957

Item 5: Authorize a contract with Gordon Huether + Partners, Inc. to fabricate a site-specific artwork for the facade of the new Homeless Assistance Center to be located at 1818 Corsicana Street - Not to exceed \$155,000 - Financing: 2005 Homeless Proposition Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0958

Item 6: Authorize Supplemental Agreement No. 6 to the contract with CamargoCopeland Architects, LLP for additional professional consulting services required for an increase in the scope of work for the new Homeless Assistance Center to be located at 1818 Corsicana Street - \$295,828, from \$1,702,413 to \$1,998,241 - Financing: 2005 Homeless Proposition Bond Funds

Councilmember Rasansky requested that consent agenda item 6 be considered as an individual item. Mayor Miller stated that consent agenda item 6 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 6 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0959

Item 7: Authorize an increase in the contract with Phoenix I Restoration and Construction, Ltd. for replacement and painting of the metal door on the north and east side of the electrical building, installation of roof coating on the electrical building, additional concrete for the trail from the parking lot to the swimming pool, repair wiring to light poles, stain concrete, fabrication and installation of four dugout roofs, and installation of tif sport Bermuda sod in lieu of hydromulch at Churchill Park located at 7025 Churchill Way - \$78,492, from \$569,894 to \$648,386 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0960

Item 8: Authorize Supplemental Agreement No. 1 to the contract with HNTB Corporation to provide additional engineering services for the design of streetscape, paving, storm drainage, water and wastewater main improvements for Bexar Street, Phase II, from the C.F. Hawn (U.S. 175) service road to Rochester Street, and to extend the southern boundary from Rochester Street to Municipal Street - \$33,934, from \$280,187 to \$314,121 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0961

Item 9: Authorize Supplemental Agreement No. 5 to the contract with HBC/Terracon to provide additional environmental consulting and engineering services related to the Deepwood and Loop 12 Landfill site - \$134,000, from \$3,308,209 to \$3,442,209 - Financing: 2003 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0962

Item 10: Authorize Supplemental Agreement No. 2 to the professional services contract with Chiang, Patel & Yerby, Inc. for additional engineering and design services and hydraulic improvements at the Bachman Water Treatment Plant - \$635,447, from \$8,270,500 to \$8,905,947 - Financing: Water Utilities Capital Improvement Funds

Councilmember Rasansky requested that consent agenda item 10 be considered as an individual item. Mayor Miller stated that consent agenda item 10 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 10 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0963

Item 11: Authorize Supplemental Agreement No. 3 to the professional services contract with Chiang, Patel & Yerby, Inc. for additional engineering services for the design of the East Side Water Treatment Plant expansion and construction management services for the East Side Water Treatment Plant and Bachman Water Treatment Plant - \$401,799, from \$18,553,023 to \$18,954,822 - Financing: Water Utilities Capital Improvement Funds

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0964

Item 12: Authorize **(1)** the rejection of the bids received for the installation of the light truss tower for the amphitheater at Samuell-Grand Park; and, **(2)** the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0965

Item 13: Authorize final payment to the Texas Department of Transportation for engineering service costs incurred in the development of engineering design of Skillman Street from the Union Pacific Railroad to Abrams Road - \$194,761 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0966

Item 14: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Jupiter Road at Garland Road - \$37,364 - Financing: Texas Department of Transportation Grant Funds (\$29,891), 1995 Bond Funds (\$7,473)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0967

Item 15: Authorize payment to the Texas Department of Transportation for the City's share of design and construction costs for paving and drainage improvements on Jupiter Road from Garland Road to Centerville Road - \$399,957 - Financing: 1995 Bond Funds (\$256,592), 1998 Bond Funds (\$143,365)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0968

Item 16: Authorize **(1)** a payment to TXU Electric Delivery for the difference in cost to install thirty-two high pressure sodium historical style street lights along Merrifield Road from Grady Niblo Road to approximately 1,400 feet south of Kiest Boulevard in the amount of \$9,131, **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$9,131, and **(3)** an increase in appropriations in the amount of \$9,131 in the Capital Projects Reimbursement Fund - Total not to exceed \$18,262 - Financing: 2003 Bond Funds (\$9,131), Capital Projects Reimbursement Funds (\$9,131)

Councilmember Natinsky requested that consent agenda item 16 be considered as an individual item. Mayor Miller stated that consent agenda item 16 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 16 was brought up for consideration.

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0969

Item 17: Authorize **(1)** sidewalk paving, for Sidewalk Group 03-129; 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 25, 2007, to receive comments (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0970

Item 18: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Marilyn Forney and Ben Holdridge of approximately 18,625 square feet of land improved with a former service station and a 2-story building located near the intersection of Beckley Avenue and Singleton Boulevard for the Woodall Rodgers Bridge Extension Project - \$289,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0971

Item 19: An ordinance granting a private license to Baylor University Medical Center for the use of approximately 934 square feet of land to maintain landscaping and planter wall improvements within a portion of the Hall Street right-of-way located near its intersection with Worth Street - Revenue: \$1,000 one-time fee for 2007 through 2009, plus the \$20 ordinance publication fee

Assigned ORDINANCE NO. 26602.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0972

Item 20: An ordinance closing a portion of Century Street at its intersection with the proposed Dallas Area Rapid Transit NW-3 light rail line - Financing: No cost consideration to the City

Assigned ORDINANCE NO. 26603.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0973

Item 21: Authorize the acceptance of a grant from the U. S. Environmental Protection Agency to implement an Environmentally Preferable Purchasing Program in conjunction with the Green Purchasing Policy for the period of December 13, 2006 through October 30, 2008 - Not to exceed \$35,000 - Financing: U. S. Environmental Protection Agency Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0974

Item 22: Authorize a thirty-six-month master agreement for compressed natural gas for fleet vehicles with Transtar Energy Company LP dba Clean Energy - Sole Source - Not to exceed \$4,899,420 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0975

Item 23: Authorize a twelve-month master agreement for automobiles, light trucks, motorcycles, vans, and utility trucks with the lowest responsible bidders of five - Windham Motor Co. in the amount of \$355,403, Red River Harley-Davidson, Inc. in the amount of \$141,659, Southwest International in the amount of \$89,749, and Landmark Equipment in the amount of \$80,995 - Total not to exceed \$667,806 - Financing: Current Funds (\$32,764), 2006 Equipment Acquisition Contractual Obligation Notes (\$635,042)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0976

Item 24: Authorize a twenty-four-month master agreement for blood testing supplies to be used at the Women, Infants and Children Clinics with the lowest responsible bidder of two - HemoCue, Inc. - Not to exceed \$158,000 - Financing: Texas Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0977

Item 25: Authorize a thirty-six-month master agreement for exercise equipment and maintenance services at City facilities with the lowest responsible bidders of four - Abb-Solute Fitness in the amount of \$1,085,131, Comm-Fit, L.P. in the amount of \$434,958, Wisthoff Industries, Ltd. in the amount of \$468,865 and Fitco Fitness Center Outfitters in the amount of \$510,630 - Total not to exceed \$2,499,584 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0978

Item 26: Authorize a thirty-six-month service contract for pre-employment polygraph examinations to be conducted by the Dallas Police Department with the lowest responsible bidder of two - Ruiz Protective Service, Inc. - Not to exceed \$357,916 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0979

Item 27: Authorize **(1)** the rejection of bids for motor repair and maintenance services and the re-advertisement for new bids; **(2)** a thirty-six-month service contract for repair and maintenance of electric switchgear and motors, including training, with Shermco Industries, Inc., lowest responsible bidder of two, in the amount of \$2,859,500; and **(3)** an increase in the service contract with Shermco Industries, Inc. for motor repair and maintenance in the amount of \$1,728,051, from \$6,912,204 to \$8,640,255 - Total not to exceed \$4,587,551 - Financing: Water Utilities Current Funds (\$3,927,551), Current Funds (\$660,000)

The City Secretary requested that consent agenda item 27 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 27 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Later in the meeting agenda item 27 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Ron Widup, 6018 Lakehurst Court, representing Shermco Industries

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0980

Item 28: Authorize a three-month service contract to rehabilitate four belt filter presses located at the Southside Wastewater Treatment Plant with the only bidder - Andritz Ruthner, Inc. - Not to exceed \$488,486 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0981

Item 29: Ratify emergency repairs to the railroad spur at the Central Wastewater Treatment Plant - Trac-Work, Inc. - Not to exceed \$61,024 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0982

Item 30: Authorize settlement of the lawsuit styled Dana Mathews v. City of Dallas, Cause No. 05-03792-B - Not to exceed \$18,232 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0983

Item 31: An ordinance granting an MU-2 Mixed Use District on the east corner of Maple Avenue and Fielder Court and a resolution accepting an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant and a resolution accepting deed restrictions volunteered by the applicant - Z056-145 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26604.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0984

Item 32: An ordinance granting a Planned Development District for a public school other than an open enrollment charter school and MF-2(A) Multifamily District uses on the west side of Brockbank Drive, south of Park Lane, and on the southeast corner of Brockbank Drive and Valley Meadow Drive - Z056-325 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26605.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0985

Item 33: An ordinance authorizing a correction to Ordinance No. 25917 for an amendment to and expansion of Planned Development District No. 282 for a hospital, office and related uses on property zoned Planned Development District No. 282 and Planned Development District No. 468 on property bounded by Beckley Avenue, Colorado Boulevard, Haines Avenue and Greenbriar Lane to accurately reflect the revised size of Planned Development District No. 468 - Z045-112 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26606.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0986

Item 34: Authorize certain amendments to the City of Dallas Main Street District Initiative Loan and Grant Program previously approved on October 22, 2003, by Resolution No. 03-2884, as amended, allowing retail façade grants and expanding the restaurant assistance terms - Financing: No cost consideration to the City

Councilmember Rasansky 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 Rasansky's request.

Later in the meeting agenda item 34 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 Blaydes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0987

Item 35: Authorize a twelve-month Interlocal Agreement with Parkland Health and Hospital System to provide transportation services for adults who are age 60 years and older residing in West Dallas, South Dallas, Oak Cliff, and Pleasant Grove for medical and other health related appointments for the period April 1, 2007 through March 31, 2008 - Not to exceed \$75,000 - Financing: Current Funds

Corrected on the addendum to the agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0988

Item 36: Authorize (1) a partial release of lien against the improved property at 3101 Grand Avenue, the Grand Plaza Shopping Center, in exchange for a lump sum principal payment in the amount of \$16,377 from South Dallas Fair Park Inner City Development Corporation to Southern Dallas Development Corporation for the loan modification approved on June 25, 2003, by Resolution No. 03-1932, and, (2) South Dallas Fair Park Inner City Development Corporation to grant a 1,376 square foot easement of property located at 3101 Grand Avenue to Dallas Area Rapid Transit for the expansion of Grand Avenue to accommodate a light rail right-of-way - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 36 be considered as an individual item. Mayor Miller stated that consent agenda item 36 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 36 was brought up for consideration.

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0989

Item 37: Authorize **(1)** a public hearing to be held on April 11, 2007 to receive comments on the proposed private sale by quitclaim deed of 5 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Cornerstone Community Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, **(2)** consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0990

Item 38: An ordinance approving the Dallas-Fort Worth International Airport Board Resolution No. 2007-02-30, which amends Part Nine-Oil and Gas Exploration and Production of the Dallas-Fort Worth International Airport Board's Construction and Fire Prevention Standards Resolution (adopted by Resolution No. 88-147), as amended, to establish a Variance Resolution Committee for Gas Exploration and Production - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26607.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0991

Item 39: Authorize a renewal to the contract with the Museum of African American Life and Culture to provide a cultural awareness program for low- to moderate-income youth in the southern Dallas area - Not to exceed \$50,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0992

Item 40: Authorize a revision to the City's Community Development Block Grant Timely Expenditure Policy to add benchmarks for unspent project funds -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0993

Item 41: Authorize an amendment to the list of employees who are authorized to conduct transactions for the investment of City funds in the Texas Local Government Investment Pool - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0994

Item 42: Authorize the issuance of tax-exempt improvement and refunding bonds to be issued by the Red River Education Finance Corporation in an aggregate principal amount not to exceed \$53,000,000 for the benefit of the St. Mark's School of Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0995

Item 43: Authorize exercise of the two-year option to extend the City Depository contract with Bank of America, N.A. from August 1, 2007 to July 30, 2009 - Not to exceed \$1,000,000 annually - Financing: Current Funds (\$600,000) and Water Utilities Current Funds (\$400,000)

Deputy Mayor Pro Tem Garcia and Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Miller stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's and Councilmember Rasansky's request.

Later in the meeting agenda item 43 was brought up for consideration.

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

Councilmember Koop moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Hill, Thornton-Reese absent when vote taken; Miller, Garcia, Rasansky abstain; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0996

Item 44: Authorize a one-year professional services agreement with Professional Development Institute, a non-profit corporation, located on the campus of the University of North Texas in Denton, for consultant services for the development of a real-time, intelligence-based, fusion center to serve as an information and intelligence hub for the North Central Texas Urban Area for the period of December 15, 2006 through December 31, 2007 - Not to exceed \$150,000 - Financing: 2005 Urban Area Security Initiative Grant Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0997

Item 45: Authorize a Memorandum of Understanding with the Dallas County District Attorney's Office for funding reimbursement for the Dallas Police Department's sub-recipient participation in the Grants to Encourage Arrest Policies and Enforcement of Protective Orders Program continuation grant for the period April 1, 2007 through March 31, 2009 - Not to exceed \$368,621 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0998

Item 46: Authorize a professional services contract with Meridian Project Systems, Inc. to provide software maintenance for a three-year period from December 30, 2006 to December 30, 2009 for the Prolog Software currently utilized for the capital projects management information (CapPro) system, which will replace the maintenance agreement with A+ Integrated Solutions, previously approved on January 14, 2004 by Resolution No. 04-0190 - Not to exceed \$237,195 - Financing: Current Funds (\$210,113 subject to annual appropriations)

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-0999

Item 47: An ordinance amending Article IV of Chapter 18, Municipal Solid Wastes, of the Dallas City Code, as amended, to define gross receipts clarifying the definition of a solid waste collection service; excluding recyclers from solid waste collection franchise fees and requirements; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26608.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1000

Item 48: Authorize ordinances granting 80 franchises for solid waste collection and hauling, pursuant to Chapter XIV, City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$2,353,008

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26609 thru 26688.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1001

Item 49: Authorize a Memorandum of Agreement with the Tarrant Regional Water District to jointly study the feasibility of raw water transmission facilities - Not to exceed \$200,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1002

Item 50: Zoning Case Z056-227 (RB)

A public hearing was called on zoning case Z056-227 (RB), an application for and an ordinance granting a Specific Use Permit for private streets on property zoned an R-7.5(A) Single Family District, on the east line of Audelia Road, south of Shadow Way

(The city plan commission recommended approval subject for a permanent time period, subject to a site plan and conditions)

The following individuals addressed the city council regarding the item:

Jurline Hollins, 2832 Marjorie
William Hopkins, 2011 Leath St.

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

Councilmember Oakley 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. (Miller, Blaydes absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26689.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1003

Item 51: Zoning Case Z056-297 (JH)

A public hearing was called on zoning case Z056-297 (JH), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District west of St. Augustine Road, north of Homeplace Drive

(The city plan commission recommended approval for a permanent time period, subject to a site plan and conditions)

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

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

Peter Cavanaugh, 1620 Hanley Dr. representing the applicant
D. L. Jones, 829 St. Augustine Road

Councilmember Chaney 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. (Miller, Blaydes absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26690.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1004

Item 52: Zoning Case Z067-101 (WE)

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

A public hearing was called on zoning case Z067-101 (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 and staff recommended denial)

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

Susan Mead, 901 Main St., representing the applicant
Joseph Cahoon, representing the applicant
Frank Stitch, 4224 N. Hall, representing Oak Lawn Community
Tony Rice, 3211 N. Hall
Phillip Henderson, 3600 Congress, President of Friends of the Katy Trail

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

Albert Chapman III, 3235 Cole Ave. representing the Woodshire Court Homeowner Association
Garrick Stephens, 3321 Cole Ave.
Kenneth Johnson, 3235 Cole Ave., representing Woodshire Court Homeowner Association
Mitch Hart, 3510 Turtle Creek Blvd., President of the Claridge Homeowner Association

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1004

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Robert Dotson, 3831 Turtle Creek Blvd., representing Turtle Creek Association
Larry Hochberg, 2 Turtle Creek Bend

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1005

Item 53: Zoning Case Z067-113 (RB)

A public hearing was called on zoning case Z067-113 (RB), an application for a renewal of and expansion of Specific Use Permit No. 1604 for an Industrial outside potentially incompatible use for a concrete crushing plant on property zoned an IM Industrial Manufacturing District and a request for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District with deed restrictions volunteered by the applicant for that portion of the request associated with the expansion of SUP No. 1604 located along the west line of Conveyor Lane, southwest of Inwood Road and an ordinance granting the renewal of Specific Use Permit No. 1604

(The staff recommended to denial; the city plan commission recommended approval of a renewal of Specific Use Permit No. 1604 for an 18-month time period with no eligibility for automatic renewals, subject to a site plan and conditions and denial of an IM Industrial Manufacturing District and expansion of Specific Use Permit on the IR District portion)

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

Bill Dahlstrom, 901 Main St., representing the applicant
David Friedman, 1137 Conveyor Lane, representing the tenants

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

Paul Baker, 2203 Meadowview

Councilmember Salazar moved to close the public hearing, and accept the recommendation of the staff to deny.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1006

Item 54: Zoning Case Z067-118 (JH)

A public hearing was called on zoning case Z067-118 (JH), an application for a CS Commercial Service District on property zoned an R-7.5(A) Single Family District and a CR Community Retail District on the east side of Hermosa Drive and on both sides of Fuller Drive and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant exclusive of the lot on the east corner of Hermosa Drive and Fuller Drive

(The city plan commission recommended approval of a CS Commercial Service District subject to deed restrictions volunteered by the applicant exclusive of the lot on the east corner of Hermosa Drive and Fuller Drive)

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

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

Audra Buckley, 7532 Thistle Lane

Councilmember Griffith 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. (Miller, Blaydes absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 26691.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1007

Item 55: Zoning Case Z067-128 (MF)

A public hearing was called on zoning case Z067-128 (MF), an application for and an ordinance granting a Neighborhood Stabilization Overlay (NSO) on property zoned an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay in an area bounded by Greenville Avenue, Winton Street, Matilda Street & the alley south of Kenwood Street

(The city plan commission recommended approval)

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

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

James Daniel, 5731 Ellsworth
Todd Perehouse, 5229 Kenwood Ave., representing Greenland Hills Annex

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

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

Assigned ORDINANCE NO. 26692.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1008

Item 56: Zoning Case Z056-284 (RB) UNDER ADVISEMENT - INDIVIDUAL

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)

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

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

Myron Dornk, 5026 Maple Springs Blvd.

No one appeared in favor to the city plan commission's recommended.

Councilmember Medrano moved to continue the public hearing and hold under advisement until the April 25, 2007 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1009

Item 57: **Private Sale of Unimproved Property** **Note:** Item Nos. 57 and 58
must be considered collectively

A public hearing to receive comments on the proposed private sale by quitclaim deed of the unimproved property located at 2440 Starks Avenue acquired by the taxing authorities from the Sheriff's Sale to East Dallas Community Organization, Inc., a qualified non-profit organization (list attached) - Financing: No cost consideration to the City

Item 58: Authorize the private sale, as provided for by Section 34.015 of the Texas Property Tax Code, by quitclaim deed of the unimproved property located at 2440 Starks Avenue acquired by the taxing authorities from the Sheriff's Sale to a qualified non-profit organization and execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1010

Item 59: A public hearing to receive comments in preparation of the FY 2007-08 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

Councilmember Chaney moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1011

Item 60: 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 MARCH 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 Griffith moved to appoint all the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending September 30, 2007.

Motion seconded by Councilmember Medrano and unanimously adopted. (Hill, Thornton-Reese, Blaydes 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- 1048	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
07- 1049	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
07-1050	YAC	YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1012

Item 61: **Dallas Morning News at Southport** **Note:** Item Nos. 61 and 62
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

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1013

Item 62: **Dallas Morning News at Southport** **Note:** Item Nos. 61 and 62
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 \$19,000,000 - 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)

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1014

Item 63: Authorize a thirty-six-month master agreement for crushed and block ice with the lowest responsible bidder of two - Reddy Ice Corporation or Blue American Ice Company, Inc. - Not to exceed \$363,503 - Financing: Current Funds (\$172,071), Water Utilities Current Funds (\$191,432) (**Tie Bids**)

Mayor Miller announced the tie bid would be awarded to Blue American Ice Company, Inc.

The following individual addressed the city council regarding the item:

Robert Pierce, representing Blue American Ice Company, Inc.

Councilmember Natinsky moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1015

Item 64: 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 Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1016

Item 65: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 7 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersections of Wyman Street and Denton Drive, Seelcco Street and Denton Drive, Love Field and Denton Drives and Community and Denton Drives (list attached) - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Koop.

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

Mayor Pro Tem Hill declared the motion adopted on a divided vote, with Councilmember Medrano voting "No". (Miller, Oakley, Thornton-Reese, Blaydes absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1017

Item 66: Authorize a professional services contract with Alan Plummer Associates, Inc., for the design of the Pavaho Stormwater Wetland Supplemental Environmental Project downstream of Sylvan Avenue along the west bank of the Trinity River within the Dallas floodway - \$304,840 - Financing: Current Funds

Corrected on the addendum to the agenda.

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1018

Item 67: 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

Councilmember Griffith moved to approve the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia.

After discussion, Mayor Pro Tem Hill called the vote on Councilmember Griffith's motion:

Voting Yes:	[6]	Garcia, Griffith, Koop, Natinsky, Rasansky, Hunt
Voting No:	[5]	Hill, Medrano, Thornton-Reese, Salazar, Chaney
Absent when vote taken:	[3]	Miller, Oakley, Blaydes
Absent:	[1]	Fantroy

Mayor Pro Tem Hill declared the motion adopted.

Assigned ORDINANCE NO. 26693.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1019 [**Held**]

Closed Session

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

- Warwick Player v. Leslie Reese, Civil Action No. 3:04-CV-1918-BD
- City of Dallas v. Steve S. Crossett, Cause No. 06-04392-L,
Steve Crossett v. City of Dallas and The Board of Adjustment
of The City of Dallas, Civil Action No. 3:06-CV-0582-M
- City of Coppell v. CB Parkway Business Center VI, Ltd., and
Trammell Crow Company No. 43, Ltd., Cause No. 05-15940-C,
City of Dallas v. Coppell Independent School District Board of Trustees,
Appeal No. 05-07-00071
- Weldon Contractors, Ltd. v. Meridian Commercial, Inc., et al.,
Cause No. 04-04679-L

At 12:00 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:

- Weldon Contractors, Ltd. v. Meridian Commercial, Inc., et al.,
Cause No. 04-04679-L

The Mayor reconvened the city council after the closed session at 3:59 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1020

Addendum addition 1: Authorize a transmission line relocation agreement with TXU Electric Delivery to remove, relocate and/or bury overhead electrical lines for the new Homeless Assistance Center to be located at 1818 Corsicana Street - \$75,000 - Financing: 2005 Homeless Proposition Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1021

Addendum addition 2: Authorize moving expense and replacement housing payments for these homeowners in the Cadillac Heights neighborhood **(1)** Ilda Cisneros at 815 LaSalle St. in the amount of \$37,000, **(2)** Homero and Linda Hinojosa at 814 Packard St. in the amount of \$37,000, and **(3)** Luis A. Sierra Trevino and Yolanda C. Sierra at 1027 LaSalle St. in the amount of \$37,000, who will be displaced in conjunction with real property acquisition activities for a public service facility - Total not to exceed \$111,000 - Financing: Current Funds

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

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

The following individuals addressed the city council regarding the item:

Jewel Floyd, 3815 Myrtle St.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1022

Addendum addition 3: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of five properties improved with single-family homes in the Cadillac Heights neighborhood for the proposed future location of City facilities (list attached) - Not to exceed \$286,000 - Financing: Current Funds

Councilmember Rasansky requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1023

Addendum addition 4: Authorize acquisition, from Charles C. Liles and Cheryl D. Liles, of approximately 43,560 square feet of land improved with a single-family residence located in Kaufman County for the Lake Tawakoni 144-inch pipeline - \$267,912 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1024

Addendum addition 5: An ordinance abandoning a portion of a sanitary sewer easement to Fitzhugh Apartments Limited Partnership, the abutting owner, containing approximately 4,921 square feet of land located near the intersection of Alcott and Kirby Streets, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26694.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1025

Addendum addition 6: An ordinance closing a portion of Sadler Circle at its intersection with the proposed Dallas Area Rapid Transit NW-1B light rail line - Financing: No cost consideration to the City

The City Secretary requested to reconsider approval of the consent agenda in order to allow a citizen to speak on addendum addition item 6.

Later in the meeting, Mayor Miller requested to reconsider the consent agenda in order to allow a citizen to speak on addendum addition item 6.

The following individual addressed the city council regarding the item:

Rick Gonzales, 4283 S. Crest Haven

Councilmember Chaney moved to approve the item.

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

Assigned ORDINANCE NO. 26694.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1026

Addendum addition 7: An ordinance closing a portion of Brookfield Avenue at its intersection with the proposed Dallas Area Rapid Transit NW-2 light rail line - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 7 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 7 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Later in the meeting addendum addition consent agenda item 7 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Rick Gonzales, 4283 S. Crest Haven
Wilma Avalos, 2318 Anson Rd.
William Foster, 4504 N. Versailles **Highland Park, TX**

Councilmember Medrano moved to deny the approval of the item.

Motion seconded by Councilmember Hunt.

Councilmember Koop moved to substitute Councilmember Medrano's motion a motion to approve the item.

Motion seconded by Councilmember Natinsky.

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

Voting Yes: [8] Miller, Hill, Oakley, Chaney, Griffith, Koop, Natinsky,
Rasansky
Voting No: [5] Garcia, Medrano, Thornton-Reese, Salazar, Hunt
Absent when vote taken: [1] Blaydes
Absent: [1] Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26696.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1027

Addendum addition 8: An ordinance closing a portion of Lovers Lane at its intersection with the proposed Dallas Area Rapid Transit NW-2 light rail line - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 8 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 8 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

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

The following individuals addressed the city council regarding the item:

Rick Gonzales, 4283 S. Crest Haven
Wilma Avalos, 2318 Anson Rd.
William Foster, 4504 N. Versailles **Highland Park, TX**

Councilmember Medrano moved to deny the approval of the item.

Motion seconded by Councilmember Hunt.

Councilmember Koop moved to substitute Councilmember Medrano's motion a motion to approve the item.

Motion seconded by Councilmember Natinsky.

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

Voting Yes: [8] Miller, Hill, Oakley, Chaney, Griffith, Koop, Natinsky,
Rasansky
Voting No: [5] Garcia, Medrano, Thornton-Reese, Salazar, Hunt
Absent when vote taken: [1] Blaydes
Absent: [1] Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26697.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1028

Addendum addition 9: An ordinance closing a portion of Bomar Avenue at its intersection with the proposed Dallas Area Rapid Transit NW-2 light rail line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26698.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1029

Addendum addition 10: An ordinance closing a portion of Langdon Avenue at its intersection with the proposed Dallas Area Rapid Transit NW-2 light rail line - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 10 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 10 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

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

The following individuals addressed the city council regarding the item:

Rick Gonzales, 4283 S. Crest Haven
Wilma Avalos, 2318 Anson Rd.
William Foster, 4504 N. Versailles **Highland Park, TX**

Councilmember Medrano moved to deny the approval of the item.

Motion seconded by Councilmember Hunt.

Councilmember Koop moved to substitute Councilmember Medrano's motion a motion to approve the item.

Motion seconded by Councilmember Natinsky.

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

Voting Yes: [8] Miller, Hill, Oakley, Chaney, Griffith, Koop, Natinsky,
Rasansky
Voting No: [5] Garcia, Medrano, Thornton-Reese, Salazar, Hunt
Absent when vote taken: [1] Blaydes
Absent: [1] Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26699.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1030

Addendum addition 11: An ordinance closing a portion of Lovedale Avenue at its intersection with the Dallas Area Rapid Transit NW-2 light rail line - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 11 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 11 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

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

The following individuals addressed the city council regarding the item:

Rick Gonzales, 4283 S. Crest Haven
Wilma Avalos, 2318 Anson Rd.
William Foster, 4504 N. Versailles **Highland Park, TX**

Councilmember Medrano moved to deny the approval of the item.

Motion seconded by Councilmember Hunt.

Councilmember Koop moved to substitute Councilmember Medrano's motion a motion to approve the item.

Motion seconded by Councilmember Natinsky.

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

Voting Yes: [8] Miller, Hill, Oakley, Chaney, Griffith, Koop, Natinsky,
Rasansky
Voting No: [5] Garcia, Medrano, Thornton-Reese, Salazar, Hunt
Absent when vote taken: [1] Blaydes
Absent: [1] Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26700.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1031

Addendum addition 12: An ordinance closing a portion of Bertrand Avenue at its intersection with the proposed Dallas Area Rapid Transit SE-1 light rail line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26701.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1032

Addendum addition 13: An ordinance closing a portion of Race Street at its intersection with the proposed Dallas Area Rapid Transit SE-1 light rail line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26702.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1033

Addendum addition 14: An ordinance closing a portion of Rutledge Street at its intersection with the proposed Dallas Area Rapid Transit SE-1 light rail line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26703.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1034

Addendum addition 15: An ordinance closing a portion of Walton Street at its intersection with the proposed Dallas Area Rapid Transit SE-1 light rail line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26704.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1035

Addendum addition 16: An ordinance closing a portion of Willow Street at its intersection with the proposed Dallas Area Rapid Transit SE-1 light rail line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26705.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1036

Addendum addition 17: Authorize a twelve-month master agreement for automated refuse trucks with the lowest responsible bidders of five - The Around the Clock Freightliner Group L.P. in the amount of \$1,649,354 and Equipment Southwest in the amount of \$1,045,800 - Total not to exceed \$2,695,154 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes (\$2,585,437), Current Funds (\$109,717)

Councilmember Natinsky requested that addendum addition consent agenda item 17 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 17 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 17 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1037

Addendum addition 18: Authorize the purchase of a bomb response vehicle to be deployed in response to situations involving suspected or confirmed hazardous devices, with the only bidder - Gerling and Associates - Not to exceed \$160,000 - Financing: 2005 Buffer Zone Protection Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1038

Addendum addition 19: Authorize the purchase of a special purpose trailer to be used for the storage and transport of emergency equipment used by Police S.W.A.T. units with the lowest responsible bidder of two - Crash Rescue Equipment Service - Not to exceed \$131,231 - Financing: 2005 Buffer Zone Protection Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1039

Addendum addition 20: Ratify emergency rental of 6 generators to prepare the Fretz Park, Grauwyler, Harry Stone, Kidd Springs, Samuell-Grand, and Tommie Allen Recreation Centers to serve as shelters during recent inclement weather - Aggreko, Inc. - \$33,645 - Financing: Current Funds

Councilmember Natinsky requested that addendum addition consent agenda item 20 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 20 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 20 was brought up for consideration.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1040

Addendum addition 21: Ratify emergency rental of two 40-ton dump trucks for use
at the McCommas Bluff Landfill - T-K-O Equipment, Co. -
Not to exceed \$63,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1041

Addendum addition 22: Authorize the City Auditor's 2006-07 Annual Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1042

Addendum addition 23: Authorize a development agreement with Hunt-Woodbine Realty Corporation to design and provide funding for management and construction of the City's capital improvements to Union Station located at 400 South Houston in the amount of \$3,960,000 - Financing: To be advanced by the developer

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

Councilmember Rasansky moved to deferred the item indefinitely.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1043

Addendum addition 24: A resolution directing the City Manager to undertake various outreach activities while implementing the 2006 Bond Program including informational forums, educational workshops, business matchmaking one-on-one meetings, and a mentor-protégé program - Financing: No cost consideration to the City

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

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

Councilmember Medrano moved to approve the resolution with the following amendment:

“By renumbering Section 2 to Section 3 and adding a new Section 2 to read, the City Manager and City Attorney are hereby directed to work on establishing an economic program under Chapter 380 of the Local Government Code to enhance the development of local small businesses, to stimulate businesses, commercial activity and promote economic development in the city for city council consideration.”

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1044

Addendum addition 25: A resolution authorizing the City of Dallas' participation, as endorsing municipality, to initiate the establishment of the Other Events Trust Fund by the State Comptroller of Public Accounts with respect to Super Bowl XLV in 2011 - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1045

Addendum addition 26: A resolution regarding assurances to the National Football League concerning support for Super Bowl XLV in 2011 which will be included in the North Texas Super Bowl Committee, Inc. bid proposal - Financing: No cost consideration to the City

Councilmember Natinsky moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1046

Addendum addition 27: Authorize amendments to the 2007 City Calendar to **(1)** cancel the Council-Staff Planning Session currently scheduled for April 20, 2007; **(2)** revise dates related to the May 2007 election and potential June 2007 runoff election; and **(3)** revise the 2007 Inauguration date - Financing: No cost consideration to the C

Councilmember Thornton-Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 28, 2007

07-1047

Addendum addition 28: A resolution to amend the date of the Canvassing Committee report to the City Council by authorizing the Mayor to confirm the previous appointment on February 14, 2007 of the Ad Hoc City Council Canvassing Committee to review the returns of the May 12, 2007, general election, and submit a canvass report to the full City Council on Wednesday, May 23, 2007 - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the resolution.

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

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

EXHIBIT C