

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 27, 2007

07-1950
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar,
Davis, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

ABSENT: [0]

The meeting was called to order at 9:00 a.m.

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

The invocation was given by Pastor Lelious Johnson, St. Paul Missionary Baptist Church.

The Mayor led the pledge of allegiance.

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

After all business properly brought before the city council had been considered the city council adjourned at 5:29 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 27, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 27, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1951

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: Richard Sheridan, 3022 Forest Lane
REPRESENTING: People of Dallas
SUBJECT: Prayer, The Homeless, Trinity Highway

SPEAKER: James Clark, #12 Royal Way
SUBJECT: Thanks to D.F.D. for saving his life

SPEAKER: B. D. Sugg, 3333 Edgewood
REPRESENTING: Magnum Investments
SUBJECT: Real Estate Policy, Planning & Development – Request for Appointments

SPEAKER: Cleveland Antoine Jr., 222 Browder St.
SUBJECT: Downtown Apartment Rental

SPEAKER: Chris Russell, 12225 Greenville Ave.
REPRESENTING: North Texas Alarm Association

OPEN MICROPHONE – END OF MEETING

SPEAKER: Linda Campbell, 1723 Brooksvew Lane, **Balch Springs, Tx**
SUBJECT: Problem with treatment by city staff regarding Cedar Crest Banquet Room event

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

OPEN MICROPHONE – END OF MEETING

SPEAKER: Artist Thornton, 736 Havenwood Dr.
REPRESENTING: Concerned Citizen's for Art
SUBJECT: Honoring Arthello Beck Jr.

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: The City Manager needs to go

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
REPRESENTING: The Jurline Gates Hollins Campaign for Political Equality
SUBJECT: Stealing votes in the name of the Lord

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1952

Item 1: Approval of Minutes of the June 13, 2007 City Council Meeting

Mayor Pro Tem Garcia moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1952

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-45 and addendum addition consent agenda items 1-28, were presented for consideration.

Mayor Leppert requested that addendum addition consent agenda item 22 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 22 be considered as an individual item Later in the meeting,, there being no objection voiced to Mayor Leppert's request.

Mayor Pro Tem Garcia requested that addendum addition consent agenda items 11 and 25 be considered as individual items. Mayor Leppert stated that addendum addition consent agenda items 11 and 25 be considered as individual items Later in the meeting,, there being no objection voiced to Mayor Pro Tem Garcia's request.

Deputy Mayor Pro Tem Caraway requested that consent agenda item 12 be considered as an individual item. Mayor Leppert stated that consent agenda item 12 be considered as an individual item Later in the meeting,, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Councilmember Neumann requested that consent agenda items 7, 11, 27, 29, 36, 39, 43 and addendum addition consent agenda items 3, 5, 17 and 25 be considered as individual items. Mayor Leppert stated that consent agenda items 7, 11, 27, 29, 36, 39, 43 and addendum addition consent agenda items 3, 5, 17 and 25 be considered as individual items Later in the meeting,, there being no objection voiced to Councilmember Neumann's request.

Councilmember Davis requested that consent agenda item 17 and addendum addition consent agenda item 9 be considered as individual items. Mayor Leppert stated that consent agenda item 17 and addendum addition consent agenda item 9 be considered as individual items Later in the meeting,, there being no objection voiced to Councilmember Davis' request.

Councilmember Natinsky requested that addendum addition consent agenda items 3, 4, and 7 be considered as individual items. Mayor Leppert stated that addendum addition consent agenda items 3, 4, and 7 be considered as individual items Later in the meeting,, there being no objection voiced to Councilmember Natinsky's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1952

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Councilmember Rasansky requested that consent agenda items 2, 5, 10, 13, 17, 23, 29, and addendum addition consent agenda items 3, 7, 8, and 9 be considered as individual items. Mayor Leppert stated that consent agenda items 2, 5, 10, 13, 17, 23, 29, and addendum addition consent agenda items 3, 7, 8, and 9 be considered as individual items Later in the meeting,, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 2, 5, 7, 10, 11, 12, 13, 17, 23, 27, 29, 36, 39, 43, and addendum addition consent agenda item 3, 4, 5, 7, 8, 9, 11, 17, 22 and 25, which would be considered Later in the meeting,.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1953

Item 2: Authorize twenty-four-month professional services contracts with forty-seven firms for asbestos environmental and non-asbestos environmental testing services (list attached) - Not to exceed \$4,900,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 2 be considered as an individual item. Mayor Leppert 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 Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1954

Item 3: Authorize a twenty-four-month master agreement for spray thermoplastic, glass traffic beads, pavement markers and adhesive - Susannah Dobbs Co., LLC dba Dobco in the amount of \$516,900, Swarco Reflex, Inc. in the amount of \$112,300, and Pathmark Traffic Products of TX, Inc. in the amount of \$33,600, lowest responsible bidders of six - Total not to exceed \$662,800 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1955

Item 4: Authorize a sixty-month service contract for commercial storage, retrieval and reference services for City records - Recall Total Information Management, Inc., lowest responsible bidder of two - Not to exceed \$1,342,497 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1956

Item 5: Authorize a thirty-six-month master agreement for chemical sewer degreaser and anti-pollution treatment for the wastewater collection system - FMW Distributors, Inc. in the amount of \$461,419 and Municipal Industries, Inc. in the amount of \$78,882, lowest responsible bidders of two - Total not to exceed \$540,301 - Financing: Water Utilities Current Funds

Councilmember Rasansky requested that consent agenda item 5 be considered as an individual item. Mayor Leppert stated that 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, agenda item 5 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1957

Item 6: Authorize a thirty-six-month service contract for the removal of excavated materials from City facilities and work sites - Herdez Trucking, Inc., lowest responsible bidder of two - Not to exceed \$2,007,250 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1958

Item 7: Authorize a thirty-six-month master agreement for the purchase, cataloging and physically processing of books for the Dallas public libraries - Ingram Library Services, Inc., lowest responsible bidder of two - Not to exceed \$8,257,720 - Financing: Current Funds

Councilmember Neumann requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 7 was brought up for consideration.

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1959

Item 8: Authorize a twenty-four-month master agreement for the rental of heavy equipment to be used in the bio-solid disposal operations at the Southside Wastewater Treatment Plant - United Equipment Rentals Gulf, L.P. in the amount of \$1,551,024 and Romco Equipment Co. in the amount of \$518,640, lowest responsible bidders of six - Total not to exceed \$2,069,664 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1960

Item 9: Authorize the purchase of a sewer inspection truck and a sewer cleaner truck to be used for sanitary sewer system cleaning and internal television pipe inspections - Rush Truck Center, Houston in the amount of \$202,998 and Metro Ford Truck Sales, Inc. in the amount of \$169,443, lowest responsible bidders of three - Total not to exceed \$372,441 - Financing: Water Utilities Capital Construction Funds (\$202,998) and Water Utilities Current Funds (\$169,443)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1961

Item 10: Authorize twenty-four-month professional services contracts with nineteen firms for geotechnical studies and construction materials testing services (list attached) - Not to exceed \$7,000,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 10 be considered as an individual item. Mayor Leppert stated that consent agenda item 10 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1962

Item 11: Authorize settlement of the lawsuit styled Alicia Horton v. City of Dallas, Texas, Civil Action No. 3:07-CV-0002-N - Not to exceed \$39,000 - Financing: Current Funds

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

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

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Hill.

After discussion, Councilmember Natinsky withdrew his motion

Councilmember Hill, who seconded the motion, also withdrew her motion.

The Mayor requested the item be held until after the City Council is briefed by the City Attorney.

Later in the meeting, the Mayor reconvened the City Council to consider the item.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Medrano, Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1963

Item 12: A resolution declaring approximately 34,600 square feet of City-owned land improved with a former library located at the intersection of Lancaster Road and Corning Avenue unwanted and unneeded and authorize its advertisement for sale by sealed bid with a minimum bid of \$578,000 - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Caraway requested that consent agenda item 12 be considered as an individual item. Mayor Leppert stated that consent agenda item 12 would be considered as an individual item Later in the meeting,, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Later in the meeting, agenda item 12 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Hill.

After discussion, Mayor Pro Tem Garcia moved to substitute for Councilmember Rasansky's motion to defer the item for 60 days.

Motion seconded by Deputy Mayor Pro Tem Caraway.

After further discussion, Mayor Leppert called for a vote on Mayor Pro Tem Garcia's substitute motion to defer the item for 60 days.

Mayor Leppert declared the substitute motion adopted unanimously.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1964

Item 13: Authorize the quitclaim of 12 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$164,738

Councilmember Rasansky requested that consent agenda item 13 be considered as an individual item. Mayor Leppert stated that consent agenda item 13 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 13 was brought up for consideration.

Councilmember Medrano moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1965

Item 14: An ordinance abandoning a portion of an alley to Rivendell Matilda, LP and Kenneth A. Lock, the abutting owners, containing approximately 900 square feet of land located near the intersection of Oram and Matilda Streets, and authorizing the quitclaim - Revenue: \$27,540 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26810.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1966

Item 15: **Cityplace Area TIF District** **Note:** Item Nos. 15 and 16
must be considered collectively.

Authorize **(1)** a development agreement with Criterion Property Company, L.P. to provide funding for the design, engineering, professional services and construction of public improvements for the Criterion Cityplace Urban Resort, a high-density residential project located at 3925 North Central Expressway in Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District); **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$966,375 from the 2004 TIF Bond Funds and future Cityplace Area TIF revenues in accordance with the development agreement; **(3)** the Director of the Office of Economic Development to extend the project completion date up to six months for good cause and with additional considerations; and **(4)** the establishment of appropriations in the amount of \$300,375 in the Cityplace TIF Bond Fund - Total not to exceed \$966,375 - Financing: Cityplace TIF District Funds and/or Tax Increment Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1967

Item 16: **Cityplace Area TIF District** **Note:** Item Nos. 15 and 16
must be considered collectively

A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to pay Criterion Property Company, L.P. up to \$966,375 for certain TIF-eligible project costs related to the development of the Criterion Cityplace Urban Resort, a high-density residential project located at 3925 North Central Expressway in the Cityplace Area TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1968

Item 17: An ordinance amending Article XIV of Chapter 2 of the Dallas City Code to (1) rename the South Dallas/Fair Park Trust Fund Board as the South Dallas/Fair Park Development Fund Board; (2) revise qualifications for board members; and (3) incorporate charter changes relating to the dates on which board members are appointed and begin their terms - Financing: No cost consideration to the City

Councilmember Davis and Councilmember Rasansky requested that consent agenda item 17 be considered as an individual item. Mayor Leppert stated that consent agenda item 17 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Davis and Councilmember Rasansky's request.

Later in the meeting, agenda item 17 was brought up for consideration.

Councilmember Medrano moved to approve the ordinance.

Motion seconded by Councilmember Hill.

After discussion, Mayor Leppert asked Councilmember Medrano if she would accept a friendly amendment by keeping the name of the South Dallas/Fair Park Trust Fund Board and accept all other changes to be incorporated into the bylaws.

Councilmember Medrano accepted Mayor Leppert's request to accept the friendly amendment as a part of her motion by keeping the name of the South Dallas/Fair Park Trust Fund Board and accept all other changes to be incorporated into the bylaws.

Councilmember Hill, who seconded the original motion, also accepted Mayor Leppert's request to accept the friendly amendment by keeping the name of the South Dallas/Fair Park Trust Fund Board and accept all other changes to be incorporated into the bylaws.

After further discussion, Mayor Leppert called the vote on Councilmember Medrano's motion as modified by the friendly amendment to keep the name of the South Dallas/Fair Park Trust Fund Board and accept all other changes to be incorporated into the bylaws.

Assigned ORDINANCE NO. 26811.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1969

Item 18: Authorize amendments to Resolution No. 06-3400, previously approved on December 13, 2006, for the redevelopment of the Butler Brothers Building located at 500 South Ervay Street in the Downtown Connection TIF District to **(a)** increase the number of minimum residential units from 320 to 400, **(b)** increase the affordable housing buy-out requirement based on an increased number of units and median unit price, **(c)** redefine the 45,000 square feet of retail space to allow for living/work space; and **(d)** extend the date to apply for a building permit and start of construction from June 30, 2007 to February 28, 2008 and the completion date from June 30, 2009 to December 31, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1970

Item 19: Authorize the first amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to operate and maintain an ambient air monitoring station in Rockwall County; and (2) extend the term of the contract through August 31, 2008 - Not to exceed \$34,254, from \$50,000 to \$84,254 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1971

Item 20: Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to **(1)** accept additional grant funds to provide air pollution control services in the amount of \$530,421, from \$1,060,842 to \$1,591,263; **(2)** extend the term of the contract through August 31, 2008; and **(3)** provide a local match in an amount not to exceed \$261,252, from \$522,504 to \$783,756 - Total not to exceed \$791,673, from \$1,583,346 to \$2,375,019 - Financing: Texas Commission on Environmental Quality Grant Funds (\$530,421) and Current Funds (\$261,252) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1972

Item 21: Authorize **(1)** the acceptance of a grant from the Texas Commission on Environmental Quality to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas for the period September 1, 2007 through August 31, 2008; and **(2)** execution of the grant agreement - Not to exceed \$90,433 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1973

Item 22: Authorize **(1)** the acceptance of a grant from the Texas Commission on Environmental Quality for air monitoring activities for the period September 1, 2007 through August 31, 2009, in the amount of \$367,790; **(2)** a local match in an amount not to exceed \$181,150 over the two-year period; and **(3)** execute of the grant agreement - Total not to exceed \$548,940 - Financing: Texas Commission on Environmental Quality Grant Funds (\$367,790) and Current Funds (\$181,150) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1974

Item 23: Authorize **(1)** adoption of the preliminary FY 2006-07 Consolidated Plan Reprogramming Budget #3 to reprogram \$732,549 of HOME Mortgage Assistance Program Funds to the Basic Home Repair Program and Replacement Housing Program; and **(2)** a public hearing to be held on August 8, 2007 to receive comments on the proposed use of funds - Financing: No cost consideration to the City B

Councilmember Rasansky requested that consent agenda item 23 be considered as an individual item. Mayor Leppert stated that consent agenda item 23 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1975

Item 24: Authorize the acceptance of a 2006 Buffer Zone Protection Program grant from the U.S. Department of Homeland Security, through its agent, the Governor's Division of Emergency Management, to be used for costs associated with securing critical infrastructure and key resource sites to prevent acts of terrorism within the City of Dallas for the period of October 1, 2006 through April 31, 2008 - Not to exceed \$359,000 - Financing: U.S. Department of Homeland Security, Governor's Division of Emergency Management Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1976

Item 25: Authorize approval of the Dallas/Fort Worth International Airport Forty-Second Supplemental Concurrent Bond Ordinance for the issuance of Joint Revenue Refunding Bonds, Series 2007, if certain parameters are met; approving documents related thereto; and related matters - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26812.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1977

Item 26: An ordinance denying Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program Rate Adjustment and setting Gas Reliability Infrastructure Program Rates to be charged by Atmos Energy Corp. Mid-Tex Division - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26813.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1978

Item 27: Authorize **(1)** adoption of the final FY 2007-08 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$33,311,765 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$19,821,070; **(b)** HOME Investment Partnerships Program in the amount of \$8,298,971; **(c)** American Dream Down-Payment Initiative in the amount of \$179,338; **(d)** Housing Opportunities for Persons with AIDS in the amount of \$3,134,000; and **(e)** Emergency Shelter Grant in the amount of \$775,725; **(2)** amendments to the Citizen Participation Plan to change **(a)** the required minimum number of neighborhood public hearings during the 3-year or 5-year Consolidated Plan Budget development from fourteen meetings to six meetings; **(b)** 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; and **(3)** adoption of the final FY 2006-07 Reprogramming Budget in the amount of \$1,102,661 - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda item 27 be considered as an individual item. Mayor Leppert stated that consent agenda item 27 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Neumann's request.

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

Councilmember Davis announced that she had a conflict of interest and would abstain from voting or participating in any discussion relating to 1(a) Community Development Block Grant in the amount of \$19,821,070.

Mayor Leppert announced that 1(a) would be considered separately to allow Councilmember Davis to vote on 1(b)(c)(d)(e), 2(a)(b), and 3.

Councilmember Neumann moved to approve the item with the exception of 1(a) Community Development Block Grant in the amount of \$19,821,070 due to Councilmember Davis' conflict of interest.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted. (Salazar absent when vote was taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-1978

Page 2

Councilmember Davis left the city council chamber due to the conflict of interest on 1(a) Community Development Block Grant in the amount of \$19,821,070.

Mayor Pro Tem Garcia moved to approve 1(a) Community Development Block Grant in the amount of \$19,821,070.

Motion seconded by Deputy Mayor Pro Caraway and unanimously adopted. (Davis abstain; Salazar absent when vote was taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1979

Item 28: Authorize a revised application for the Commercial Auto Theft Interdiction Squad grant to include funding for a Police Research Specialist position to track burglary of motor vehicle trends and a Senior Corporal position to increase public awareness of auto burglary through crime prevention activities from the Texas Automobile Theft Prevention Authority in an amount not to exceed \$164,432 for the period September 1, 2007 through August 31, 2008 - 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 27, 2007

07-1980

Item 29: Authorize **(1)** the application for and acceptance of the Six City Anti-Gang Grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, to participate in a targeted gang prevention initiative and for the operation of a regional gang database for local, state, and federal law enforcement agencies in the amount of \$96,000 for the period of June 1, 2006 through May 31, 2009, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$27,792, and **(3)** execution of the grant agreement - Total not to exceed \$123,792 - Financing: U.S. Department of Justice Grant Funds (\$96,000) and Current Funds (\$27,792) (subject to annual appropriations)

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

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

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1981

Item 30: Authorize a contract for the reconstruction of alley paving, storm drainage, and wastewater main improvements for Project Group 03-3005 (list attached) - Meztec Contractors, Inc., lowest responsible bidder of four - \$769,579 - Financing: 2003 Bond Funds (\$572,359), Water Utilities Capital Improvement Funds (\$192,000), and Water Utilities Capital Construction Funds (\$5,220)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1982

Item 31: Authorize a professional services contract with ANA Consultants, L.L.C. for the engineering design of alley paving and drainage improvements on the alley between Bexar Street and Ideal Avenue from C.F. Hawn (U.S. 175) to Macon Street and erosion control improvements on the alley at Altadena Lane - \$35,801 - Financing: 2006-07 Community Development Grant Funds (\$21,527) and 2003 Bond Funds (\$14,274)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1983

Item 32: Authorize a professional services contract with Huitt-Zollars, Inc. for the design of the Spring Valley/Coit Road intersection enhancements and sidewalks along the west side of Coit Road from Spring Valley to Haymeadow Drive - \$51,545 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1984

Item 33: Authorize an increase in the contract with Gin-Spen, Inc. to provide additional storm drainage improvements along Port Boulevard - \$40,832, from \$342,430 to \$383,262 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1985

Item 34: Authorize the rejection of bids received for the reconstruction of Alley Reconstruction Group 03-2021; and, the re-advertisement for new bids (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1986

Item 35: Authorize the rejection of bids received for the reconstruction of Street Reconstruction Group 03-606; and, the re-advertisement for new bids (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1987

Item 36: Authorize (1) sidewalk and barrier free ramp paving improvements on Sidewalk Group 03-131 to 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 22, 2007, to receive comments (list attached) - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda item 36 be considered as an individual item. Mayor Leppert stated that consent agenda item 36 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 36 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1988

Item 37: Authorize a professional services contract with Perkins + Will, LP for programming and schematic design services for the new Dallas Police Academy to be located in Cadillac Heights - \$689,117 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1989

Item 38: Authorize ordinances granting 42 franchises for solid waste collection and hauling, pursuant to Chapter XIV, City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$8,898

Approved as part of the consent agenda.

Assigned ORDINANCE NO 26814 THRU 26855.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1990

Item 39: Authorize a contract for the construction of a 108-inch raw water transmission line and junction structure near County Road 3818 in Van Zandt County to the Iron Bridge Pump Station site in Hunt County from Lake Fork to Lake Tawakoni - Oscar Renda Contracting, Inc., lowest responsible bidder of four - \$28,746,600 - Financing: Water Utilities Capital Improvement Funds

Councilmember Neumann requested that consent agenda item 39 be considered as an individual item. Mayor Leppert stated that consent agenda item 39 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Neumann's request.

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

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1991

Item 40: Authorize a contract for the installation of water and wastewater mains at 33 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of four - \$6,876,493 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1992

Item 41: Authorize a contract for the installation of water and wastewater mains at 19 locations (list attached) - SYB Construction Co., Inc., lowest responsible bidder of three - \$6,988,920 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1993

Item 42: Authorize a twelve-month contract, with one twelve-month renewal option, with Travis Ranch Development, L.P. to provide untreated water from Lake Ray Hubbard for the period of June 28, 2007 through June 27, 2008 in the amount of \$8,213; and for the period of June 28, 2008 through June 27, 2009 in the amount of \$7,848 - Total Estimated Revenue: \$16,061

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1994

Item 43: Authorize an increase in the contract with Cajun Constructors, Inc. for additional improvements required for the expansion to 540 million gallons per day at the East Side Water Treatment Plant - \$1,888,544, from \$31,463,975 to \$33,352,519 - Financing: Water Utilities Capital Improvement Funds

Councilmember Neumann requested that consent agenda item 43 be considered as an individual item. Mayor Leppert stated that consent agenda item 43 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Neumann's request.

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

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1995

Item 44: Ratify a professional services contract with TCB Inc. to provide engineering services for **(1)** the study and assessment of an existing water transmission main in the City of Irving from Belt Line Road to the Hackberry Pump Station; and, **(2)** the design of a pipeline interconnect at the Hackberry Pump Station - \$220,983 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1996

Item 45: Ratify emergency repairs and authorize a contract for the construction of improvements to the levee at the Central Wastewater Treatment Plant - T.J. Lambrecht Construction, Inc. - \$143,751 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1997

Item 46: 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 27, 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 Rasansky moved to appoint all the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending September 30, 2007.

Motion seconded by Councilmember Medrano and unanimously adopted. (Medrano, Salazar, Koop, Hunt absent when vote taken)

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

07-2048 CSA CITIZENS SAFETY ADVISORY COMMITTEE

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1998

Item 47: Authorize a loan to Carpenter's Point, L.P., for the an amendment to Resolution No. 07-0709, previously approved on February 28, 2007, replacing HOME financing with Community Development Block Grant Funds and authorizing a loan agreement with Carpenter's Point, L.P., to be used for eligible acquisition, clearance, building removal and pre-development costs associated with the and new construction of the proposed Frazier Berean residential development for seniors located at 3326 Mingo Street, a 150-unit senior apartment complex that will provide housing for low- and to moderate-income households - \$750,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds (\$100,000); 2006-07 Community Development Grant Funds (\$650,000)

Corrected on the addendum to the agenda.

Councilmember Davis moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-1999

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 48-51 and addendum addition agenda item 30 were presented for consideration.

Agenda item 49 was removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 48: Zoning Case Z067-119 (JH)
~~Agenda item 49: Zoning Case Z067-144 (OTH)~~ [considered individually]
Agenda item 50: Zoning Case Z067-177 (OTH)
Agenda item 51: Zoning Case Z067-192 (WE)
Addendum Agenda item 30: Zoning Case Z067-240 (MW)

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

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

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

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Salazar, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2000

Item 48: Zoning Case Z067-119 (JH)

The consent zoning docket consisting of agenda items 48-51 were presented for consideration.

A public hearing was called on zoning case Z067-119 (JH), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment for a private-club bar and a commercial amusement (inside) for a dance hall on property zoned a CR Community Retail District on the east side of Ferguson Road, south of Gus Thomasson Road

(The Staff and City Plan Commission recommended approval for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to site plans and conditions)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26856.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2001

Item 49: Zoning Case Z067-144 (OTH)

The consent zoning docket consisting of agenda items 48-51 were presented for consideration.

Deputy Mayor Pro Tem Caraway requested that consent agenda item 49 be considered as an individual item. Mayor Leppert stated that consent agenda item 49 would be considered as an individual item Later in the meeting,, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Later in the meeting, agenda item 49 was brought up for consideration.

A public hearing was called on zoning case Z067-144 (OTH), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District on the south side of Umphress Road, east of Jim Miller Road

(The Staff and City Plan Commission recommend approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions)

The following individual addressed the city council regarding the item:

Jurlin Hollins, 2832 Marjorie Ave,

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

Peter Cavanaugh, 1620 Hanley Dr. representing the applicant

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

Deputy Mayor Pro Tem Caraway moved to continue the public hearing and hold under advisement until the August 22, 2007 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2002

Item 50: Zoning Case Z067-177 (OTH)

The consent zoning docket consisting of agenda items 48-51 were presented for consideration.

A public hearing was called on zoning case Z067-177 (OTH), an application for and an ordinance granting an R-7.5(A) Single Family District, an R-5(A) Single Family District and an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District on the southeast corner of St. Augustine Drive and Interstate Highway 20 and a resolution accepting deed restrictions volunteered by the applicant

(The City Plan Commission recommended approval of and R-7.5(A) Single Family District, an R-5(A) Single Family District and an MU-1 Mixed Use District with deed restrictions volunteered by the applicant)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26857, 26858 AND 26859

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2003

Item 51: Zoning Case Z067-192 (WE)

The consent zoning docket consisting of agenda items 48-51 were presented for consideration.

A public hearing was called on zoning case Z067-192 (WE), an application for and an ordinance granting a Planned Development District for residential and non-residential uses on property zoned an A(A) Agricultural District between Ledbetter Drive and Spur 408, north of Kiest Boulevard and south of Illinois Avenue

Approved as part of the consent agenda.

(The Staff and City Plan Commission recommend approval, subject to a conceptual plan and conditions)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26860.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2004

Item 52: Zoning Case Z056-311 (OTH) - INDIVIDUAL

A public hearing was called on zoning case Z056-311 (OTH), an application for and an ordinance granting an IM Industrial Manufacturing and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northeast corner of Simpson Stuart and Interstate 45

(The City Plan Commission recommended approval, subject to deed restrictions volunteered by the applicant)

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

Councilmember Hill moved to continue the public hearing and hold under advisement until the August 22, 2007 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2005

Item 53: Zoning Case Z056-318 (WE) – INDIVIDUAL

A public hearing was called on zoning case Z056-318 (WE), an application for and an ordinance granting a Specific Use Permit for a transit passenger station or transfer center on property zoned an IR Industrial Research District, on the southwest side of Denton Drive between Burbank Street and Wyman Street

(The Staff and City Plan Commission recommend approval for a permanent time period, subject to a site plan and conditions)

Mayor Leppert, by general consensus of the city council, set aside the City Council Rules of Procedure, Section 6.1(c)(1) to allow Gary Thomas, representing Dallas Area Rapid Transit, to speak on item 53, scheduled to be heard during public hearings, prior to 1:00 p.m.

Mayor Leppert stated the item 53 would be continued during the regularly scheduled public hearings.

Later in the meeting, item 53 was continued.

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

Rick Gonzales, 4283 S. Crest Haven St.
Patricia Van Winkle, 2529 Brookfield Ave.
Wilma Avalos, 2318 Anson Rd.
Maria Alba, 7011 Denton Dr.
William Foster, 4504 N. Versailles, **Highland Park, Tx**

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

Motion seconded by Councilmember Natinsky.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-2005

Page 2

After discussion, Mayor Leppert called the vote on Councilmember Koop's motion:

Voting Yes: [11] Leppert, Caraway, Neumann, Hill, Davis, Atkins,
Kadane, Allen, Koop, Natinsky, Rasansky

Voting No: [2] Garcia, Medrano

Absent when vote taken: [2] Salazar, Hunt

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 26861.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2006

Item 54: Zoning Case Z056-252 (RB) – INDIVIDUAL

A public hearing was called on zoning case Z056-252 (RB), an application for a Planned Development District for MF-2(A) Multifamily District Uses on property zoned a CR Community Retail District, on the northeast line of Emerald Isle, north of Garland Road

(The City Plan Commission recommended denial)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2007

Item 55: Zoning Case Z056-284 (RB) – UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-284 (RB), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north quadrant of Kings Road and Fairmount Street

(The Staff and City Plan Commission recommended approval, subject to a conceptual plan and conditions)

Note: This item was considered by the City Council at public hearings on February 28, March 28, and April 25, 2007, and was taken under advisement until June 27, 2007, with the public hearing open.

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

Myron Dornic, 5026 Maple Springs Blvd.

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

Karl Crawley, 900 Jackson St., representing the applicant

Councilmember Medrano moved to continue the public hearing and hold under advisement until the August 22, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2008

Item 56: **Municipal Setting Designation**
at 1809 Rock Island Street

Note: Item Nos. 56 and 57
must be considered collectively.

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Buckley Oil Company located at 1809 Rock Island Street and adjacent right-of-way - Financing: No cost consideration to the City

Item 57: An ordinance authorizing support of the issuance of a municipal setting designation to Buckley Oil Company by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property 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 individual addressed the city council regarding the item:

Olin Long, 410 E. Cherrywood, representing Buckley Oil

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26862.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2009

Item 58: **Municipal Setting Designation**
at 10920 Indian Trail

Note: Item Nos. 58 and 59
must be considered collectively.

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Globus Industrial Partners, Ltd. located at 10920 Indian Trail and adjacent rights-of-way - Financing: No cost consideration to the City

Item 59: An ordinance authorizing support of the issuance of a municipal setting designation to Globus Industrial Partners, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property 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 individual addressed the city council regarding the item:

Michael Marcon, 8327 Heatherland, **Spring, TX.**, representing Globus Industrial Partners

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

Motion seconded by Councilmember Medrano and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26863.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2010

Item 60: **Municipal Setting Designation**
at 46 properties

Note: Item Nos. 60 and 61
must be considered collectively.

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath properties located within an approximate 73-acre area generally centered around the intersection of Oak Lawn Avenue and Hi Line Drive, near Turtle Creek and Market Center Boulevard including 1300, 1400, 1401, 1403, 1405, 1501, 1511, 1515 and 1525 Turtle Creek Boulevard; 1708, 1926 and 1930 Market Center Boulevard; 1330, 1350, 1400, 1402, 1500, 1519, 1525, 1532, 1616, 1617, 1626, 1718, 1900, 1909, 1922, 1930 and 1935 Hi Line Drive; 1333, 1401, 1505, 1616, 1620, 1621, 1628, 1630, 1650, 1700 and 1707 Oak Lawn Avenue; 1525, 1605, 1635 and 1645 North Stemmons Freeway; 1600 and 1626 Edison Street; and adjacent rights-of-way - Financing: No cost consideration to the City

Item 61: An ordinance authorizing support of the issuance of a municipal setting designation to JRSHK Investments, LP by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property 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 individual addressed the city council regarding the item:

David E. Whitten, 8123 San Fernando Way, representing applicant

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

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted.
(Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26864.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2011-01

07-2011-02

Item 62: A benefit assessment hearing to receive comments on alley paving, storm drainage and wastewater main improvements on the alley between Casa Vale Drive and Moran Drive from Moran Drive to Losa Drive, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Canary Construction, Inc., lowest responsible bidder of seven - \$336,886 - Financing: 2003 Bond Funds (\$226,971), Water Utilities Capital Improvement Funds (\$103,315), and Water Utilities Capital Construction Funds (\$6,600)

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

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26865.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2012

Item 63: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements on Memory Lane from Lake June Road to Eloise Street, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: No cost consideration to the City

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26866.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2013

Item 64: A public hearing to receive comments on correcting, adjusting and canceling the assessments for the cost of the improvements against the abutting property owners at 10901 Seagoville Road, 5515 Glen Lakes Drive and 4243 South Polk Street; and at the close of the hearing, authorize an ordinance amending Ordinance No. 26289, previously approved on March 8, 2006, and Ordinance No. 24734, previously approved on September 26, 2001, to reflect these corrections, adjustments and cancellations - Financing: No cost consideration to the City

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

Motion seconded by Councilmember Medrano and unanimously adopted. (Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26867.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2014

Closed Session [**HELD**]

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

-Roland R. Gamez v. The City of Dallas, Texas, Civil Action No. 2:06-CV-150-TJW

At 11:31 p.m. Mayor Leppert 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.)

-Roland R. Gamez v. The City of Dallas, Texas, Civil Action No. 2:06-CV-150-TJW

Mayor Leppert reconvened the city council after the closed session at 1:53 p.m. No other matters were discussed during the closed session

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2015

Addendum addition 1: Authorize the purchase of 5 fire pumpers, 5 brush trucks, 1 aerial ladder truck, 19 ambulances, and 2 battalion chief vehicles - Metro Fire Apparatus Specialists in the amount of \$2,449,867, Tyler Motor Company, Inc. in the amount of \$2,153,479, J & J Acquisitions dba S & S Fire Apparatus Co. in the amount of \$561,875, and Philpott Motors, Inc. in the amount of \$73,441, through the Houston-Galveston Area Council of Governments - Total not exceed \$5,238,662 - Financing: Current Funds (\$2,046,659), 2006 Equipment Acquisition Contractual Obligation Notes (\$1,361,865), 2005 Equipment Acquisition Contractual Obligation Notes (\$500,000), 2004 Equipment Acquisition Contractual Obligation Notes (\$500,000), 2003 Equipment Acquisition Contractual Obligation Notes (\$186,005), 2001 Equipment Acquisition Contractual Obligation Notes (\$193,007), 2003 Bond Funds (\$451,126)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2016

Addendum addition 2: Authorize the purchase of a trailer mounted vacuum excavation cleaning system for the Dallas Zoo - Vermeer Equipment of Texas, Inc., lowest responsible bidder of two
- Not to exceed \$86,397 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2017

Addendum addition 3: Authorize a sixty-month concession contract, with three twelve-month renewal options, for advertising display concession services at Dallas Love Field - JCDecaux Airport, Inc., most advantageous proposer of two - Estimated Revenue: \$6,500,000

Councilmember Neumann and Councilmember Natinsky requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 3 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Neumann and Councilmember Natinsky's request.

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

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Hunt.

After discussion, Councilmember Natinsky moved to substitute his original motion and refer the item to the Finance, Audit and Accountability Committee.

Councilmember Hunt, who seconded the original motion, also accepted the substitute motion and refer the item to the Finance, Audit and Accountability Committee.

After further discussion, Mayor Leppert called for the vote on the substitute motion to refer the item to the Finance, Audit and Accountability Committee.

Mayor Leppert declared the substitute motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2018

Addendum addition 4: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Stutzman, Bromberg, Esserman & Plifka for additional legal services necessary in connection with the Union Terminal Lease Agreement with Hunt-Woodbine Realty Corporation and related matters - Not to exceed \$30,000, from \$20,000 to \$50,000 - Financing: Convention and Event Services Current Funds

Councilmember Natinsky requested that addendum addition consent agenda item 4 be considered as an individual item. Mayor Leppert 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 Councilmember Natinsky's request.

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

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2019

Addendum addition 5: Authorize settlement of a lawsuit styled Roland R. Gamez v. City of Dallas, Civil Action No. 2:06-CV-150-TJW - Not to exceed \$1,550,000 - Financing: Current Funds

Councilmember Neumann requested that addendum addition consent agenda item 5 be considered as an individual item. Mayor Leppert 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 Neumann's request.

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

Councilmember Natinsky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2020

Addendum addition 6: Authorize a perpetual use license agreement with PWC Product Sales LLC to provide TeamMate Audit Management System software for the Office of the City Auditor to be used for the preparation and review of audit workpapers - Not to exceed \$62,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2021

Addendum addition 7: An ordinance abandoning air and subsurface rights to Dunhill 1530 Main, L.P., the abutting owner, containing a total of approximately 458 square feet of space located over and under Main Street near its intersection with Stone Place, and authorizing the quitclaim - Revenue: \$14,004 plus the \$20 ordinance publication fee

Councilmember Natinsky requested that addendum addition consent agenda item 6 be considered as an individual item. Mayor Leppert 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 Natinsky's request.

Later in the meeting, addendum addition consent agenda item 6 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the ordinance.

Motion seconded by Deputy Mayor Pro Tem Caraway.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Medrano, Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26868.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2022

Addendum addition 8: An ordinance granting a private license to Dunhill 1530 Main, L.P., the abutting owner, for the use of approximately 1,052 square feet of land to construct, use and maintain a sidewalk café, entrance door and two canopies on and over portions of Main Street right-of-way located near its intersection with Stone Place - Revenue: \$4,772 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that addendum addition consent agenda item 8 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 8 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Natinsky moved to approve the ordinance.

Motion seconded by Mayor Pro Tem Garcia.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Medrano, Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26869.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2023

Addendum addition 9: Authorize the rejection of bids received for a tax foreclosure property located at 2621 Meyers Street that is needed for the HB 110 process of the Land Transfer Program - Financing: No cost consideration to the City

Councilmember Davis and Councilmember Rasansky requested that addendum addition consent agenda item 9 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 9 would be considered as an individual item. Later in the meeting,, there being no objection voiced to Councilmember Davis and Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 9 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Medrano, Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2024

Addendum addition 10: Authorize acquisition, including the exercise of eminent domain, if such becomes necessary, from Gail Ann Tyre, Marshall Binion Tyre III, Linda Louise Otten, Janis Tackett, and Wade Allen Tyre for a tract of land containing approximately 8,885 square feet located near the intersection of Pine Row and Western Avenue for the Dallas Eco Park Project - \$3,250 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2025

Addendum addition 11: A resolution authorizing the sale of a total of approximately 83,478 square feet of unwanted and unneeded City-owned land located near the intersection of Live Oak and Cantegral Streets to the only bidder, Margaux City Lights Partners, Ltd. - Revenue: \$3,405,000

Mayor Pro Tem Garcia and Councilmember Rasansky requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 11 would be considered as an individual item. Later in the meeting,, there being no objection voiced to Mayor Pro Tem Garcia and Councilmember Rasansky's request.

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

Councilmember Hunt moved to refer the item to the Economic Development and Housing Committee.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2026

Addendum addition 12: Authorize a professional services contract with Freese and Nichols, Inc. for the design of site improvements for the Dallas Eco Park located at Simpson Stuart Road and Locust Drive - Not to exceed \$72,488 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2027

Addendum addition 13: Authorize a second amendment to the development agreement with Presideo Investment, Inc., previously approved on September 14, 2005, by Resolution No. 05-2638, for Buzz Condominiums in Tax Increment Financing District Number Four (Cedars TIF District) to add a budget category for construction management in the amount of \$28,946 and to reduce the budgeted amount for infrastructure replacement in the amount of (\$28,946), from \$178,129 to \$149,183 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2028

Addendum addition 14: Authorize an increase in the contract with Reeves Construction Services, Inc. for the renovation of the Police Quartermaster building located at 1600 South Lamar Street for additional improvements and repairs including the upgrade of electrical elevator wiring, waterproofing the basement walls and existing utility access box, painting, structural repairs, and the installation of light fixtures in order to comply with the City Code - \$72,141, from \$1,311,248 to \$1,383,389 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2029

Addendum addition 15: Authorize a loan to Sphinx Development Corporation, or if tax credits are granted, to SDC Fiji Senior, L.P., a single asset entity, for the acquisition, demolition, and eligible soft costs, associated with the construction of a 130-unit multi-family residential development for seniors located at 201 Fran Way - \$1,200,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2030

Addendum addition 16: Authorize an increase in the contract with Billy L. & Joan Nabors, Inc. for the demolition of additional buildings located at 1906 Main Street, 1920 Main Street, 1924 Main Street, and two buildings at 1928 Main Street, and sidewalks for the construction of the Main Street Garden Park located at 1917 Commerce Street - \$60,000, from \$251,000 to \$311,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2031

Addendum addition 17: Authorize Supplemental Agreement No. 5 to the contract with Brown, Reynolds and Watford Architects, Inc. for (1) the production of video and audio components for the orientation and exhibit areas of the Trinity River Audubon Center; and, (2) modification of the original scope of work to provide basic service, and special services for a master plan for a multi-phase development for the Texas Horse Park - \$130,055, from \$3,488,250 to \$3,618,305 - Financing: 1998 Bond Funds

Councilmember Neumann requested that addendum addition consent agenda item 17 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 17 would be considered as an individual item Later in the meeting,, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, addendum addition consent agenda item 17 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted. (Medrano, Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2032

Addendum addition 18: Authorize a second amendment to the lease agreement with 3317, Ltd. to extend the lease for an additional 3-year period for the continued use of approximately 2,679 square feet of office space and eight secured designated parking spaces located at 4515 Maple Avenue for the Police Neighborhood Assistance Center from July 1, 2007 through June 30, 2010 - \$56,412 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2033

Addendum addition 19: Authorize **(1)** a contract for the construction of Phase VI street and streetscape improvements at Zang Boulevard and Colorado Boulevard at the Lake Cliff Tower located at 329 E. Colorado Boulevard with Allied Builders, Inc., lowest responsible bidder of three, in an amount not to exceed \$410,266; and **(2)** assignment of the contract to Top Dog - Oak Cliff, L.P. for construction management - Total not to exceed \$410,266 - Financing: 1995 Bond Funds (\$365,581) and Oak Cliff Gateway TIF District Funds (\$44,685) (to be advanced by the developer)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2034

Addendum addition 20: Authorize final payment to the Texas Department of Transportation for the design and construction of paving improvements at the Chalk Hill Road and Cockrell Hill Road interchange with IH 30 - \$246,796 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2035

Addendum addition 21: Authorize payment to the North Central Texas Council of Government for the City's participation in the fifth year of the Integrated Storm Water Management process for development of a comprehensive drainage criteria and design manual for use in both municipal and private development - Not to exceed \$40,955 - Financing Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2036

Addendum addition 22: Authorize a contract for the construction of Fire Station No. 35 to be located at 3839 Walnut Hill Lane - CME Builders & Engineers, Inc., best value proposer of three - \$3,091,971 - Financing: 2003 Bond Funds

Mayor Leppert requested that addendum addition consent agenda item 22 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 22 would be considered as an individual item Later in the meeting,, there being no objection voiced to Mayor Leppert's request.

Later in the meeting, addendum addition consent agenda item 22 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Medrano, Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2037

Addendum addition 23: **Fiji-Compton Project** **Note:** Item Nos. 23 and 24
must be considered collectively.

Authorize an amendment to Resolution No. 06-3473, previously approved on December 13, 2006, to authorize (1) payment to the North Central Texas Council of Governments for the City's share of design, right-of-way acquisition, and construction of infrastructure improvements in the amount of \$702,997, (2) the receipt and deposit of advanced funds from the North Central Texas Council of Governments in an amount not to exceed \$702,997, and (3) an increase in appropriations in the amount of \$702,997 in the Capital Projects Reimbursement Fund - Total not to exceed \$702,997 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2038

Addendum addition 24: **Fiji-Compton Project** **Note:** Item Nos. 23 and 24
must be considered collectively.

Authorize an amendment to Resolution No. 06-3474, previously approved on December 13, 2006, to authorize payment to Sphinx Development Corporation for the design, right-of-way acquisition, and construction of paving and drainage related infrastructure improvements - \$3,514,983 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2039

Addendum addition 25: Ratify an emergency services contract for the clean-up and removal of debris from damaged property caused by recent storms - Baldwin Tree and Disaster Relief Service - \$259,200 - Financing: Current Funds

Mayor Pro Tem Garcia and Councilmember Neumann requested that addendum addition consent agenda item 25 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 25 would be considered as an individual item. Later in the meeting,, there being no objection voiced to Mayor Pro Tem Garcia and Councilmember Neumann's request.

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

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Medrano, Salazar, Koop, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2040

Addendum addition 26: Authorize an increase in the service contract with AXON Solutions, Inc. to exchange the software with Veritas clustering software and third party implementation services for the Pay1 Project - \$102,329, from \$11,692,494 to \$11,794,823 - Financing: 2006 Water Revenue Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2041

Addendum addition 27: Ratify an emergency purchase of a replacement pinion gear set for the water clarifier at the Elm Fork Water Treatment Plant - Siemens Water Technologies Corporation - \$61,303
- Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2042

Addendum addition 28: Ratify an emergency purchase of 17 ammonia/chlorine analyzers to monitor raw and treated water at all three water treatment plants and throughout the distribution system - Hach Company - \$422,792 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2043

Addendum addition 29: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Bell, Nunnally & Martin L.L.P. for additional 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-150-TJW - Not to exceed \$250,000, from \$150,000 to \$400,000 - Financing: Current Funds

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2044

Addendum addition 30: Zoning Case Z067-240 (MW)

A public hearing was called on zoning case Z067-240 (MW), an application for and an ordinance granting an amendment to the preservation criteria and additions to the uses for Historic Overlay No. 35 on property zoned an R-1ac(A) Single Family District on White Rock Road, east of Lawther Drive

(The Staff and City Plan Commission recommend approval, subject to preservation criteria)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26870.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2045

Addendum addition 31: Zoning Case Z067-188 (WE) – INDIVIDUAL

A public hearing was called on zoning case Z067-188 (WE), an application for a Planned Development District for RR Regional Retail District, IM Industrial Manufacturing District and IR Industrial Research District uses on property zoned an IM Industrial Manufacturing District and IR Industrial Research District, in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue

(The Staff and City Plan Commission recommended approval of a Planned Development District for RR Regional Retail District uses, subject to a conceptual plan and conditions)

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

Patricia Van Winkle, 2529 Brookfield Ave.
Wilma Avalos, 2318 Anson Rd.

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

Bill Dahlstrom, 3 Grantley Ct., representing the applicant

Councilmember Medrano moved to close the public hearing and approve the item with the following changes:

“Amend the sign regulations to require all signs, except for shopping center signs, to be monument signs.”

and pass the ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted.

Assigned ORDINANCE NO. 26871.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2046

Addendum addition 32: Zoning Case Z067-158 (RB) – INDIVIDUAL

A public hearing was called on zoning case Z067-158 (RB), an application for and an ordinance granting a Planned Development District for certain nonresidential uses on property zoned an MF-2(A) Multifamily District, an R-7.5(A) Single Family District, an IR Industrial Research District, an IM Industrial Manufacturing District, a CR Community Retail District, and an A(A) Agricultural District on property generally bounded by IH 20, J.J. Lemmon Road, Wintergreen Road, and Bonnie View Road and a resolution terminating existing deed restrictions on a portion of the site that prohibit certain uses as well as provide for certain development standards

(The City Plan Commission recommendation approval of the requested Planned Development District, to be known as the Dallas Logistics Hub Special Purpose District, subject to recommended conditions, and approval of the termination of deed restrictions that encumber a portion of the site)

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

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

Ed Romanov, 2200 Ross Ave., representing the applicant

Councilmember Medrano moved to approve the item and pass the ordinance.

Motion seconded by Councilmember Kadane.

After discussion, Councilmember Atkins moved to amend Councilmember Medrano's motion and moved to close the public hearing and approve Planned Development District No. 761 with the following amendments:

1. In the Light Industrial Subdistrict, mining uses are limited to oil and gas exploration and production, permitted by Special Use Permit only, and must be spaced a minimum of 1,000 feet from single family, duplex, or multifamily uses.
2. Except in an intermodal railroad facility use, an outside storage area must be screened if it is:
 - Visible from a public right-of-way,
 - Visible from a single family, duplex, or multifamily use, or

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-2046

Page 2

- Visible from and within 100 feet of an adjoining property with a use other than a residential or an intermodal railroad facility use.”

and pass the ordinance.

Motion seconded by Mayor Pro Tem Garcia.

After further discussion, Councilmember Rasansky asked Councilmember Medrano if she would accept a friendly amendment to the amended motion for the applicant to waive the right to drill wells.

Councilmember Medrano accepted Councilmember Rasansky friendly amendment as part of her amended motion.

Councilmember Kadane, who seconded the motion, did not accept the friendly amendment for the applicant to waive the right to drill wells.

The friendly amendment was not accepted.

Mayor Leppert called for the vote on the motion with the amendment by Councilmember Atkins.

Mayor Leppert declared the motion with the amendment by Councilmember Atkins adopted. (Salazar, Koop, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26872.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 27, 2007

07-2047

Addendum addition 33: Zoning Case Z067-213 (JH) – INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District on property zoned Planned Development District No. 673 east of Lancaster Road between Cedardale Road and Telephone Road

(The Staff and City Plan Commission recommend approval)

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

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

Kirk R. Williams, 17318 Club Hill Dr., representing the applicant

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 26873.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 27, 2007

EXHIBIT C