

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 25, 2007

07-1270

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR PRO TEM DON HILL &  
DEPUTY MAYOR PRO TEM ELBA GARCIA, PRESIDING

PRESENT: [13] Hill, Garcia, Medrano, Thornton-Reese, Salazar, Chaney, Griffith,  
Blaydes, Koop, Natinsky, Rasansky, Hunt

ABSENT: [2] Miller absent on city business; Fantroy

The meeting was called to order at 9:31 a.m.

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

Deputy Mayor Pro Tem Garcia 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 2:23 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 25, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 25, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1271

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: Byron Sugg, 3333 Edgewood  
REPRESENTING: Magnum Investments Ltd. – People Limited Liability Org.  
SUBJECT: Real Estate Policy & Tax Credit

SPEAKER: Norma Minnis, 9729 Van Dyke Rd.  
REPRESENTING: Van Dyke Neighborhood Association  
SUBJECT: March of Dimes event held on April 21, 2007 at White Rock Lake

**ALL AGENDA ITEMS:**

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
REPRESENTING: J. B. Jackson Jr. Institute

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

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.  
SUBJECT: "The best political endorsements and advertising that money can buy"

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Asbestos health alert in West Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1272

Item 1: Approval of Minutes of the April 11, 2007 City Council Meeting

Councilmember Thornton-Reese moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1273

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-31 and addendum addition consent agenda items 1-23, were presented for consideration.

The following individual addressed the city council on all agenda items:

Marvin Crenshaw, 5134 Malcolm X Blvd., representing J. B. Jackson Jr.  
Institute

The City Secretary requested that consent agenda items 18 and 23, and addendum addition consent agenda item 4 be considered as individual items to allow citizens to speak. Deputy Mayor Pro Tem Garcia stated that consent agenda items 18 and 23 and addendum addition consent agenda item 4 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 addendum addition consent agenda item 14 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that addendum addition consent agenda item 14 be considered as an individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Councilmember Rasansky requested that consent agenda items 3, 8, 14, 15, 18, and 31 be considered as individual items. Deputy Mayor Pro Tem Garcia stated that consent agenda items 3, 8, 14, 15, 18, and 31 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Hunt requested that addendum addition consent agenda item 23 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that addendum addition consent agenda item 23 be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 3, 8, 14, 15, 18, 23, 31 and addendum addition consent agenda items 4, 14, and 23 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1273

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Later in the meeting, Deputy Mayor Pro Tem Garcia requested to reconsider the consent agenda to allow a citizen to speak on addendum addition consent agenda items 18 and 23 instead of consent agenda item 18 and 23 to be considered as individual items.

Councilmember Rasansky moved to reconsider the consent agenda to allow addendum addition consent agenda items 18 and 23 to be considered as individual items to allow a citizen to speak.

Motion seconded by Councilmember Koop.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 3, 8, 14, 15, 18, 31, and addendum addition consent agenda items 4, 14, 18 and 23 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1274

Item 2: Authorize a thirty-six-month master agreement for factory authorized parts and service to provided maintenance and repair of sewer inspection television camera systems - Aries Industries, Inc. in the amount of \$204,200, Pearpoint, Inc. in the amount of \$72,000, Green Equipment Company in the amount of \$120,000, and ELXSI dba Cues in the amount of \$79,500, lowest responsible bidders of four - Total not to exceed \$475,700 - Financing: Water Utilities Current Funds (\$396,200) and Current Funds (\$79,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1275

Item 3: Authorize participation in the U.S. Communities Government Purchasing Alliance Administrative Agreement for eighteen months, with four twelve-month renewal options, for the purchase of systems furniture, freestanding furniture, seating, filing equipment and related support services - Not to exceed \$2,600,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 3 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that 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 agenda item 3 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Hill absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1276

Item 4: Authorize a twenty-four-month master agreement for paint and related supplies to be used for maintaining various City facilities, equipment and projects - The Glidden Co. dba ICI Paints in the amount of \$1,042,562 and Kelly Moore Paint Co., Inc. in the amount of \$45,122, lowest responsible bidders of three - Total not to exceed \$1,087,684 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1277

Item 5: Authorize a twenty-four-month service contract for micro-surfacing and slurry seal - Viking Construction, Inc. in the amount of \$2,924,480 and Municipal Construction, Inc. in the amount of \$2,981,000, lowest responsible bidders of three - Total not to exceed \$5,905,480 - Financing: Current Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1278

Item 6: Authorize a twenty-four-month master agreement for library books and audio-visual materials for the Lochwood, Pleasant Grove, Prairie Creek, and Walnut Hill Libraries - Baker & Taylor, Inc. in the amount of \$1,857,605 and Midwest Tape, LLC in the amount of \$529,249, lowest responsible bidders of five - Total not to exceed \$2,386,854 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1279

Item 7: Authorize a sixty-month service contract for cable installation for the connection of computers and phones in new and existing City facilities - AAA Data Communications, Inc., lowest responsible bidder of six - Not to exceed \$976,956 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1280

Item 8: Authorize an increase in the master agreement with AT&T through the Department of Information Resources, State of Texas GoDirect Program contract for Cisco telephone and computer network equipment and hardware maintenance services - \$950,000, from \$700,000 to \$1,650,000 - Financing: Current Funds

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

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

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

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1281

Item 9: Authorize settlement of the lawsuit styled Liberty Mutual Insurance Company v. City of Dallas and Ronald Roberson, Cause No. 07-00798-B - Not to exceed \$14,122 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1282

Item 10: Authorize Supplemental Agreement No. 1 to the professional services contract with Joe C. Tooley, Attorneys and Counselors, for additional legal services necessary in the lawsuit styled Black Firefighters Association, et al. v. City of Dallas, et al., Civil Action No. 3:06-CV-1421-K - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1283

Item 11: An ordinance abandoning a public utilities easement and a portion of a sanitary sewer easement to Trinity Townhomes Limited Partners, the abutting owner, located near the intersection of Greenbriar Lane and Zang Boulevard - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26720.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1284

Item 12: An ordinance abandoning a portion of a firelane and utility easement to Mid-Continent Exchange III, LLC, the abutting owners, containing a total of approximately 22,856 square feet of land located near the intersection of Noel and Alpha Roads - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26721.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1285

Item 13: An ordinance abandoning water and utility easements to Ameriton Properties Incorporated, the abutting owner, containing approximately 11,101 square feet of land located near the intersection of Northwest Highway and Lemmon Avenue - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26722.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1286

Item 14: An ordinance authorizing a correction to Ordinance No. 26352 for the creation of a new subdistrict within Planned Development District No. 462 for mixed residential, retail and office uses on the west line of Henderson Avenue, between Capital Avenue and Fuqua Street to correct the omission of the revised subdistrict map - Z056-193 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 14 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that consent agenda item 14 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 14 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 Medrano moved to approve the ordinance.

Motion seconded by Councilmember Koop and unanimously adopted. (Rasansky abstain; Hill absent when vote taken; Miller absent on city business; Fantroy absent)

ORDINANCE NO. 26723

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1287

Item 15: Authorize **(1)** the discharge of two secured, no-interest, forgivable notes with African American Men of Peace in the amount of \$165,000, and **(2)** the release of lien on real property located at 4008 Fernwood - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 15 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that consent agenda item 15 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting agenda item 15 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Hill absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1288

Item 16: Authorize a professional services contract with TAC Americas, Inc. to perform an energy audit and develop energy conservation proposals for the Dallas Museum of Art located at 1717 North Harwood - \$42,960 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1289

Item 17: Authorize a public hearing to be held on May 23, 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

APRIL 25, 2007

07-1290

Item 18: Authorize Supplemental Agreement No. 2 to the design-build contract with Harrison, Walker and Harper, LP to increase the Guaranteed Maximum Price for the construction of the overflow parking lot to support the DeGolyer House at the Dallas Arboretum, Phase I, located at 8525 Garland Road - Not to exceed \$597,000, from \$729,500 to \$1,326,500 - Financing: 2003 Bond Funds

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

The City Secretary requested that consent agenda item 18 be considered as an individual item to allow a citizen to speak. Deputy Mayor Pro Tem Garcia stated that consent agenda item 18 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 consent agenda item 18 was brought up for consideration.

Deputy Mayor Pro Tem Garcia requested to reconsider the consent agenda in order to allow a citizen to speak on addendum addition items 18 and 23 instead of consent agenda items 18 and 23 and to be considered as individual items.

Councilmember Griffith moved to approve the item.

Motion seconded by Councilmember Koop.

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

Deputy Mayor Pro Tem Garcia declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Hill absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1291

Item 19: Authorize a contract for the installation of a new playground at the Audelia Branch Library located at 10045 Audelia Road - Henneberger Construction, Inc., lowest responsible bidder of eight - \$159,700 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1292

Item 20: Authorize application for seventh-year continuation of the Dallas Police Department Victim Services grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims, for the period July 1, 2007 through June 30, 2008 - Not to exceed \$61,750 (local match in an amount not to exceed \$12,350 will be required if awarded) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1293

Item 21: Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad grant to provide a specialized proactive automobile theft program from the Texas Automobile Theft Prevention Authority for the period September 1, 2007 through August 31, 2008 - Not to exceed \$511,834 (local match in the amount of \$102,363 of all expenses will be required if awarded and in-kind contributions in the amount of \$480,814 will be contributed by the Dallas Police Department) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1294

Item 22: Authorize a contract for the construction of street paving, storm drainage and wastewater main improvements on Detonte Street from Gifford Street to the dead-end east of Gifford Street - P & E Contractors, Inc., lowest responsible bidder of five - \$292,289 - Financing: 2003 Bond Funds (\$222,075), Water Utilities Capital Construction Funds (\$8,650), and Water Utilities Capital Improvement Funds (\$61,564)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1295

Item 23: Authorize a contract for street resurfacing on 2007 Asphaltic Concrete Street Resurfacing Group 2 on 30 improved streets (list attached) - Austin Bridge and Road, LP, lowest responsible bidder of two - \$8,526,213 - Financing: 2003 Bond Funds (\$8,444,578), Water Utilities Capital Construction Funds (\$81,635)

The City Secretary requested that consent agenda item 23 be considered as an individual item to allow a citizen to speak. Deputy Mayor Pro Tem Garcia stated that consent agenda item 23 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 consent agenda item 23 was brought up for consideration.

Deputy Mayor Pro Tem Garcia requested to reconsider the consent agenda in order to allow a citizen to speak on addendum addition items 18 and 23 instead of consent agenda items 18 and 23 and to be considered as individual items.

Later in the meeting agenda item 23 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1296

Item 24: Authorize a contract for the reconstruction of alley paving, storm drainage and wastewater main improvements on Alley Group 03-2016 (list attached) - P & E Contractors, Inc., lowest responsible bidder of three - \$916,156 - Financing: 2003 Bond Funds (\$806,856), Water Utilities Capital Improvement Funds (\$105,700), and Water Utilities Capital Construction Funds (\$3,600)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1297

Item 25: Authorize a contract for the reconstruction of alley paving, storm drainage, water and wastewater main improvements on Alley Group 03-2018 (list attached) - Admiral Construction Company, lowest responsible bidder of five - \$568,632 - Financing: 2003 Bond Funds (\$381,902), Water Utilities Capital Improvement Funds (\$2,880), and Water Utilities Capital Construction Funds (\$183,850)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1298

Item 26: Authorize payment to the Texas Department of Transportation for the City's share of design and construction costs for paving and drainage improvements on Elam Road from St. Augustine Road to Acres Drive - \$270,455 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1299

Item 27: Authorize **(1)** the receipt and deposit of funds from Worthing at Motor, L.P. in an amount not to exceed \$130,503, **(2)** assignment of the contract to FirstWorthing or its affiliate Worthing at Motor, L.P., for construction management of the Cityville at Southwestern Medical District Project, Phase I, and **(3)** an increase in appropriations in the amount of \$130,503 in the Southwestern Medical TIF District Fund - Total not to exceed \$130,503 - Financing: Southwestern Medical TIF District Funds (to be advanced by the developer)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1300

Item 28: Authorize **(1)** sidewalk paving on Sidewalk Group 03-130; 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 June 13, 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

APRIL 25, 2007

07-1301

Item 29: Authorize an increase in the contract with Archer Western Contractors, Ltd., for additional work to the primary settling basin at the Elm Fork Water Treatment Plant - \$26,700, from \$106,920 to \$133,620 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1302

Item 30: Authorize **(1)** a twenty-four-month service contract, with three twelve-month renewal options, for the implementation of the toilet voucher program and administration fees, with Niagara Conservation, Inc., most advantageous proposer of two, in the amount of \$840,000; **(2)** a twenty-four-month service contract, with three twelve-month renewal options, for the implementation of the commercial food services program and administration fees to install low volume pre-rinse spray nozzles and aerators in commercial kitchens with Niagara Conservation, Inc., most advantageous proposer of two, in the amount of \$1,306,250; and **(3)** funding for the toilet vouchers over a sixty-month period to encourage customers to replace high water-use toilets with ultra-low flow and high efficiency toilets in the amount of \$1,913,850 - Total not to exceed \$4,060,100 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1303

Item 31: Authorize Supplemental Agreement No. 1 to the professional services contract with Burson-Marsteller for continuing the advertising campaign and media placement for the promotion and reinforcement of water conservation initiatives and grease abatement program for the period of April 2007 through September 2008 - \$2,100,000, from \$3,480,000 to \$5,580,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

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

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

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Medrano.

After discussion, Deputy Mayor Pro Garcia called for a vote on the motion.

Deputy Mayor Pro Tem Garcia declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Hill absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1304

Item 32: 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 APRIL 25, 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.

The following individual addressed the city council regarding the item:

Lashonda Young, 3011 Carpenter Ave.

Councilmember Chaney 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 Salazar and unanimously adopted. (Miller absent on city business; Fantroy absent)

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

**07- 1355    MLB            MUNICIPAL LIBRARY BOARD**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1305

Item 33: Authorize the City Manager to prepare definite documents for **(a)** \$14,000,000 from 1998 Bond Funds for renovations to the Old Municipal Building located at 2014 Main Street, **(b)** the joint use of the Old Municipal Building located at 2014 Main Street and 106 South Harwood Street by the University of North Texas (UNT) for its law school and the City for public purposes, and **(c)** the dedication of \$500,000 in City of Dallas Public/Private Partnership Funds in each of the next four years, beginning in FY 2007-08, for capital investment in the UNT law school, subject to state funding for the UNT law school in the current legislative session (via Mayor Miller)

The following individual addressed the city council regarding the item:

Cynthia Hall, 7901 Vienna, **Plano, TX.** Representing UNT System

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1306

Item 34: A resolution to authorize the City Manager to negotiate and enter into a development agreement with The Pillar Group, the developer of the Tower Petroleum Building redevelopment project (Mayor Pro Tem Hill and Councilmembers Blaydes, Salazar, Natinsky and Thornton-Reese)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1307

Item 35: Authorize amendments to Resolution No. 06-2441, previously approved on September 13, 2006, for the redevelopment of the Santa Fe IV building located at 1033 Young Street in the Downtown Connection TIF District to (a) remove the residential requirement and increase the number of hotel rooms from 116 to 195, (b) define allowable expenditures for private investment, ~~and~~ (c) extend the date to receive Landmark Commission review from March 31, 2007 to December 31, 2007, and (d) include Hamilton 1033 LLC and Santa Fe IV Hotel, LP, along with Santa Fe Lofts IV LP, as party to the development agreement - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Councilmember Hunt moved to approve the resolution.

Motion seconded by Councilmember Medrano and unanimously adopted. (Hill, Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1308

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

Agenda item 37, 39 and 40 was removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 36: Zoning Case Z067-135 (RB)  
~~Agenda item 37: Zoning Case Z067-150 (JH)~~ **[considered individually]**  
Agenda item 38: Zoning Case Z067-155 (WE)  
~~Agenda item 39: Zoning Case Z067-156 (JA)~~ **[considered individually]**  
~~Agenda item 40: Zoning Case Z067-157 (WE)~~ **[considered individually]**  
Agenda item 41: Zoning Case Z067-162 (OTH)  
Agenda item 42: Zoning Case Z067-149 (JH)  
Agenda item 43: Zoning Case Z067-170 (JH)  
~~Agenda item 44: Zoning Case Z067-151 (JH)~~ **[deleted on the addendum]**

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1309

Item 36: Zoning Case Z067-135 (RB)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

A public hearing was called on zoning case Z067-135 (RB), an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an IR Industrial Research District on the southwest corner of Hampton Road and Beckleymeade Avenue

(The city plan and staff recommended approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to site plans 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. 26724.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1310

Item 37: Zoning Case Z067-150 (JH)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

Councilmember Griffith and Councilmember Hunt requested that consent agenda item 37 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griffith's and Councilmember Hunt's request.

Later in the meeting, agenda item 37 was brought up for consideration.

A public hearing was called on zoning case Z067-150 (JH), an application for and an ordinance granting a Specific Use Permit for a bank or savings and loan with drive-through windows on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast corner of Cedar Springs Road and Fairmount Street

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

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

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

Councilmember Hunt moved to close the public hearing, and accept the recommendation of the city plan commission with the following change:

- The Specific Use Permit automatically terminates on April 25, 2017

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1310

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Motion seconded by Councilmember Salazar and unanimously adopted. (Griffith abstain; Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

ORDINANCE NO. 26725

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1311

Item 38: Zoning Case Z067-155 (WE)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

A public hearing was called on zoning case Z067-155 (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 on the northeast corner of Denton Drive and Walnut Hill Lane

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26726.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1312

Item 39: Zoning Case Z067-156 (JA)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

Councilmember Hunt requested that consent agenda item 39 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 39 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, agenda item 39 was brought up for consideration.

A public hearing was called on zoning case Z067-156 (JA), regarding a Landmark Commission authorized hearing to consider an Historic Overlay for the Garvin Cemetery on property zoned an R-10(A) Single Family District with Specific Use Permit No. 78 for a cemetery and an MF-1(A) Multifamily District with Specific Use Permit No. 77 for a cemetery, on the south side of the 4000 block of West Northwest Highway at Thornberry Lane and an ordinance granting the Historic Overlay

(The staff and city plan recommended approval, subject to revised preservation criteria)

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

Councilmember Hunt moved to close the public hearing, and accept the recommendation of the city plan commission except amend Section 5.4 of the preservation criteria to read as follows:

- Reinterment within the district is allowed in Tract A, or in Tract C as close as possible to Tract A, subject to compliance with all applicable laws related to cemeteries and reinterment. Locations of proposed reinterments must be reviewed through the certificate of appropriateness process.

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

Assigned ORDINANCE NO. 26727.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1313

Item 40: Zoning Case Z067-157 (WE)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

Councilmember Koop requested that consent agenda item 40 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 40 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Later in the meeting, agenda item 40 was brought up for consideration.

A public hearing was called on zoning case Z067-157 (WE), an application for and an ordinance granting an amendment to the conceptual plan and conditions for Lots 2A and 2B within Planned Development No. 215 for SC Shopping Center District uses and MF-3 Multiple Family District uses and the termination of the existing development plan and landscape plan on the east side of Noel Road, south of Alpha Road

(The staff and city plan recommended approval of an amendment to the conceptual plan and conditions and approval of the termination of the existing development plan and landscape plan)

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

Councilmember Koop moved to continue the public hearing and hold under advisement until the May 23, 2007 voting agenda meeting of the city council

Motion seconded by Councilmember Natinsky and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1314

Item 41: Zoning Case Z067-162 (OTH)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

A public hearing was called on zoning case Z067-162 (OTH), an application for and a resolution accepting the termination of the existing deed restrictions on property zoned MU-3(SAH) Mixed Used District and a resolution accepting new deed restrictions volunteered by the applicant on the southeast corner of Central Expressway and Park Lane

(The staff and city plan recommended approval of the termination of the existing deed restrictions and approval of the deed restrictions volunteered by the applicant)

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

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1315

Item 42: Zoning Case Z067-149 (JH)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

A public hearing was called on zoning case Z067-149 (JH), an application for and an ordinance granting a Specific Use Permit for a Fire Station on property zoned an R-16(A) Single Family District on the north side of Walnut Hill Lane, west of Coppedge Lane

(The staff and city plan recommended approval of 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. 26728.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1316

Item 43: Zoning Case Z067-170 (JH)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

A public hearing was called on zoning case Z067-170 (JH), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District on the northwest side of Stutz Road between Forest Park Road and Maple Avenue

(The staff and city plan 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. 26729.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1317

Item 44: Zoning Case Z067-151 (JH)

The consent zoning docket consisting of agenda items 36-44 were presented for consideration.

A public hearing was called on zoning case Z067-151 (JH), an application for a Planned Development District for retail and multifamily uses on property zoned an RR Regional Retail District on the southwest corner of Ferguson Road and Valley Glen Drive, with consideration for and an ordinance granting an MU-2 Mixed Use District

(The staff and city plan recommended approval of an MU-2 Mixed Use District in lieu of a Planned Development District)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1318

Item 45: Zoning Case Z067-139 (WE) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-139 (WE), an application for a Specific Use Permit for a bank or savings and loan with a drive-in window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northeast corner of Oak Lawn Avenue and Maple Avenue

(The staff and city plan recommended denial)

Note: This item was considered by the City Council at a public hearing on April 11, 2007, and was taken under advisement until April 25, 2007, with the public hearing open.

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.

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

Peter Cavanaugh, 1620 Hanley Dr. representing the applicant

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

Councilmember Medrano moved to close the public hearing, and overrule the recommendation of the city plan commission to deny and bring the ordinance back for approval on May 23, 2007 with the following changes:

- “Approve for a two year time period, subject to conditions distributed today and a revised site plan with the ordinance and site plan to return on a future agenda” as listed below:
  1. USE: The only use authorized by this specific use permit is a bank or savings and loan office with drive-through window service.
  2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1318

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4. **LANDSCAPING:** Landscaping must be provided in accordance with Article X.
5. **INGRESS-EGRESS:** Ingress and egress must be provided in the locations shown on the attached site plan.
6. **DRIVE-THROUGH WINDOW:** A maximum of three drive-through window lanes is permitted only in the location shown on the attached site plan.
7. **STACKING:** A minimum of five stacking spaces must be provided for each teller window or station in the location shown on the attached site plan.
8. **DIRECTIONAL SIGNAGE:** Directional signage and/or pavement markings must be provided to clearly indicate ingress and egress from the drive-through window lane. Final design of the signage and pavement markings must be approved by the building official prior to the issuance of a certificate of occupancy for the use authorized by this specific use permit.
9. **MAINTENANCE:** The entire Property must be properly maintained in a state of good repair and net appearance.
10. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Motion seconded by Councilmember Salazar and unanimously adopted. (Oakley abstain; Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1319

Item 46: 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 staff and city plan recommended approval subject to a conceptual plan and conditions)

Note: This item was considered by the City Council at public hearings on February 28 and March 28, 2007, and was taken under advisement until April 25, 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 continue the public hearing and hold under advisement until the June 27, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1320

Item 47: DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing to receive comments regarding the consideration of amendments to Chapter 51A of the Dallas Development Code, Sections 51A-1.102, 51A-4.219, and 51A-4.702; amending the fee, providing for notice, and amending the standards and procedures for applications for minor amendments to site plans and landscape plans for specific use permits and development plans and landscape plans for planned development districts and an ordinance granting the amendments

(The staff and city plan recommended approval)

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 and pass the ordinance.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

Assigned ORDINANCE NO. 26730.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1321

Item 48: FLOODPLAIN APPLICATION - HELD UNDER ADVISEMENT

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 15.31 acres of a 32.06 total acre tract of land, zoned Light Industrial District, currently in the 100-year floodplain of the Trinity River located on Pemberton Hill Road, south of Elam Road and north of Loop 12 at the Trinity River, Fill Permit 05-07 - Financing: No cost consideration to the City

Note: This item was considered by the City Council at a public hearing on December 14, 2005, January 25, 2006, April 12, 2006, June 14, 2006, and again on September 27, 2006, and was held under advisement until April 25, 2007, with the public hearing open.

The following individual addressed the city council regarding the item:

Eric Benavides, 1235 Greenway, **Allen, TX**

Councilmember Oakley moved to close the public hearing and deny the application pursuant to Dallas Development Code, Section 51A-5.105(e)(4)(A)(2) because the city council has authorized acquisition of the property under the laws of eminent domain and denial of the application is necessary to preserve the status quo until the property is acquired.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1322

Item 49: MISCELLANEOUS HEARINGS

A public hearing to receive comments regarding adoption of the West Kleberg Community Plan as an area plan and policy guide for future development; and, at the close of the hearing, authorize a resolution directing the City Manager to proceed with implementation of the recommendations contained in the West Kleberg Community Plan in an area generally located south of Interstate 20, and bounded on the east by Stark Road and the Dallas city limit, on the south by Dallas County, and on the west by St. Augustine and Haymarket Roads - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Medrano and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1323

Item 50: MISCELLANEOUS HEARINGS

A public hearing to receive comments regarding an application for and an ordinance changing the name of Grovedale Drive located north of Churchill Way, between Breckenridge Drive and Pecan Forest Drive, to Churchill Court - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Natinsky and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

Assigned ORDINANCE NO. 26731.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1324

Item 51: MISCELLANEOUS HEARINGS)

A benefit assessment hearing to receive comments on sidewalk paving, for Sidewalk Group 03-129, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Ken-Do Contracting, LP, lowest responsible bidder of three (list attached) - \$124,745 - Financing: 2003 Bond Funds

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. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

Assigned ORDINANCE NO. 26732.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1325

Item 52: MISCELLANEOUS HEARINGS

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete St. Augustine Road between Military Parkway and Sam Houston Road as a four-lane undivided roadway - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Walt Bonza, 700 Sam Houston Rd. **Mesquite, TX.**

Councilmember Chaney moved to continue the public hearing and hold under advisement until June 13, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1326

Item 53: MISCELLANEOUS HEARINGS

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to add Unnamed FN3, a four-lane undivided collector (S-4-U) within 60 feet of right-of-way between Frankford Road and the George Bush Tollway and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Hunt and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

Assigned ORDINANCE NO. 26733.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1327

Item 54: MISCELLANEOUS HEARINGS

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to designate Frankford Road from the proposed Unnamed FN3 Roadway to the Dallas/Richardson City Limit as a four-lane divided (S-4-D) within 80 feet of right-of-way and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

Councilmember Natinsky moved to close the public hearing.

Motion seconded by Councilmember Hunt and unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

Assigned ORDINANCE NO. 26734.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1328

Item 55: MISCELLANEOUS HEARINGS – HELD UNDER ADVISEMENT

A public hearing to receive comments on the proposed closure and possible sale of the Southern Skates Skating Rink located at 2939 E. Ledbetter, which was financed by the Department of Housing and Urban Development's Community Development Block Grant and Section 108 Funds in the amount of \$1,000,000, with no alternative use for the facility at this time - Financing: No cost consideration to the City

Note: This item was considered by the City Council at a public hearing on December 13, 2006, and was held under advisement until April 25, 2007, with the public hearing open.

The following individuals addressed the city council regarding the item:

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

Councilmember Thornton-Reese moved to close the public hearing, and approve the continued deliberations and negotiation with Parks and Recreation and Development Services Departments to find and explore other uses or opportunities for the skating rink and continue to be operated by the City of Dallas as a skating rink until the departments come back to the city council.

Motion seconded by Councilmember Salazar.

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 Chaney voting "No". (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

After further discussion, Councilmember Chaney requested that his original vote "No" on the motion be withdrawn and to show his vote in favor of the motion.

Mayor Pro Tem Hill declared the motion unanimously adopted. (Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1329

Addendum addition 1: Authorize the purchase of one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck for hauling cover soil at the McCommas Bluff Landfill - Continental Equipment Co. L.P. in the amount of \$398,248 and Holt Texas LTD in the amount of \$250,000, lowest responsible bidders of five - Total not to exceed \$648,248 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1330

Addendum addition 2: Authorize a professional services contract for specialized equipment and software services to be used in the assembly of a pavement management data collection vehicle for conducting street and alley condition inventories - Enterprise Information Solutions, Inc., most advantageous proposer of four - Not to exceed \$500,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1331

Addendum addition 3: Authorize an eighteen-month service contract, with two twelve-month renewal options, to perform medical exams and fitness assessments for firefighters - MedProvider dba Health Texas, most advantageous proposer of three - Not to exceed \$1,565,954 - Financing: Current Funds (\$782,977 subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1332

Addendum addition 4:           An ordinance amending Ordinance No. 26580 ordering the May 12, 2007 general election, in order to change some election-day and early voting locations - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 4 be considered as an individual item to allow citizens to speak. Deputy Mayor Pro Tem Garcia stated that addendum addition consent agenda item 4 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

The following individual addressed the city council regarding the item:

Lashonda Young, 3011 Carpenter Ave.

Councilmember Chaney moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26735.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1333

Addendum addition 5: Authorize moving expense and replacement housing payments for Delvin Mims 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 \$38,901 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1334

Addendum addition 6: Authorize settlement in lieu of proceeding further with condemnation in the lawsuit styled, City of Dallas v. Phillip W. Johnson et al., Cause No. cc-03-14904-c, pending in the County Court at Law No. 3, for a tract of land containing approximately 90 acres from owner Phillip W. Johnson located near Linfield Road and Interstate Highway 45 for the Trinity River Corridor Project - \$795,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1335

Addendum addition 7: Authorize **(1)** a public hearing to be held on May 23, 2007, to receive comments on a proposed redevelopment plan for the Jules E. Muchert Reserve Center located near the intersection of Northwest Highway and Thurgood Lane; and, at the close of the hearing, **(2)** consideration of a resolution authorizing the proposed redevelopment plan -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1336

Addendum addition 8: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Metropolitan Sand and Gravel Company, L.L.C., for approximately 32 acres of land located near the intersection of Loop 12 and Pemberton Hill Road for the Trinity River Corridor Project - \$395,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1337

Addendum addition 9: An ordinance abandoning portions of seven various easements to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 83,286 square feet of land located near the intersection of Northwest Highway and Shadybrook Lane - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26736.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1338

Addendum addition 10: An ordinance abandoning a portion of Turtle Creek Boulevard to Block 1500, L.P. and Tower Land and Investment Company, the abutting owners, containing approximately 49,146 square feet of land located at the intersection of Turtle Creek Boulevard and Oak Lawn Avenue, and authorizing the quitclaim in exchange for approximately 5,423 square feet of needed street right-of-way - Revenue: \$780,456 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26737.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1339

Addendum addition 11: Authorize **(1)** the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2007 through April 30, 2008; and **(2)** execution of the grant agreement - Not to exceed \$420,360 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1340

Addendum addition 12: Authorize **(1)** the application for and acceptance of a grant from the Texas Department of Housing and Community Affairs for the provision of homebuyer assistance, housing placement, and transitional rental assistance for homeless individuals through the Homeless Services Program for the period October 1, 2007 through March 30, 2010; and **(2)** execution of the grant agreement - Not to exceed \$550,000  
- Financing: Texas Department of Housing and Community Affairs Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1341

Addendum addition 13: Authorize an increase in the contract with J. N. Kent Construction Company, Inc. for the replacement of the water damaged ceiling system in L2/A/North at City Hall located at 1500 Marilla Street - \$44,307, from \$487,364 to \$531,671 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1342

Addendum addition 14: Authorize **(1)** the acceptance of a grant from the ExxonMobil Foundation to provide funding for employment, training and basic education services to Dallas youth in the amount of \$265,000; **(2)** the implementation of the Summer Youth Program for low- to moderate-income youth ages 16 and above, and certain costs for students and supervisor wages, supplies training, and materials for the period of April 25, 2007 to August 25, 2007, in the amount of \$237,000; and **(3)** an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component in the amount of \$28,000 - Total not to exceed \$265,000 - Financing: 2007 ExxonMobil Foundation Grant Funds

Deputy Mayor Pro Tem Garcia requested that addendum addition consent agenda item 14 be considered as an individual item. Deputy Mayor Pro Tem Garcia 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 Deputy Mayor Pro Tem Garcia's request.

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

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Hill, Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1343

Addendum addition 15: Authorize a contract for the design and fabrication of a site-specific artwork for the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue - Graphic Content, Inc. - Not to exceed \$38,488 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1344

Addendum addition 16: Authorize a contract for the fabrication and installation of a site-specific public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road - Meridian Energy Systems, Inc. - Not to exceed \$123,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1345

Addendum addition 17: Authorize **(1)** the preparation of plans for the issuance of \$135,350,000 in General Obligation Bonds, Series 2007; and **(2)** the establishment of appropriations in an amount not to exceed \$135,691,406 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1346

Addendum addition 18: A resolution **(1)** authorizing a commitment to fund up to 25% of incremental cost of undergrounding approximately 0.7 miles of the proposed TXU Electric Delivery 345 kilovolt electric West Levee to Norwood transmission line from the West Levee switching station to approximately Sylvan Avenue; and **(2)** directing the City Manager to include such funding in future budgets as appropriate - Financing: This action has no cost consideration to the City

The City Secretary requested that consent agenda item 18 be considered as an individual item to allow a citizen to speak. Deputy Mayor Pro Tem Garcia stated that consent agenda item 18 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, consent agenda item 18 was brought up for consideration.

Deputy Mayor Pro Tem Garcia requested to reconsider the consent agenda in order to allow a citizen to speak on addendum addition items 18 and 23 instead of consent agenda items 18 and 23 and to be considered as individual items.

Later in the meeting, addendum addition item 18 was brought up for consideration.

The following individual addressed the city council regarding the item:

Mark Spence, 2227 Irving Blvd

Councilmember Oakley moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1347

Addendum addition 19: Authorize Supplemental Agreement No. 1 to the professional services contract with Oglesby-Greene Architects, Inc. to provide for the historical regulatory reviews and approvals, construction documents, design of exhibits and interpretive graphics, cost estimating, bidding, and construction administration services for the exterior and interior areas of the butterfly house, lobby, and offices for the Texas Discovery Gardens at Fair Park, Phase III, located at 3601 Martin Luther King, Jr., Boulevard - Not to exceed \$492,490, from \$24,999 to \$517,489 - Financing: 1995 Bond Funds (\$145,895) and 1998 Bond Funds (\$346,595)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1348

Addendum addition 20: Authorize a twelve-month 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: 2005-06 Urban Area Security Initiative Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1349

Addendum addition 21: Authorize **(1)** the application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period of May 21, 2007 through June 3, 2007, in the amount of \$90,000, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$25,398, and **(3)** execution of the grant agreement - Total not to exceed \$115,398 - Financing: Current Funds (\$25,398) and Texas Department of Transportation Grant Funds (\$90,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1350

Addendum addition 22: Authorize an increase in the contract with CORE Construction, Inc. to provide modifications caused by unforeseen site conditions concerning existing utility lines for the new South Central Police Station to be located at 1999 East Camp Wisdom Road - \$36,515, from \$10,516,305 to \$10,552,820 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1351

Addendum addition 23: Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the North Texas Tollway Authority (NTTA) and Texas Department of Transportation to increase the escrow of City funds for disbursement to NTTA in order to continue with the next phase of work associated with the Trinity Parkway Environmental Impact Statement - \$1,500,000, from \$7,000,000 to \$8,500,000 - Financing: 1998 Bond Funds

Councilmember Hunt requested that addendum addition consent agenda item 23 be considered as an individual item. Deputy Mayor Pro Tem Garcia 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 Hunt's request.

The City Secretary requested that consent agenda item 23 be considered as an individual item to allow a citizen to speak. Deputy Mayor Pro Tem Garcia stated that consent agenda item 23 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 23 was brought up for consideration.

Deputy Mayor Pro Tem Garcia requested to reconsider the consent agenda in order to allow a citizen to speak on addendum addition items 18 and 23 instead of consent agenda items 18 and 23 and to be considered as individual items.

Later in the meeting, addendum addition agenda item 23 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Mark Spence, 2227 Irving Blvd.

Councilmember Oakley moved to approve the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1310

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Motion seconded by Councilmember Koop and unanimously adopted.

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

Deputy Mayor Pro Tem Garcia declared the motion adopted on a divided vote, with Councilmember Hunt voting "No". (Hill, Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1352

Addendum addition 24: **Fireman's Fund Insurance Company**

**Note:** Item Nos. 24 and 25 must be considered collectively.

Authorize a 75 percent new business personal property tax abatement agreement for five years with Fireman's Fund Insurance Company and California State Teachers Retirement System located at 500 North Akard - Revenue: First year revenue estimated at \$9,115; five-year revenue estimated at \$45,575 (Estimated revenue foregone for five-year abatement estimated at \$136,725)

Addendum addition 25: Authorize a four-year economic development grant agreement with Fireman's Fund Insurance Company related to the company's expansion and job creation at 500 North Akard - Not to exceed \$25,000 annually for a total not to exceed \$100,000 - Financing: Public/Private Partnership Program Funds

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1353

Addendum addition 26: Authorize **(1)** a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Fort Worth Avenue area (Fort Worth Avenue TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and, at the close of the hearing, **(2)** consideration of an ordinance creating the Fort Worth Avenue TIF District - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Hill, Rasansky absent when vote taken; Miller absent on city business; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

APRIL 25, 2007

07-1354

Addendum addition 27: Authorize **(1)** a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Twelve Hills area (Twelve Hills TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Twelve Hills TIF District - Financing: No cost consideration to the City

Councilmember Oakley moved to approve the item.

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 25, 2007

EXHIBIT C