

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 13, 2007

07-1710  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR LAURA MILLER, PRESIDING

PRESENT: [15] Miller, Hill, Garcia, Medrano, Oakley Thornton-Reese Salazar,  
Chaney, Fantroy Griffith, Blaydes, Koop, Natinsky, Rasansky,  
Hunt

ABSENT: [0]

The meeting was called to order at 9:05 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.

Jordan Palefsky, The Greenhill School, led the pledge of allegiance.

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

After all business properly brought before the city council had been considered the city council adjourned at 6:46 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, JUNE 13, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 13, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1711

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: Sharif Ahmed, 1140 Empire Central Dr.  
REPRESENTING: Maredi Corporation  
SUBJECT: Rationale for wavier

SPEAKER: Otis Fagan, 2247 Scotland Dr.  
SUBJECT: The contamination in West Dallas

SPEAKER: John Crawford, 4401 Livingston St.  
REPRESENTING: Downtown Dallas  
SUBJECT: Thank you to City Council

SPEAKER: Deborah Goldstein-Cohen, 1523 Andrew St., **Mesquite, TX**  
REPRESENTING: Oxford  
SUBJECT: Request recognition as May Tag

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

SPEAKER: Danny Hyde, 5042 E. Wild Horse Dr. **Springfield, MO**  
SUBJECT: Tax Sale Transfer Procedures

SPEAKER: Albert Parker, 6318 Elam Rd.  
SUBJECT: Mayor exit under dark cloud

SPEAKER: Ozumba Lnuke-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

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.  
REPRESENTING: The Jurline Gates Hollins Campaign for Political Equality  
SUBJECT: Financial disclosure for political consultants

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
07-1711  
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**OPEN MICROPHONE – END OF MEETING – SPOKE IN THE LAST 30 DAYS:**

SPEAKER: Jewel Floyd, 3815 Myrtle St.  
SUBJECT: Want the City Manager to explain what she stated in Sunday's  
paper

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1712

Item 1: Approval of Minutes of the May 23, 2007 City Council Meeting

Councilmember Oakley moved to approve the minutes.

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

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1713

### CONSENT AGENDA

The consent agenda, consisting of agenda items 1-64 and addendum addition consent agenda items 1-12, were presented for consideration.

The City Secretary requested that consent agenda items 27, 28 and 40, and addendum addition consent agenda item 5, 6, and 7 be considered as individual items to allow citizens to speak. Mayor Miller stated that consent agenda items 27 28 and 40 and addendum addition consent agenda item 5, 6, and 7 would be considered as individual items later in the meeting; there being no objection voiced to the City Secretary's request.

Mayor Pro Tem Hill requested that consent agenda item 4 be considered as an individual item. Mayor Miller stated that consent agenda item 4 be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Councilmember Koop requested that addendum addition consent agenda item 4 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 4 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Councilmember Natinsky requested that consent agenda items 7, 10, and 56 be considered as individual items. Mayor Miller stated that consent agenda items 7, 10, and 56 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 2, 9, 10, 15, 16, 25, 27, 29, 31, 42, and addendum addition consent agenda item 4, 5, 6, 7, and 10 be considered as individual items. Mayor Miller stated that consent agenda items 2, 9, 10, 15, 16, 25, 27, 29, 31, 42, and addendum addition consent agenda item 4, 5, 6, 7, and 10 be 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 2, 4, 7, 9, 10, 15, 16, 25, 27, 28, 29, 31, 40, 42, 56, and addendum addition consent agenda item 4, 5, 6, 7, and 10 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1714

Item 2: Authorize a twelve-month service contract for barricade services - Dallas Lite & Barricade, Inc., only bidder - Not to exceed \$103,250 - Financing: Water Utilities Current Funds

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Griffith and unanimously adopted. (Miller, Thornton-Reese absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1715

Item 3: Authorize a twenty-four-month master agreement for temporary signs, sign posts, and installation hardware - Allied Tube & Conduit Corporation in the amount of \$210,000, Road Runner Traffic Supply, Inc. in the amount of \$145,900, Centerline Supply, Inc. in the amount of \$113,400, and Dyna Engineering, LTD in the amount of \$28,200, lowest responsible bidders of five - Total not to exceed \$497,500 - Financing: Current Funds (\$379,400), Water Utilities Current Funds (\$118,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1716

Item 4: Authorize **(1)** the rejection of bids received for asbestos abatement services; and, **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Mayor Pro Tem Hill requested that consent agenda item 4 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Later in the meeting agenda item 4 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1717

Item 5: Authorize a forty-eight-month master agreement for ferric chloride for the Central Wastewater Treatment and Southside Wastewater Treatment Plants - Kemira Water Solutions, Inc., lowest responsible bidder of three - Not to exceed \$770,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1718

Item 6: Authorize a thirty-six-month master agreement for removal and disposal of bio-hazard medical waste - MedClean Management Solutions, Inc., only bidder - Not to exceed \$211,210 - Financing: Current Funds (\$101,607), Department of State Health Services Grant Funds (\$109,603)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1719

Item 7: Authorize the purchase of a replacement backhoe to be used for general construction needs at Dallas Love Field and Dallas Executive Airports, and the Dallas Heliport - Landmark Equipment, lowest responsible bidder of two - Not to exceed \$76,992 - Financing: Current Funds

Councilmember Natinsky requested that consent agenda item 7 be considered as an individual item. Mayor Miller stated that consent agenda item 7 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 7 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1720

Item 8: Authorize the purchase of school supply packets for the Mayor's 2007 Back-to-School Fair to be held on August 2, 2007 - Education Products, Inc., lowest responsible bidder of three - Not to exceed \$89,980 - Financing: Mayor's Back to School Fair Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1721

Item 9: Authorize a service contract for the purchase and installation of updated lighting console improvements at the Morton H. Meyerson Symphony Center - Barbizon Light of the Rockies, Inc., most advantageous proposer of two - Not to exceed \$163,040 - Financing: Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 9 be considered as an individual item. Mayor Miller stated that consent agenda item 9 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 9 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1722

Item 10: Authorize a professional services contract for the rates and charges study for Dallas Love Field and Dallas Executive Airports, and the Dallas Heliport - Unison-Maximus, Inc., most advantageous proposer of five - Not to exceed \$239,600 - Financing: Current Funds

Councilmember Natinsky and 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 Natinsky and Councilmember Rasansky's request.

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

Councilmember Koop moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Miller, Oakley absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1723

Item 11: Authorize a professional services contract with the law firm of Bell, Nunnally & Martin L.L.P. for legal services necessary to represent the City in the lawsuit styled Roland R. Gamez v. The City of Dallas, Texas, Civil Action No. 2:06-CV-00158-TJW, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1724

Item 12: Authorize settlement of the lawsuit styled Lashundrea Reed, individually and as next friend of Jessica West and Jessie West v. Arturo Espinoza and City of Dallas, Cause No. 06-03767-B - Not to exceed \$13,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1725

Item 13: Authorize settlement of the lawsuit styled William M. Trussell v. City of Dallas, Cause No. 06-08449-J - Not to exceed \$35,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1726

- Item 14: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P. for additional legal services necessary in the lawsuit styled David Pabis, Individually and as Heir to and on Behalf of the Estate of Jason Pabis, Deceased v. Michael Adrian Tayem et al., Cause No. DC-06-06446-L, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$30,000, from \$75,000 to \$105,000 - Financing: Current Funds

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1727

Item 15: Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Vinson & Elkins LLP for additional legal services necessary in connection with litigation and related matters involving Dallas Love Field and the Wright Amendment compromise - Not to exceed \$800,000, from \$875,000 to \$1,675,000 - Financing: Aviation Current Funds

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1728

Item 16: Authorize **(1)** an application to the North Texas Crime Commission, as fiscal agent for the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for the Six Cities Anti-Gang Initiative Grant to create a Re-entry Docket within the Dallas Community Court to provide pre-release and post-release services to approximately 60 ex-offenders released from Texas Youth Commission and/or the Texas Department of Criminal Justice for the period of June 13, 2007 through May 31, 2009; and **(2)** execution of the grant agreement - Not to exceed \$96,402 - Financing: U.S. Department of Justice Grant Funds

Councilmember Rasansky 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 Rasansky's request.

Later in the meeting agenda item 16 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1729

Item 17: Authorize a replacement housing payment for homeowner, Bernice McEntyre Skillern, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$76,600 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1730

Item 18: Authorize moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for Juan Antonio Mendoza and Anita Mendoza 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 \$32,100 - Financing: 2003 Bond Funds (\$23,600) and Deerfield Housing Funds (\$8,500)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1731

Item 19: Authorize moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for Juana Rosas 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 \$32,400 - Financing: 2003 Bond Funds (\$23,900) and Deerfield Housing Funds (\$8,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1732

Item 20: Authorize moving expense and replacement housing payments for Manuel Navarez and Beatriz Rodriguez 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 \$33,300 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1733

Item 21: An ordinance abandoning a fire lane easement to MCN at Illinois, Ltd., the abutting owner, containing approximately 11,000 square feet of land located near the intersection of Illinois and Michigan Avenues - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26769.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1344

Item 22: An ordinance authorizing a correction to Ordinance No. 26137 for an amendment to Planned Development District No. 143 on the northwest corner of LBJ Freeway and Valley View Lane to correct the omission of Exhibit 143D - Z045-233 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26770.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1735

Item 23: An ordinance authorizing acquisition, from Carl Esrey, of approximately 305 square feet of land needed to improve access to the Katy Trail in exchange for the abandonment of a portion of alley right-of-way containing approximately 159 square feet of land located near the intersection of Blackburn and Travis Streets, and authorizing the quitclaim - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26771.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1736

Item 24: An ordinance closing and vacating a portion of Bristol Drive and the adjacent traffic island to Dallas Fire-Rescue, containing approximately 16,964 square feet of land located near its intersection with Vernon Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26772.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1737

Item 25: Authorize the quitclaim of 2 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$86,099

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

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

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Oakley.

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".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1738

Item 26: An ordinance (1) approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Thirteen (Grand Park South TIF District); and (2) authorizing a participation agreement with Dallas County for the Grand Park South TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26773.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1739

Item 27: **Skillman Corridor TIF District** **Note:** Item Nos. 27 and 28 must be considered collectively.

Authorize (1) a development agreement with PC LH Land Partners, LP to provide funding for the TIF-eligible project costs related to the development of the Lake Highlands Town Center in Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District); and (2) the Skillman Corridor TIF District Board of Directors to dedicate up to \$23,000,000 from future Skillman Corridor TIF revenues in accordance with the development agreement - Not to exceed \$23,000,000 - Financing: Skillman Corridor TIF District Funds

The City Secretary requested that consent agenda item 27 be considered as an individual item to allow citizens to speak. Mayor Miller states 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.

Councilmember Rasansky requested that consent agenda item 27 be considered as an individual item. 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 Councilmember Rasansky's request.

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

The following individuals addressed the city council regarding the item:

Jerry Allen, 9426 Dartcrest  
Donna Halstead, 9508 Fieldcrest Dr.  
Alan Walne, 10020 Caribou Tr.  
Steve Wakefield, 9916 Wood Forest Dr.

Councilmember Blaydes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1740

Item 28: **Skillman Corridor TIF District** **Note:** Item Nos. 27 and 28 must be considered collectively.

A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to reimburse PC LH Land Partners, LP up to \$23,000,000 for certain TIF-eligible project costs related to the development of the Lake Highlands Town Center in the Skillman Corridor TIF District - Financing: No cost consideration to the City

The City Secretary requested that consent agenda item 28 be considered as an individual item to allow citizens to speak. Mayor Miller states that consent agenda item 28 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Councilmember Rasansky requested that consent agenda item 28 be considered as an individual item. Mayor Miller stated that consent agenda item 28 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 28 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Jerry Allen, 9426 Dartcrest  
Donna Halstead, 9508 Fieldcrest Dr.  
Alan Walne, 10020 Caribou Tr.  
Steve Wakefield, 9916 Wood Forest Dr.

Councilmember Blaydes moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1741

Item 29: **Farmers Market TIF District**      **Note:** Item Nos. 29 and 30 must be considered collectively.

Authorize an amendment to the development agreement with Camden Realty, Inc., for the Townhomes Project, Phase IIA in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District); to reduce the scope of the project from 55 townhomes to 17 townhomes and to reduce the amount of TIF funding by (\$362,775) from \$525,000 plus interest to an amount not to exceed \$162,225 - Financing: No cost consideration to the City

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

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

Councilmember Hunt 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". (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1742

Item 30:        **Farmers Market TIF District**        **Note:** Item Nos. 29 and 30 must  
be considered collectively.

Authorize an amendment to the development agreement with Camden Property Trust for the Farmers Market Project, Phase IB in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District); to reduce the scope of the project from 585 apartment units and approximately 1,000 parking spaces to 284 apartment units and approximately 488 parking spaces and to reduce the amount of TIF funding by (\$603,703) from \$1,345,734 plus interest to an amount not to exceed \$742,031 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1743

Item 31: Authorize a development agreement with Next Block Dallas-I, LP for the construction of certain public improvements including street and drainage improvements in the area north of Walnut Hill Lane and east of North Central Expressway (U.S. 75) - Financing: No cost consideration to the City

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

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

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Blaydes.

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".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1744

Item 32: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$149,912 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2007 through November 30, 2008; **(2)** a local match in an amount not to exceed \$9,978; and **(3)** execution of the grant agreement - Total not to exceed \$159,890 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$149,912) and Current Funds (\$9,978) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1745

Item 33: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$250,598 from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance and case management for single homeless persons for the period October 1, 2007 through September 30, 2008 **(2)** a local match in an amount not to exceed \$15,866; and **(3)** execution of the grant agreement - Total not to exceed \$266,464 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$250,598) and Current Funds (\$15,866) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1746

Item 34: Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development in the amount of \$78,960 to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2007 through September 30, 2008; **(2)** a contract with Operation Relief Center, Inc. to provide sponsor-based rental assistance; and **(3)** execution of the grant agreement - Not to exceed \$78,960 - 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

JUNE 13, 2007

07-1747

Item 35: Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2007 through September 30, 2008; and **(2)** execution of the grant agreement - Not to exceed \$806,400 - 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

JUNE 13, 2007

07-1748

Item 36: Authorize Supplemental Agreement No. 4 to the design/build contract with Mitchell Enterprises, Ltd. for construction at the Northwest Service Center, Phase II, to install a communication tower at the Dodd J. Miller, Jr. Maintenance and Training Center located at 5000 Dolphin Road - \$52,442, from \$16,479,216 to \$16,531,658 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1749

Item 37: Authorize a 30-year lease agreement with Dallas Firefighter's Museum, Inc. for the continued use of former Fire Station No. 5 as a museum, gift shop and educational resource to students and the general public, containing approximately 8,816 square feet of space located at 3801 Parry Avenue from July 1, 2007 through June 30, 2037 - Annual Revenue: \$1

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1750

Item 38: An ordinance adopting the 2006 International Fire Code with amendments as the 2007 Dallas Fire Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO 26774.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1751

Item 39: Authorize **(1)** the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice in the amount of \$2,163,235 for support of a broad range of activities to help control and prevent crime, and to improve the criminal justice system; **(2)** a fund sharing and fiscal agency agreement between the City of Dallas, Dallas County, and eligible designated cities; **(3)** the disbursement of grant funds to Dallas County and other eligible designated cities in the amount of \$864,976; **(4)** acceptance of the City's portion of the grant in the amount of \$1,298,259; and **(5)** execution of the grant agreement - Total not to exceed \$2,163,235 - Financing: U. S. Department of Justice Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1752

Item 40: Authorize a resolution to **(1)** maintain South Dallas Cultural Center as the official name of the cultural center located at 3400 South Fitzhugh; **(2)** deny the petition to rename the cultural center as the Arthello Beck, Jr. Cultural Arts Center; and **(3)** name a gallery located in the cultural center as the Arthello Beck, Jr. Gallery - Financing: No cost consideration to the City

The City Secretary requested that consent agenda item 40 be considered as an individual item to allow citizens to speak. Mayor Miller states that consent agenda item 40 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 40 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Artist Thornton Sr. 736 Havenwood Dr.  
Elaine Thornton, 736 Havenwood Dr.  
Artist Thornton Jr. 736 Havenwood Dr.

Councilmember Chaney moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1753

Item 41: Authorize the issuance of tax-exempt educational facilities bonds to be issued by the Health and Educational Facilities Authority of the State of Missouri in an aggregate principal amount not to exceed \$525,000 for the benefit of Lutheran High School of Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1754

Item 42: Authorize **(1)** a contract for dredging and erosion control improvements for Stonebridge and Blackburn Ponds within the Turtle Creek Parkway, with Shirley and Sons Construction Company, Inc., lowest responsible bidder of three, in the amount of \$838,534; and, **(2)** the establishment of appropriations in the amount of \$247,222 in the Capital Gifts, Donation and Development Funds - Total not to exceed \$839,534 - Financing: 2003 Bond Funds (\$592,312) and Capital Gifts, Donation and Development Funds (\$247,222)

Councilmember Rasansky requested that consent agenda item 42 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that consent agenda item 42 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 42 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Miller, Hill, Thornton-Reese, Chaney absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1755

Item 43: Authorize a second amendment to the lease agreement with Bishop Street Partners, a joint venture, to extend the lease for an additional three-year period for the continued use of approximately 1,350 square feet of office space located at 408 Bishop Avenue near the intersection of Bishop Avenue and Eighth Street for the Police Neighborhood Assistance Center from July 1, 2007 through June 30, 2010 - \$33,300 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1756

Item 44: Authorize participation with Dallas County in a collaborative effort to submit a consolidated application, with Dallas County as the lead agency, for and acceptance of the 2007-08 Juvenile Accountability Block Grant to provide further development and enhancements to an integrated data processing system from the Office of the Governor, Criminal Justice Division, and execution of the grant agreement, waiver of application and memorandum of understanding - \$92,758 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$83,482) and Current Funds (\$9,276)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1757

Item 45: Authorize a contract for culvert improvements and some dredging for Sump A ponds in the area generally bounded by Industrial Boulevard to the north, the Dallas Floodway East Levee to the south, IH-30 to the west, and Corinth Street to the east - Texas Sterling Construction, L.P., lowest responsible bidder of five - Not to exceed \$2,838,108 - Financing: Current Funds (to be reimbursed from Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1758

Item 46: Authorize a contract for paving, storm drainage, water and wastewater main improvements on the alley between Stewart Drive and Thomasson Drive from Turner Avenue to the existing concrete pavement west of Tyler Street - Canary Construction, Inc., lowest responsible bidder of six - \$141,945 - Financing: 2003 Bond Funds (\$48,345), Water Utilities Capital Improvement Funds (\$91,100), and Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1759

Item 47: Authorize an increase in the contract with Jeske Construction Company to provide for the construction of a temporary road and the installation of new water services to accommodate new development along Bexar Street, to be constructed during the reconstruction of Bexar Street from C. F. Hawn Freeway (U.S. 175) Service Road to Brigham Lane and alley between Bexar Street and Ideal Avenue from C. F. Hawn Freeway (U.S. 175) to Macon Street - \$184,496, from \$3,145,746 to \$3,330,242 - Financing: 2004-05 Community Development Grant Funds (\$100,668), 2006-07 Community Development Grant Funds (\$41,460), and Water Utilities Capital Construction Funds (\$42,368)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1760

Item 48: Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the acquisition of 6-inch resolution digital aerial orthophotos of the areas in and around the City of Dallas - \$25,139 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1761

Item 49: Authorize Supplemental Agreement No. 4 to the contract with HNTB Corporation to provide additional engineering services during construction on Samuell Boulevard from IH 30 to the Mesquite city limits - \$85,012, from \$1,328,327 to \$1,413,339 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1762-01

07-1762-02

Item 50: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 03-443; 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 August 8, 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

JUNE 13, 2007

07-1763

Item 51: Authorize a contract to provide office furniture, furnishings and equipment for the new Homeless Assistance Center to be located at 1818 Corsicana Street - OP Ventures of Texas dba Workplace Resource of DFW, lowest responsible bidder of four - \$514,202 - Financing: 2005 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1764

Item 52: Authorize a contract to provide medical and residential furniture, furnishings and equipment for the new Homeless Assistance Center to be located at 1818 Corsicana Street - Business Interiors, lowest responsible bidder of four - \$304,830 - Financing: 2005 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1765

Item 53: Authorize a contract for construction of a replacement facility for Fire Station No. 33 located at 754 West Illinois Avenue - CME Builders & Engineers, Inc., best value proposer of two - \$3,051,273 - Financing: 2003 Bond Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1766

Item 54: Authorize a contract for improvements to Shed 2 and adjacent areas at the Dallas Farmers Market, to include new tenant storefront entries, a fire alarm system, building insulation, utility upgrades, public restrooms, and a climate control system - Gilbert May, Inc., dba Phillips May Corporation, best value proposer of four - \$2,389,850 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1767

Item 55: Authorize a decrease in the contract with North Texas Contracting, Inc. to delete one fire station, add tie-ins and vent pipes, provide sewer line modifications, replace a concrete ramp and add 47 calendar days for storm water improvements to modify the storm water collection areas at 20 fire stations (list attached) - (\$6,257), from \$1,773,750 to \$1,767,493 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1768

Item 56: Authorize **(1)** a contract with Lea + Elliott, Inc. to provide a feasibility study for a people mover connector at Dallas Love Field, in an amount not to exceed \$749,396; and, **(2)** the establishment of appropriations in an amount not to exceed \$929,396 in the Federal Aviation Administration Airport Improvement Grant Funds - Total not to exceed \$929,396 - Financing: Aviation Capital Construction Funds (\$232,349), Federal Aviation Administration Airport Improvement Grant Funds (\$697,047)

Councilmember Natinsky requested that consent agenda item 56 be considered as an individual item. Mayor Miller stated that consent agenda item 56 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 56 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1769

Item 57: Authorize a professional services contract with Booziotis and Company Architects to provide programming, schematic design, design development, preparation of construction bid documents, bid evaluation and construction administration for the Oak Cliff Cultural Center located at 223 East Jefferson Boulevard - \$112,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1770

Item 58: Authorize **(1)** an Interlocal Agreement with Dallas Area Rapid Transit (DART) for the construction and relocation of wastewater main betterments within an easement on DART-owned property south of Lawnview Avenue and crossing the DART rail right-of-way east of Nutting Drive, and **(2)** the acceptance and deposit of funds from DART in the amount of \$864,974 for the relocation of a 48-inch wastewater main - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1771

Item 59: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for additional work associated with the construction of 48-inch wastewater main relocations within the right-of-way of the Dallas Area Rapid Transit Southeast Corridor Line Section 2 (SE-2) light rail project at two locations (list attached) - \$1,120,181, from \$5,524,521 to \$6,644,702 - Financing: Water Utilities Capital Improvement Funds (\$255,207) and Water Utilities Capital Construction Funds (\$864,974 to be reimbursed from DART)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1772

Item 60: Authorize a professional services contract with Alan Plummer Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 17 locations (list attached) - \$384,791 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1773

Item 61: Authorize a professional services contract with APM & Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 17 locations (list attached) - \$301,975 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1774

Item 62: Authorize a professional services contract with Dal-Tech Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 14 locations (list attached) - \$322,975 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1775

Item 63: Authorize a professional services contract with GSWW, Inc. to provide engineering design services for the renewal of water and wastewater mains at 15 locations (list attached) - \$324,615 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1776

Item 64: Authorize a professional services contract with RJN Group, Inc. to provide engineering design services for the renewal of water and wastewater mains at 15 locations (list attached) - \$337,165 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1777

Item 65: 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 JUNE 13, 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 Blaydes 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 Griffith and unanimously adopted.

Councilmember Salazar moved to appoint Jon Radke, Vice Chair, to the Reinvestment Zone Three (Oak Cliff Gateway).

Motion seconded by Councilmember Griffith and unanimously adopted. (Miller, Hill absent when vote was taken)

Note: In accordance with Dallas City Code, Chapter 12-A, Article VI, Section 12A-19 (f) (1) (G) (ii), the City Secretary announced the list of Board and Commission Members that had not turned in their Financial Disclosure Report.

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

**07-1836 CPR DALLAS CITIZENS POLICE REVIEW BOARD**  
**07-1837 BOARD OFFICERS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1778

Item 66: Authorize a Historic Development Program tax abatement for the property located at 5601 East Side Drive for a ten-year abatement on 100 percent of the land and structure value - Estimated revenue foregone: \$72,191

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Salazar.

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

Mayor Miller declared the motion adopted on a divided vote, with Mayor Miller and Councilmember Rasansky voting "No".



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1779

Item 67: Authorize a Historic Development Program tax abatement for the old Parkland Hospital building located at 3801 Maple Avenue for ten years on the added value of the land and structure value - Revenue: First year tax revenue estimated at \$121,295 (Estimated revenue foregone for ten years is \$583,360)

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Blaydes.

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

Voting Yes: [12] Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar, Chaney,  
Fantroy, Griffith, Blaydes, Koop, Natinsky

Voting No [3] Miller, Rasansky, Hunt

Absent: [0]

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1780

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Agenda item 69, 70, 71, 72, 73, 74, 75, 80 and 82 was removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 68: Zoning Case Z056-287 (OTH)  
~~Agenda item 69: Zoning Case Z056-294 (TC)~~ [considered individually]  
~~Agenda item 70: Zoning Case Z067-129 (JH)~~ [considered individually]  
~~Agenda item 71: Zoning Case Z067-130 (JH)~~ [considered individually]  
~~Agenda item 72: Zoning Case Z067-131 (JH)~~ [considered individually]  
~~Agenda item 73: Zoning Case Z067-133 (OTH)~~ [considered individually]  
~~Agenda item 74: Zoning Case Z067-172 (WE)~~ [considered individually]  
~~Agenda item 75: Zoning Case Z067-173 (RB)~~ [considered individually]  
Agenda item 76: Zoning Case Z067-175 (WE)  
Agenda item 77: Zoning Case Z067-180 (OTH)  
Agenda item 78: Zoning Case Z067-181 (OTH)  
Agenda item 79: Zoning Case Z067-182 (OTH)  
~~Agenda item 80: Zoning Case Z067-190 (JH)~~ [considered individually]  
Agenda item 81: Zoning Case Z067-196 (WE)  
~~Agenda item 82: Zoning Case Z067-198 (JA)~~ [considered individually]  
Agenda item 83: Zoning Case Z067-199 (MW)  
Agenda item 84: Zoning Case Z067-205 (OTH)  
Agenda item 85: Zoning Case Z067-206 (MW)  
Agenda item 86: Zoning Case Z067-208 (DC)

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.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
07-1780  
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Motion seconded by Councilmember Natinsky and unanimously adopted. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1781

Item 68: Zoning Case Z056-287 (OTH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z056-287 (OTH) an application for and an ordinance granting a Planned Development Subdistrict to allow the use of a Tower/Antenna for cellular communication within Planned Development District No. 323, on the northwest side of Crest Hill Road, northeast of Military Parkway

(The staff and city plan recommended approval subject to a development plan and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26775.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1782

Item 69: Zoning Case Z056-294 (TC)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Councilmember Hunt requested that consent agenda item 69 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 69 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 69 was brought up for consideration.

A public hearing was called on zoning case Z056-294 (TC) an application for and an ordinance granting a Conservation District on property zoned an R-7.5 Single Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on both sides of Rawlins Street generally bounded by Wycliff Avenue and Hawthorne Avenue

(The staff and city plan recommended approval subject of the conservation district and approval of the Conceptual Plan)

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

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

Motion seconded by Councilmember Medrano and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26776.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1783

Item 70: Zoning Case Z067-129 (JH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Councilmember Natinsky and Councilmember Rasansky requested that consent agenda item 70 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 70 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 70 was brought up for consideration.

A public hearing was called on zoning case Z067-129 (JH) an application for and an ordinance granting a Specific Use Permit for mining and the placement of fill material on property zoned an A(A) Agricultural District on the northwest corner of Merrifield Road and Spur 408

(The staff and city plan recommended approval subject Approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods subject to a site/operation plan for drilling, a site/operation plan for production, a reclamation plan, a road repair plan, and conditions)

Councilmember Natinsky 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.

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

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

Stephen D. Smith, 4109 William, **Grapevine, TX**, applicant

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

Motion seconded by Councilmember Medrano.

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

Mayor Pro Tem Hill declared the motion adopted on a divided vote with Councilmembers Hunt and Rasansky voting "No". (Natinsky abstain; Miller, Chaney absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1783

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Later in the meeting, Councilmember Rasansky announced that he had a conflict of interest on items 70, 71, and 72.

Councilmember Salazar moved to reconsider items 70, 71 and 72 due to Councilmember Rasansky's conflict of interest.

Motion seconded by Councilmember Hunt.

After further discussion, Mayor Pro Tem Hill called for the vote on the motion to reconsider items 70, 71, and 72 due to the Councilmember Rasansky's conflict of interest.

Mayor Pro Tem Hill declared the motion to reconsider adopted on a divided vote with Councilmember Fantroy voting "No" and that agenda items 70, 71, and 72 were before the council for reconsideration. (Miller, Chaney absent when vote taken)

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

Motion seconded by Councilmember Blaydes.

Mayor Pro Tem Hill declared the motion adopted on a divided vote with Councilmember Hunt voting "No". (Natinsky, Rasansky abstain; Miller, Chaney absent when vote was taken)

Assigned ORDINANCE NO. 26777.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1784

Item 71: Zoning Case Z067-130 (JH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Councilmember Rasansky requested that consent agenda item 71 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 71 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 71 was brought up for consideration.

A public hearing was called on zoning case Z067-130 (JH), an application for and an ordinance granting a Specific Use Permit for mining and the placement of fill material on property zoned an A(A) Agricultural District on the east side of Mountain Creek Parkway, north of Kiest Boulevard

(The staff and city plan recommended approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to a site/operation plan for drilling, a site/operation plan for production, a reclamation plan, a road repair plan, and conditions)

Councilmember Natinsky 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.

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

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

Stephen D. Smith, 4109 William, **Grapevine, TX**; applicant

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

Motion seconded by Councilmember Medrano.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1784

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

Mayor Pro Tem Hill declared the motion adopted on a divided vote with Councilmembers Hunt and Rasansky voting "No". (Natinsky abstain; Miller, Chaney absent when vote taken)

Later in the meeting, Councilmember Rasansky announced that he had a conflict of interest on items 70, 71, and 72.

Councilmember Salazar moved to reconsider items 70, 71 and 72 due to Councilmember Rasansky's conflict of interest.

Motion seconded by Councilmember Hunt.

After further discussion, Mayor Pro Tem Hill called for the vote on the motion to reconsider items 70, 71, and 72 due to the Councilmember Rasansky's conflict of interest.

Mayor Pro Tem Hill declared the motion to reconsider adopted on a divided vote with Councilmember Fantroy voting "No" and that agenda items 70, 71, and 72 were before the council for reconsideration. (Miller, Chaney absent when vote taken)

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

Motion seconded by Councilmember Blaydes.

Mayor Pro Tem Hill declared the motion adopted on a divided vote with Councilmember Hunt voting "No". (Natinsky, Rasansky abstain; Miller, Chaney absent when vote was taken)

Assigned ORDINANCE NO. 26779.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1785

Item 72: Zoning Case Z067-131 (JH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-131 (JH), an application for and an ordinance granting a Specific Use Permit for mining and the placement of fill material on property zoned an A(A) Agricultural District on the west side of Merrifield Road, south of Kiest Boulevard

(The staff and city plan recommended approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to a site/operation plan for drilling, a site/operation plan for production, a reclamation plan, a road repair 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:

Stephen D. Smith, 4109 William, **Grapevine, TX**; applican

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

Motion seconded by Councilmember Medrano.

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

Mayor Pro Tem Hill declared the motion adopted on a divided vote with Councilmembers Thornton-Reese, Hunt and Rasansky voting "No". (Natinsky abstain; Miller, Chaney absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1785

Page 2

Later in the meeting, Councilmember Rasansky announced that he had a conflict of interest on items 70, 71, and 72.

Councilmember Salazar moved to reconsider items 70, 71 and 72 due to Councilmember Rasansky's conflict of interest.

Motion seconded by Councilmember Hunt.

After further discussion, Mayor Pro Tem Hill called for the vote on the motion to reconsider items 70, 71, and 72 due to the Councilmember Rasansky's conflict of interest.

Mayor Pro Tem Hill declared the motion to reconsider adopted on a divided vote with Councilmember Fantroy voting "No" and that agenda items 70, 71, and 72 were before the council for reconsideration. (Miller, Chaney absent when vote taken)

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

Motion seconded by Councilmember Blaydes.

Mayor Pro Tem Hill declared the motion adopted on a divided vote with Councilmember Hunt voting "No". (Natinsky, Rasansky abstain; Miller, Chaney absent when vote was taken)

Assigned ORDINANCE NO. 26779.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1786

Item 73: Zoning Case Z067-133 (OTH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Councilmember Thornton-Reese requested that consent agenda item 73 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 73 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Thornton-Reese's request.

Later in the meeting agenda item 73 was brought up for consideration.

A public hearing was called on zoning case Z067-133 (OTH), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CR Community Retail District, on the southwest corner of Vermont Avenue and Ewing Avenue

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

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

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 Thornton-Reese moved to remand this case to the City Plan Commission for proper notification.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Natinsky, Rasansky abstain; Miller, Chaney absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1787

Item 74: Zoning Case Z067-172 (WE)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Councilmember Rasansky requested that consent agenda item 74 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 74 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

A public hearing was called on zoning case Z067-172 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 724 for a public school other than an open-enrollment charter school and R-16(A) Single Family District uses, bounded by Killon Drive, Walnut Hill Lane and Hedgeway Drive

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

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

- An accessory youth and family center may only operate between 7:00 a.m. and 8:00 p.m., Monday through Thursday, and between 8:00 a.m. and 4:30 p.m. on Friday. Friday hours are for staff and maintenance only.
- All structures housing an accessory youth and family center must be consistent in design, building materials, and appearance as the structure to the north.
- Landscaping for an accessory youth and family center must be provided as shown on the landscape plan attached to the ordinance.
- Garbage storage areas must be visually screened on all sides visible from a street by a solid brick, stone, concrete masonry, stucco, concrete, wall or fence.
- New expansion cannot be larger than 2400 square feet.

and pass the ordinance.

Motion seconded by Councilmember Griffith and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26780.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1788

Item 75: Zoning Case Z067-173 (RB)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Councilmember Hunt requested that consent agenda item 75 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 75 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hunt's request.

A public hearing was called on zoning case Z067-173 (RB), an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict Uses and certain other residential and nonresidential uses inclusive of consideration of a development plan and landscape plan for the Subarea B, C, D, and G portions of the request site, on property zoned an LC Light Commercial District, an MF-3 Multiple Family Subdistrict, an I-2 Industrial Subdistrict, an HC Heavy Commercial Subdistrict, Planned Development Subdistrict No. 18 for I-2 Industrial Subdistrict Uses, Planned Development Subdistrict No. 25-D for O-2 Office Subdistrict Uses, all within Planned Development District No. 193, the Oak Lawn Special Purpose District; the termination of the Dry Liquor Control Overlay that encumbers portions of the site; the termination of Planned Development Subdistrict Nos. 18 and 25; and, a resolution accepting the termination of existing deed restrictions on a portion of the site in an area generally bounded by McKinnon Street, Moody Street, Akard Street, Ashland Street, Field Street, Payne Street, Harry Hines Boulevard, and Randall Street

(The city plan recommended approval, subject to a conceptual plan and conditions for the requested Planned Development Subdistrict; approval of a development plan and landscape plan for the Subarea B, C, D, and G portions of the request site; approval of the termination of existing deed restrictions; approval of the termination of Subdistrict Nos. 18 and 25; and, approval of the removal of the Dry Liquor Control Overlay)

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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Appearing in opposition to the city plan commission recommendation:

Jeurida Villasana, 7104 Cortland Ave.

Frank Stich, 4224 N. Hall St., representing the Oak Lawn Committee

Appearing in favor of the city plan commission recommendation:

Jerry Jackson, 7231 Cutter Mill

Councilmember Hunt moved to close the public hearing and approve the revised ordinance creating Planned Development Subdistrict No. 79, the Harwood Special Purpose District with the following changes:

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

Assigned ORDINANCE NO. 26781.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1789

Item 76: Zoning Case Z067-175 (WE)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-175 (WE), an application for and an ordinance granting an amendment to the Office Area of Planned Development District No. 85 for Shopping Center, Office-2 and Multiple Family-3 uses on the north side of Pineland Drive, east of Greenville Avenue

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26782.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1790

Item 77: Zoning Case Z067-180 (OTH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-180 (OTH), an application for and an ordinance granting an MF-2(A) Multifamily District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the west corner of Starr Street and 9th Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26783.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1791

Item 78: Zoning Case Z067-181 (OTH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-181 (OTH), an application for and an ordinance granting an amendment to Tract II of Planned Development District No. 214 to allow Commercial Service District uses, northeast of the terminus of Cheanult Street, east of Buckner Boulevard

(The staff and city plan recommended approval of an amendment to Tract II of Planned Development District No. 214 for Light Commercial Service District uses, subject to a conceptual 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. 26784.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1792

Item 79: Zoning Case Z067-182 (OTH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-182 (OTH), an application for and an ordinance granting a CS Commercial Service District on property zoned an R-7.5(A) Single Family District southeast of the terminus of Cheanult Street east of Buckner Boulevard

(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. 26785.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1793

Item 80: Zoning Case Z067-190 (JH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

The City Secretary requested that consent agenda item 80 be considered as an individual item to allow citizens to speak. Mayor Pro Tem Hill stated that consent agenda item 80 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

A public hearing was called on zoning case Z067-190 (JH), an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an MF-1(A) Multifamily District and an R-7.5(A) Single Family District on both sides of Walnut Hill Lane, east of Skillman Road

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

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

Appearing in favor of the city plan commission recommendation:

Steve Wakefield, 9916 Wood Forest Dr., president of Lake Highland Improvement Association  
Susan Morgan, 9227 Dave Meadow  
Alan Walne, 10020 Caribou Tr.  
Jerry Allen, 9426 Dartcrest

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

Motion seconded by Councilmember Koop and unanimously adopted. (Miller, Thornton-Reese, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26786.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1794

Item 81: Zoning Case Z067-196 (WE)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-196 (WE), an application for and an ordinance granting a Specific Use Permit for multiple family uses on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by Houston Street, Harry Hines Boulevard, Dallas North Tollway and the Katy Trail

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26787.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1795

Item 82: Zoning Case Z067-198 (JA)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

Councilmember Hunt requested that consent agenda item 82 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 82 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 82 was brought up for consideration.

A public hearing was called on zoning case Z067-198 (JA), to receive comments regarding a Landmark Commission authorized hearing to consider a Historic Overlay for the Park's Estate on property zoned an R-10(A) Single Family District on the east corner of Worth Street and Paulus Avenue (6220 Worth Street), and an ordinance granting the Historic Overlay

Later in the meeting zoning consent agenda item 82 was brought up for consideration.

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 follow the city plan commission recommendation with the following changes:

Change Section 4.1 to read as follows:

Except as provided in Paragraph 4.5, new construction is allowed only outside the no-build zone shown on Exhibit B2.

Change part of Section 4.5 to read as follows:

3. Interior side fences must be located in the rear 50 percent of the interior side yard. For the purpose of this provision, the interior side yard starts at the front façade of the dwelling unit on the Worth/Paulus tract and extends to the rear lot line. Rear yard fences are permitted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1795

Page 2

4. Fences may not exceed six feet in height, may be solid, may be located on the lot line in the areas set forth in Paragraphs 4.5(j)(2) and (3), and must be constructed of wood, brick, stone, iron, or other metal as approved by the Landmark Commission as appropriate.

and pass the ordinance.

Motion seconded by Councilmember Griffith and unanimously adopted. (Miller, Thornton-Reese, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26788.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1796

Item 83: Zoning Case Z067-199 (MW)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-199 (MW), an application for and an ordinance granting a Historic Overlay on property zoned an MF-2(A) Multifamily District on the south corner of Bryan Street and Bennett Avenue (4928 Bryan Street)

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

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. 26789.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1797

Item 84: Zoning Case Z067-205 (OTH)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-205 (OTH), an application for and an ordinance granting the renewal of Specific Use Permit No. 1518 for a Bed and Breakfast Use on property zoned Planned Development District No. 98/Historic District No. 72, on the north side of Junius Street, between Peak Street and Haskell Avenue

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26790.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1798

Item 85: Zoning Case Z067-206 (MW)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-206 (MW), an application for and an ordinance granting a Historic Overlay on property zoned Planned Development District No. 98 on the east corner of Reiger Avenue and Colson Street (4602 Reiger Avenue)

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

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. 26791.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1799

Item 86: Zoning Case Z067-208 (DC)

The consent zoning docket consisting of agenda items 68-86 were presented for consideration.

A public hearing was called on zoning case Z067-208 (DC), to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned Tract B and Tract E within Planned Development District No. 521, the Mountain Creek Planned Development District, with consideration being given to amending provisions restricting the square footage that can be developed pending the completion of Mountain Creek Parkway to Kiest Boulevard, on both sides of Mountain Creek Parkway, north of Interstate 20 and an ordinance granting the amendment

(The staff and city plan recommended approval, subject to amended 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. 26792.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1800

Item 87: Zoning Case Z056-319 (RB) INDIVIDUAL

A public hearing was called on zoning case Z067-319 (RB), an application for and an ordinance granting an amendment to the Tract V portion of Planned Development District No. 314, the Preston Center Special Purpose District, and an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 744 for a Bank with drive-in windows on the north line of Weldon Howell Parkway between Westchester Drive and Douglas Avenue

(The staff and city plan recommended approval, of an amendment to the Tract V portion of Planned Development District No. 314, subject to a conceptual plan and revised conditions and approval of an amendment to the site plan and conditions)

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

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

Micheal Jung, 4400 Bank of America Plaza, representing Christ the King Catholic Church and 8181 Douglas Homeowners Association

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

Clayton Elliott, 13155 Noel Rd., applicant

Councilmember Natinsky moved to continue the public hearing and hold under advisement until the June 20, 2007 voting agenda meeting of the city council

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1801

Item 88: Zoning Case Z067-146 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z067-146 (OTH), an application for and an ordinance granting a Specific Use Permit for a child care facility on property zoned an R-7.5(A) Single Family District, on the east side of Manitoba Avenue, north of Camp Wisdom Road

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

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

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

Motion seconded by Councilmember Medrano and unanimously adopted. (Miller, Thornton-Reese, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26793.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1802

Item 89: Zoning Case Z067-115 (JH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-115 (JH), an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family uses and an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the north side of Wheatland Road, west of Houston School Road

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

Note: This item was considered by the City Council at a public hearing on May 23, 2007, and was taken under advisement until June 13, 2007, with the public hearing open.

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

Councilmember Fantroy moved to close the public hearing and approve Planned Development District No. R-7.5(A) with the following additions to Section 51P-757.110, Landscaping:

Except as otherwise provided, tree mitigation must be provided in accordance with Article X; and

An Eastern Red Cedar is a protected tree only if it has a caliper of at least 18 inches.

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26794.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1803

Item 90: Zoning Case Z067-152 (JH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-152 (JH), an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for Industrial (outside) potentially incompatible uses on property zoned an IR Industrial Research District on the west side of South Central Expressway, south of Choate Street

Note: This item was considered by the City Council at a public hearing on May 23, 2007, and was taken under advisement until June 13, 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:

Robert T. Richard, 7240 Whispering Pines Dr., Applicant  
Bryan C. Bennett, 617 Charles Ct., **Arlington, TX**, Co-owner

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

Business hours are to be from 6:00 a.m. to 7:00 p.m. five days a week and Saturday will remain the same.

and pass the ordinance.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26795 AND 26796.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1804

Item 91: Zoning Case Z067-165 (OTH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-165 (OTH), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment to be used as a private club/bar on property zoned an IR Industrial Research District on the south side of John W. Carpenter Freeway, south of Mockingbird Lane

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

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

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

“Approval for a two-year period with eligibility for one automatic renewal for two-year extension.”

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26797.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1805

Item 92: **Fort Worth Avenue TIF District** **Note:** Item Nos. 92 and 93  
must be considered collectively.

A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Fifteen for the Fort Worth Avenue area to be known as the Fort Worth Avenue TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

Item 93: An ordinance establishing Tax Increment Financing Reinvestment Zone Number Fifteen to be known as the Fort Worth Avenue TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

John Cappello, 7335 Briarnoll Dr.  
Albert Parker, 6318 Elam Rd.  
William Hopkins, 2011 Leath St.  
Jewel Floyd, 3815 Myrtle St.  
Scott Griggs, 1803 Marydale Dr. representing Fort Worth Ave. Development Group

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

Motion seconded by Councilmember Oakley and unanimously adopted. (Miller, Chaney, Natinsky absent when vote taken)

Assigned ORDINANCE NO. 26798.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1806

Item 94: **Twelve Hills TIF District**

**Note:** Item Nos. 94 and 95 must be considered collectively.

A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Sixteen for the Twelve Hills area to be known as the Twelve Hills TIF under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

Item 95: An ordinance establishing Tax Increment Financing Reinvestment Zone Number Sixteen to be known as the Twelve Hills TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Lauren Odell, 300 Crescent Court, representing INCAP Fund  
Bob Stimson, 400 S. Zang, President Oak Cliff Chamber of Commerce

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26799.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1807

Item 96: A public hearing to receive comments on the proposed FY 2007-08 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds, the proposed FY 2006-07 Reprogramming Budget and amendments to the Citizen Participation Plan to modify the required minimum number of neighborhood public hearings during the 3-year or 5-year Consolidated Plan development from 14 meetings to 6 meetings and to modify the required number of days between calling a public hearing and holding a public hearing from no less than 15 days to no less than 14 days - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Chaney absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1808

Item 97: A public hearing to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city-sponsored youth programs in compliance with State law, and, at the close of the hearing, approval of an ordinance on readopting Chapter 12 of the Dallas City code - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Griffith and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26800.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1809

Item 98: A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 1.24 acres of a 43.91 acre tract of land, zoned PD-742, located at the northwest corner of Skillman Street and Northwest Highway known as the Timber Creek Apartments Redevelopment, currently in the floodplain of Caruth Creek, Fill Permit 07-02 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Richard Harrison, 6001 Skillman  
Howard Parker, 8523 Thackery St.  
Nancy Paine, 6402 Melody Lane  
Gloria Isaacson, 9827 Twin Creek Dr.  
Robert Reeves, 3807 Vinecrest Dr. representing the applicant  
Dupree Scovell, 2001 Ross Ave., representing the applicant  
Russell Marusak, 8616 Northwest Plaza Dr., representing the applicant  
Fran Phillips, 1601 Elm St. representing the applicant  
Sandy Rollins, 1851 Fuller Dr. representing Texas Tenants Union  
Susan Morgan, 9227 Dove Meadow  
Steve Wakefield, 9916 Wood Forest Dr.

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

Motion seconded by Councilmember Blaydes.

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

Voting Yes: [10] Hill, Garcia, Medrano, Oakley, Salazar, Fantroy, Griffith,  
Blaydes, Koop, Natinsky

Voting No: [ 2] Rasansky, Hunt

Absent when vote taken: [ 3] Miller, Thornton-Reese, Chaney

Mayor Pro Tem Hill declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1810

Item 99: A benefit assessment hearing to receive comments on sidewalk paving for Sidewalk Group 03-130, and at the close of the hearing, authorize an ordinance levying benefit assessments (list attached) - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Jewel Floyd, 3815 Myrtle

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

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

Assigned ORDINANCE NO. 26801.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1811

Item 100: A public hearing to receive comments regarding an amendment to the City of Dallas Thoroughfare Plan to add two new roadways; **(1)** unnamed SE5, a special six-lane divided principal arterial within 113 feet of right-of-way between Langdon Road and the Hutchins city limits; and **(2)** unnamed SE6, a special four-lane undivided collector within 72 feet of right-of-way between unnamed SE5 and Cleveland Road; and, at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Chaney absent when vote taken)

Assigned ORDINANCE NO. 26802.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1812

Item 101: 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 individuals addressed the city council regarding the item:

Jewel Floyd, 3815 Myrtle St.

Jonathan Vinson, 6342 Vickery Blvd, representing Stevens Transport

Kirk Williams, 17318 Club Hill Dr., representing a property owner

Jimmie Hall, 700 N. Sam Houston Rd. **Mesquite, Tx**, representing Durango McKinley Paper Company

Councilmember Fantroy moved to close the public hearing and deny the request.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1813

Closed Session [**HELD**]

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

- Legal issues involving proposed newsrack ordinance

At 12:19 p.m. Deputy Mayor Pro Tem Garcia announced the closed session of the city council as authorized by Chapter, 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues involving proposed newsrack ordinance

Mayor Pro Tem Hill reconvened the city council after the closed session at 1:38 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1814

Addendum addition 1:            Authorize a professional services contract for the preparation of a one-hundred-year forest management plan for the Great Trinity Forest - Gary D. Kronrad, Ph.D., only proposer - Not to exceed \$473,673 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1815

Addendum addition 2:           An ordinance amending Ordinance No. 26767 ordering the June 16, 2007 runoff election, in order to change some election-day voting locations - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26803.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1816

Addendum addition 3: Authorize a development agreement with Allen Development of Texas, LLC for the construction of certain public improvements including street and drainage improvements in the area south of Interstate 20 near Bonnie View Road in southeast Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1817

Addendum addition 4: Authorize a master development agreement with Cherokee New Transit, LLC, and/or its affiliates, to promote Transit Oriented Development pursuant to the Public/Private Partnership Program - Financing: No cost consideration to the City

Mayor Pro Tem Hill, Councilmember Koop and Councilmember Rasansky requested that addendum addition consent agenda item 4 be considered as an individual item. Mayor Miller 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 Mayor Pro Tem Hill, Councilmember Koop and Councilmember Rasansky's request.

Later in the meeting addendum addition consent agenda item 4 was brought up for consideration.

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1818

Addendum addition 5: Authorize an amendment to Resolution No. 06-0658, previously approved on February 22, 2006, for a Historic Development Program tax abatement for the Tower Petroleum Building located at 1907 Elm Street to remove the requirement that a development agreement be executed with operational and fine dining provisions for the Hart Furniture Building - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 5 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 5 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Councilmember Rasansky requested that addendum addition consent agenda item 5 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting addendum addition consent agenda item 5 was brought up for consideration.

The following individual addressed the city council regarding the item:

Lawrence Sweeney, 5314 Swiss Ave., representing Pacific 2004 Holdings, LTD.

Councilmember Natinsky moved to approve the resolution with the following amendments:

- 1) Applicant has to announce the new named hotel within six months of council approval.
- 2) Within 12 months, must receive building permit, construction financing in place, and begin construction by June 13, 2009
- 3) There will be no early access to TIF funds if these milestones are not met.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1818

Page 2

Motion seconded by Mayor Pro Tem Hill.

After discussion, Mayor Miller called the vote on Councilmember Natinsky's motion with amendments:

Voting Yes: [10] Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar, Chaney,  
Blaydes, Natinsky, Hunt

Voting No: [5] Miller, Fantroy, Griffith, Koop, Rasansky

Mayor Miller declared the motion adopted.

**[NOTE: The Economic Development Staff and City Attorney's Office provided additional information below to be made a part of the record.]**

**The motion to approve the resolution authorizing the agreement was further subject to an additional provision to be added to the agreement requiring the Downtown Connection TIF district procedures for administering TIF increment for developer projects shall be applied to this project in the event the developer requests an extension for any of the material dates per Section 3 of the term sheet included in the file with the resolution]**





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1819

Page 2

Motion seconded by Mayor Pro Tem Hill.

After discussion, Mayor Miller called the vote on Councilmember Natinsky's motion with amendments:

Voting Yes: [10] Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar, Chaney, Blaydes, Natinsky, Hunt

Voting No: [5] Miller, Fantroy, Griffith, Koop, Rasansky

Mayor Miller declared the motion adopted.

**[NOTE: The Economic Development Staff and City Attorney's Office provided additional information below to be made a part of the record.]**

**The motion to approve the resolution authorizing the agreement was further subject to an additional provision to be added to the agreement requiring the Downtown Connection TIF district procedures for administering TIF increment for developer projects shall be applied to this project in the event the developer requests an extension for any of the material dates per Section 3 of the term sheet included in the file with the resolution]**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1820

Addendum addition 7: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Pacific 2004 Holdings, Ltd., for certain TIF-eligible project costs pursuant to the development agreement with Pacific 2004 Holdings, Ltd., for the development and redevelopment of the Tower Petroleum Building located at 1907 Elm Street and 1900 Pacific Avenue in the Downtown Connection TIF District - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 6 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 6 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

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

The following individual addressed the city council regarding the item:

Lawrence Sweeney, 5314 Swiss Ave., representing Pacific 2004 Holdings, LTD.

Councilmember Natinsky moved to approve the resolution.

- 1) Applicant has to announce the new named hotel within six months of council approval.
- 2) Within 12 months, must receive building permit, construction financing in place, and begin construction by June 13, 2009
- 3) There will be no early access to TIF funds if these milestones are not met.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1820

Page 2

Motion seconded by Mayor Pro Tem Hill.

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

Voting Yes: [10] Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar, Chaney,  
Blaydes, Natinsky, Hunt

Voting No: [5] Miller, Fantroy, Griffith, Koop, Rasansky

Mayor Miller declared the motion adopted.

**[NOTE: The Economic Development Staff and City Attorney's Office provided additional information below to be made a part of the record.]**

**The motion to approve the resolution authorizing the agreement was further subject to an additional provision to be added to the agreement requiring the Downtown Connection TIF district procedures for administering TIF increment for developer projects shall be applied to this project in the event the developer requests an extension for any of the material dates per Section 3 of the term sheet included in the file with the resolution]**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1821

Addendum addition 8: Authorize Supplemental Agreement No. 2 to the development agreement among the City of Dallas, the Downtown Dallas Development Authority (DDDA), FC Merc Complex, L.P., FC Continental Complex, L.P., FC Atmos, Inc., FC Lessee (collectively Forest City) to extend the completion date of the Continental Building from October 3, 2009 to June 3, 2011 and, in consideration for the extension and without affecting existing conditions and penalties of the development agreement for delaying development of the Atmos Complex, Forest City shall agree to **(1)** delay the first TIF payment from completion of environmental remediation to start of construction on the Continental Building as evidenced by execution of the construction contract; **(2)** initiate a due diligence process on the Atmos Complex and advise the City by December 31, 2007, of their future intentions regarding redevelopment of the property; **(3)** provide a timetable, including a construction schedule and completion date for the Atmos Complex if the decision is made to go forward with such redevelopment; and **(4)** make available for use by the City, at the option of the City, the ground floor of the Continental Building after Forest City vacates the premises of their temporary offices - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1822

Addendum addition 9: Authorize a five-year amendment to the lease agreement with Cobalt Industrial REIT, with two five-year renewal options, for the continued use of approximately 13 acres of land with approximately 31,050 square feet of office/classroom space and a vehicle obstacle course located at 5310 Red Bird Center Drive and to include approximately 15,680 square feet of additional office/classroom space located at 5610 Red Bird Center Drive for a total of approximately 46,730 square feet of office/classroom space to be used for a Police Training Academy for the period of August 1, 2007 through July 31, 2012, plus additional annual rent in the amount of \$25,000 for maintenance and ad valorem taxes in an amount not to exceed \$541,247 during the first five-year term - Total not to exceed \$3,546,349 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1823

Addendum addition 10: Authorize **(1)** a contract for roof replacement at Union Station with Supreme Systems, Inc., lowest responsible bidder of three, in an amount not to exceed \$1,227,231, **(2)** assignment of the contract to Hunt-Woodbine Realty Corporation as the construction manager for contract administration, inspection, supervision and coordination of construction work, and **(3)** the establishment of appropriations in the amount of \$1,411,316, in the Union Station Renovation Developer Advance Fund - Financing: Private Funds (to be reimbursed without interest from the proceeds of the future sale of General Obligation Bonds)

Councilmember Rasansky requested that addendum addition consent agenda item 10 be considered as an individual item. 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 Councilmember Rasansky's request.

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1824

Addendum addition 11: Authorize **(1)** an increase in the contract with TMV LLC dba Triune Associates for renovation of the Moorland YMCA building located at 2700 Flora Street for the Dallas Black Dance Theatre, in the amount of \$57,045, from \$3,941,766 to \$3,998,811; **(2)** the receipt and deposit of funds in the amount of \$22,818 in participation costs in the Dallas Black Dance Theatre Participation Fund; and **(3)** the establishment of appropriations in the amount of \$22,818 in the Dallas Black Dance Theatre Participation Fund - Total not to exceed \$57,045 - Financing: 2003 Bond Funds (\$34,227); Private Funds (\$22,818)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1825

Addendum addition 12: Authorize an amendment to the Elm Fork Floodplain Management Study to revise the recommended plan for flood control improvements in an area bounded by Stemmons Freeway and Walton Walker Freeway to the east, Royal Lane to the north, the Elm Fork of the Trinity River to the west and south - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1826

Addendum addition 13: An ordinance amending Chapter 2 of the Dallas City Code to authorize the City Council to waive, after a review of specific circumstances, the requirement for two independent fee appraisals for real property acquisitions in which the consideration exceeds \$500,000 - Financing: No cost consideration to the City

Councilmember Rasansky moved to approve the ordinance.

Motion seconded by Councilmember Salazar.

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

Deputy Mayor Pro Tem Garcia declared the motion adopted. (Miller, Hill, Thornton-Reese, Chaney, Fantroy, Natinsky absent when vote taken)

Assigned ORDINANCE NO. 26804.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1827

Addendum addition 14: Authorize **(1)** an increase in the contract with MetalMan Design/Build Corporation to provide Tier 1 - Signature Sculpture, Tier II - Silhouette Sculpture, and Tier III - The Conversation Sculptures, and cost estimating services for the re-designed Tier IV - Recognition Sculpture and a Memorial Wall at Opportunity Park located at 3105 Pine Street; and, **(2)** approval of the list of honorees for the Walk of Fame (list attached) - \$32,420, from \$590,246 to \$622,666 - Financing: 2003 Bond Funds (Mayor Pro Tem Hill, Deputy Mayor Pro Tem Garcia, Councilmembers Chaney, Oakley, Salazar, Medrano and Hunt via Mayor Miller)

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

The following individuals addressed the city council regarding the item:

Willie M. Coleman, 3802 York St.  
Myrtle Salone, 7219 Caillet  
Pauline Williams, 1618 Marburg St.  
Jerry Chambers, 5306 Lake Placide Dr.  
Roy Williams, 5881 Prestonview Blvd.  
Taylor Brannon, 2448 Laughlin Dr.  
Larry Jefferson, 3834 Boulder Dr.  
Marvin Crenshaw, 6134 Malcolm X Blvd.

Councilmember Salazar moved to refer the item back to the Park and Recreation Board and bring back no later then September 30, 2007.

Motion seconded by Councilmember Blaydes.

Later in the meeting, Councilmember Griffith moved the previous question.

Motion seconded by Councilmember Koop.

OFFICIAL ACTION OF THE CITY COUNCIL

07-1827

Page 2

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

Mayor Pro Tem Hill declared the motion adopted on the previous question on a divided vote, Rasansky voting, "No". (Thornton-Reese, Chaney; Miller absent when vote taken)

After further discussion, Mayor Pro Tem Hill called the vote on the motion to refer the item back to the Park and Recreation Board and bring back no later then September 30, 2007.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1828

Addendum addition 15: An ordinance authorizing the issuance and sale of City of Dallas, Texas General Obligation Bonds, Series 2007 in an amount not to exceed \$135,350,000; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$341,406 - Financing: 2006 Bond Funds - Interest Earnings

Councilmember Rasansky moved to approve the ordinance.

Motion seconded by Councilmember Thornton-Reese.

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

Voting Yes: [13] Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Natinsky, Rasansky, Hunt

Voting No: [0]

Absent when vote taken: [2] Miller, Koop

Mayor Pro Tem Hill declared the motion adopted.

Assigned ORDINANCE NO. 26805.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1829

Addendum addition 16: Authorize a professional services contract with Quimby-McCoy Preservation Architecture, LLP for the restoration and reconstruction of the esplanade fountain and Parry Avenue gate at Fair Park - \$1,062,900 - Financing: 2006 Bond Funds

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1830

Addendum addition 17: Authorize a contract for stormwater improvements to modify the stormwater collection areas at 27 fire stations, Phase II (list attached) - Texas Standard Construction, Ltd., lowest responsible bidder of two - \$1,981,000 - Financing: 2005 Certificates of Obligation (\$1,055,808), 2004 Certificates of Obligation (\$64,755), and 2006 Bond Funds (\$860,437)

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1831

Addendum addition 18: Authorize an additional payment to Dallas Area Rapid Transit for the City's share of design and construction costs for the paving and drainage improvements at the intersection of U.S. 75 and Bryan Street - \$1,090,000 - Financing: 2006 Bond Funds

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1832

Addendum addition 19: Authorize Supplemental Agreement No. 2 to the contract with Corgan Associates, Inc. for design development, construction documents, bidding and construction administration services for the Dallas Center for the Performing Arts, City Performance Hall - \$4,846,727, from \$2,223,340 to \$7,070,067 - Financing: 2006 Bond Funds

Councilmember Hunt moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1833

Addendum addition 20: Authorize **(1)** a professional services contract with HNTB Corporation for program management of major flood management and storm drainage projects included in the 2006 Bond Program, in an amount not to exceed \$8,423,300; **(2)** a professional services contract with Carter & Burgess, Inc. for the design of the levee drainage system at Hampton/Oaklawn Sump and Pavaho Sump, in an amount not to exceed \$7,621,000; **(3)** a professional services contract with Halff Associates, Inc. for the design of Mill Creek, Phase I, and Middle Peaks Branch, Phases I and II, in an amount not to exceed \$8,571,100; and **(4)** a professional services contract with Nathan D. Maier Consulting Engineers, Inc. for preliminary engineering for the State-Thomas at Woodall Rodgers Storm Drainage Study, in an amount not to exceed \$231,705 - Total not to exceed \$24,847,105 - Financing: 2006 Bond Funds

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1834

Addendum addition 21: Authorize Supplemental Agreement No. 1 to the contract with R.W. Beck, Inc. to provide an appraisal and valuation of the lease at the McCommas Landfill Gas Plant - Not to exceed \$96,000, from \$121,949 to \$217,949 - Financing: Current Funds

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 13, 2007

07-1835

Addendum addition 22: **Municipal Setting Designation** . **Note:** Item Nos. 22 and 23  
**At 16 Properties** must be considered collectively.

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath 16 properties located at 2119, 2301, 2313, 2345, 2411, 2415, 2419, 2423 and 2449 West Mockingbird Lane; 6616, 6820, 6840 and 6910 Forest Park Road; 2232 and 2328 Empire Central Drive; 6641 Maple Avenue and adjacent City rights-of-way - Financing: No cost consideration to the City

Addendum addition 23: An ordinance authorizing support of the issuance of a municipal setting designation to Balcones Realty Partners, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the 16 designated properties as potable water - Financing: No cost consideration to the City

The City Secretary read the following statement into the record:

"Pursuant to Section 51A-6.108 (g) (3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individuals addressed the city council regarding the item:

David E. Whitten, 8123 San Fernando Way, representing Balcones Realty Partners, LLC.

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

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 26806.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 13, 2007

EXHIBIT C