

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 26, 2007

07-2740

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 9:01 a.m.

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

The invocation was given by Jo Hudson, Senior Pastor and Director of Cathedral Hope Church.

Youth volunteers representing the Greek Food Festival held at the Holy Trinity Greek Orthodox Church 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 4:12 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, SEPTEMBER 26, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 26, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2741

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: Alfonso Mirabac, 1418 Winding Brook Circle  
REPRESENTING: Dallas Area Interfaith  
SUBJECT: Community policing

SPEAKER: Leslie Davis, 3035 E. Ledbetter  
SUBJECT: Police pay raises and crime

SPEAKER: Gwen Gibson-Collins, 2227 Greer St.  
SUBJECT: Ambulance response time

SPEAKER: Trey Taylor, 3130 Kingbridge  
SUBJECT: DART

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Code Compliance, Dallas Police Officer and DA

SPEAKER: William Hopkins, 2011 Leath  
SUBJECT: Racism against DPD, DISD and Southwest Station

SPEAKER: Jewel Floyd, 3815 Myrtle St.  
SUBJECT: Why do people forget who they are when elected to office

SPEAKER: Gwain Wooten, 4625 Bryan  
REPRESENTING: CELF  
SUBJECT: Unity

SPEAKER: Frank Ward III, P. O. Box 50694  
REPRESENTING: Community At Large  
SUBJECT: Revelation: Restitution

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2742

Item 1: Approval of Minutes of the September 12, 2007 City Council Meeting

Councilmember Hill moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2743

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-37 and addendum addition consent agenda items 1-13, were presented for consideration.

Councilmember Neumann requested that consent agenda items 6, 32 and addendum addition consent agenda items 2 and 13 be considered as individual items. Mayor Leppert stated that consent agenda items 6, 32 and addendum addition consent agenda items 2 and 13 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Rasansky requested that consent agenda items 6, 17, 32, 37 and addendum addition consent agenda items 6 and 10 be considered as individual items. Mayor Leppert stated that consent agenda items 6, 17, 32, 37 and addendum addition consent agenda items 6 and 10 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Koop moved to approve all items on the consent agenda with the exception of consent agenda items 6, 17, 32, 37 and addendum addition consent agenda items 2, 6, 10 and 13 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2744

Item 2: Authorize settlement of the lawsuit styled Maria Zamora v. City of Dallas,  
Cause No. 05-10826-K - Not to exceed \$25,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2745

Item 3: Authorize settlement of the lawsuit styled Yolanda Sendejo, individually and as next friend to Destine Sendejo, a minor v. City of Dallas, Cause No. 04-07763-M - Not to exceed \$10,000 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2746

- Item 4: Authorize Supplemental Agreement No. 1 to the professional services contract with Gresham Smith and Partners for additional planning and expert witness services necessary in connection with the Legend Terminal at Dallas Love Field - Not to exceed \$40,000, from \$25,000 to \$65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2747

Item 5: Authorize an amendment for a month to month contract for the management, hosting and support services for the Human Resources Information System with USinternetworking, Inc. for a period of four months - Total not to exceed \$180,608 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2748

Item 6: Authorize payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2007 through September 30, 2008 - \$6,823,985 - Financing: Current Funds (subject to appropriations)

Councilmember Neumann and Councilmember Rasansky requested that consent agenda item 6 be considered as an individual item. Mayor Leppert stated that consent agenda item 6 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's and Councilmember Rasansky's request.

Later in the meeting, agenda item 6 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. (Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2749

Item 7: A resolution authorizing the conveyance of 5 temporary construction easements and 5 wastewater easements containing a total of approximately 31 acres of land to the City of Garland for the construction, maintenance and use of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersections of Miller and Centerville Roads and East Fork and Gloria Roads - Revenue: \$107,268

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2750

Item 8: A resolution authorizing the conveyance of a temporary construction easement and a wastewater easement containing a total of approximately 8.23 acres of land to the City of Garland for the construction, maintenance and use of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of Roan and Rowlett Roads - Revenue: \$66,509

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2751

Item 9: An ordinance abandoning a portion of a drainage easement to Block J, L.P., the abutting owner, containing approximately 281 square feet of land located near the intersection of Houston Street and Continental Avenue - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26922.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2752

Item 10: An ordinance abandoning a sanitary sewer easement to Watermark Community Church, the abutting owner, containing approximately 12,219 square feet of land located near the intersection of Interstate 635 and Park Central Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26923.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2753

Item 11: An ordinance amending the Dallas Development Code, Article I of Chapter 51 to add a new section 51-1.105.1, Fee Exemptions and Refunds, to be consistent with the language in Chapter 51A - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26924.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2754

Item 12: Authorize **(1)** an amendment to the development agreement with Belclaire Realty, LTD, previously approved on August 23, 2006, by Resolution No. 06-2281, to extend the completion deadline date from December 31, 2007 to August 31, 2008; and **(2)** the Director of the Office of Economic Development Department to further extend the deadline up to sixty (60) days should unforeseen circumstances arise - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2755

Item 13: Authorize an amendment to Resolution No. 06-1830, previously approved on June 28, 2006, for the redevelopment of the Stoneleigh Hotel, located at 2927 Maple Avenue in the Downtown Connection TIF District, to extend the project completion deadline from September 30, 2007 to December 31, 2007 and to allow the Office of Economic Development Director to authorize adjustments to the project contingencies should reasonable adjustments be needed and supported by additional consideration - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2756

Item 14: Authorize **(1)** the acceptance of a Fair Housing Assistance Comprehensive Funding Approach Award from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, and to provide for administrative costs and HUD required staff training for the period October 1, 2007 through September 30, 2008; and **(2)** the execution of any and all documents related to the grant - \$204,400 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2757

Item 15: Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for the required services of a Medical Director - Not to exceed \$146,608 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2758

Item 16: Authorize payment to Dallas County Community College District in the amount of \$50,000 and University of Texas Southwestern Medical Center at Dallas in the amount of \$125,380 for mandatory emergency medical services training of emergency medical technicians and paramedics for the period October 1, 2007 through September 30, 2008 - Total not to exceed \$175,380 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2759

Item 17: Authorize a personal services contract with Barbara T. McCall to provide federal legislative information and office space for use by the City of Dallas from October 1, 2007 through September 30, 2008 - Not to exceed \$160,000 - Financing: Current Funds (subject to appropriations)

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 Rasansky's request.

Later in the meeting, agenda item 17 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

SEPTEMBER 26, 2007

07-2760

Item 18: Authorize a personal services contract with Hillco Partners LLC to provide state legislative information and related services from October 1, 2007 through September 30, 2008 - Not to exceed \$66,000 - Financing: Water Utilities Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2761

Item 19: Authorize a personal services contract with Kwame Walker for state legislative services from October 1, 2007 through September 30, 2008 - Not to exceed \$45,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2762

Item 20: Authorize a personal services contract with Randy C. Cain for state legislative services from October 1, 2007 through September 30, 2008 - Not to exceed \$70,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2763

Item 21: Authorize the submission of a resolution to the Texas Municipal League encouraging the State of Texas to provide additional funding assistance for homeless initiatives for their consideration at the 2007 TML Annual Conference  
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2764

Item 22: **Trinity River Project Legislative Services** **Note:** Item Nos. 22 and 23 must be considered collectively.

Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Project from October 1, 2007 through September 30, 2008 - Not to exceed \$60,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2765

Item 23: **Trinity River Project Legislative Services** **Note:** Item Nos. 22 and 23 must be considered collectively.

Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Project from October 1, 2007 through September 30, 2008 - Not to exceed \$35,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2766

Item 24: Authorize **(1)** the City's continued participation in the Steering Committee of Texas Utilities Electric Service Area Cities in hearings before the Public Utilities Commission of Texas concerning electric restructuring and rates to be charged by Oncor Electric Delivery, and **(2)** the establishment of appropriations in the amount of \$121,147 in the Rate Case Reimbursement Reserve Fund to pay the City's 2007 assessment - Not to exceed \$121,147 - Financing: Rate Case Reimbursement Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2767

Item 25: Authorize **(1)** the acceptance of the Dallas Police Department Victim Services/7 grant from the Office of the Governor, Criminal Justice Division in the amount of \$49,400 to adequately respond to victims of violent crime with needed aid, for the period July 1, 2007 through June 30, 2008, **(2)** a local match in the amount of \$12,350, and **(3)** execution of the grant agreement - Total not to exceed \$61,750 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$49,400) and Current Funds (\$12,350) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2768

Item 26: Authorize a contract for the construction of street paving, storm drainage, water, and wastewater main improvements for Street Group 03-443 (list attached) - PAEE Corporation, lowest responsible bidder of six - \$1,260,660 - Financing: 2003 Bond Funds (\$1,002,275), Water Utilities Capital Improvement Funds (\$244,535), and Water Utilities Capital Construction Funds (\$13,850)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2769

Item 27: Authorize a contract for the reconstruction of alley paving, drainage and wastewater main improvements for Alley Reconstruction Group 03-2021 (list attached) - Meztec Contractors, Inc., lowest responsible bidder of three - \$1,074,640 - Financing: 2003 Bond Funds (\$746,680), Water Utilities Capital Improvement Funds (\$316,810) and Water Utilities Capital Construction Funds (\$11,150)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2770

Item 28: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on Quebec Street from Calvert Street to Lakawana Street - Tiseo Paving Company, lowest responsible bidder of four - \$1,478,891 - Financing: 2003 Bond Funds (\$1,170,712), Water Utilities Capital Improvement Funds (\$284,724) and Water Utilities Capital Construction Funds (\$23,455)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2771

Item 29: Authorize a contract for the reconstruction of the street paving, alley paving, storm drainage, water and wastewater main improvements for Project Group 03-3007 (list attached) - P & E Contractors, Inc., lowest responsible bidder of two - \$950,585 - Financing: 2003 Bond Funds (\$684,530), Water Utilities Capital Improvement Funds (\$256,505), and Water Utilities Capital Construction Funds (\$9,550)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2772

Item 30: Authorize a contract for the replacement of sidewalks and barrier free ramps for the Sidewalk Replacement Group 03-132 (list attached) - Prince & Associates, lowest responsible bidder of two - \$78,877 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2773

Item 31: Authorize a professional services contract with BDS Technologies, Inc. for the development of design criteria, an operation and maintenance plan and monitoring system for the Turtle Creek Effluent Capture Pilot Project - \$112,426 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2774

Item 32: Authorize **(1)** an increase in the contract with Jeske Construction Company for the installation of a shoring system for the construction of a retaining wall for the Dilbeck Court Project in the amount of \$112,259, from \$477,246 to \$589,505; and **(2)** assignment of the construction contract to Dilbeck Court Limited for construction administration - Not to exceed \$112,259, from \$477,246 to \$589,505 - Financing: Public/Private Partnership Program Funds

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2775

Item 33: Authorize a contract for the construction of the Alta Mesa Pump Station - Cajun Constructors, Inc., lowest responsible bidder of three - \$6,913,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2776

Item 34: An ordinance amending Chapters 19 and 49 of the Dallas City Code to: **(1)** correct the name of the state agency charged with overseeing liquid waste transportation and disposal; **(2)** revise manifest requirements for liquid waste transporters; **(3)** provide prohibitions, requirements, and defenses relating to the discharge of certain wastes into the wastewater system; **(4)** require certain food service establishments to obtain trap/interceptor permits; **(5)** provide requirements for grease and sand trap/interceptors and **(6)** make certain nonsubstantive changes - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26925

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2777

Item 35: Authorize an increase in the contract with Archer Western Contractors, Ltd. for additional work associated with the Doran Pump Station - \$94,648, from \$4,993,000 to \$5,087,648 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2778

Item 36: Authorize Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services for a treated water system Water Quality Study - \$3,103,400, from \$2,240,000 to \$5,343,400 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2779

Item 37: Authorize Supplemental Agreement No. 3 to the professional services contract with TCB, Inc. for additional design and construction phase services for Transfer Pump Station No. 3 and clearwells as part of the East Side Water Treatment Plant expansion - \$1,198,000, from \$15,704,000 to \$16,902,000 - Financing: Water Utilities Capital Improvement Funds

Councilmember Rasansky requested that consent agenda item 37 be considered as an individual item. Mayor Leppert stated that consent agenda item 37 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 37 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

SEPTEMBER 26, 2007

07-2780

Item 38: 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 2007-2009 board term updated through September 26, 2007.

The city secretary noted the report indicated nominees and re-nominees for individual and full council appointments cleared for council action met all qualifications for service.

Councilmember Koop moved to appoint Chris Buehler as Vice-Chair for the City Plan and Zoning Commission.

Motion seconded by Councilmember Kadane and unanimously adopted.

Councilmember Rasansky moved to appoint all nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions at the city for the term ending September 30, 2009.

Motion seconded by Councilmember Koop and unanimously adopted.

Later in the meeting, the City Secretary read the names of additional nominees and re-nominees to be considered by the city council.

Councilmember Neumann moved to appoint all additional nominees and re-nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions at the city for the term ending September 30, 2009.

Motion seconded by Deputy Mayor Pro Tem Caraway.

Councilmember Koop asked Councilmember Neumann if he would accept a friendly amendment to his motion that her nominee to the Park and Recreation Board be held and not be considered for appointment at this time.

Councilmember Neumann accepted Councilmember Koop's friendly amendment as a part of his motion.

Deputy Mayor Pro Tem Caraway, who seconded the original motion, also accepted Councilmember Koop's friendly amendment.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-2780

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After discussion, Mayor Leppert called the vote on Councilmember Neumann's motion as modified by Councilmember Koop's friendly amendment to approve additional nominees and re-nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions at the city for the term ending September 30, 2009 and that her nominee to the Park and Recreation Board be held and not be considered for appointment at this time.

Mayor Leppert declared the motion as modified by the friendly amendment, unanimously adopted.

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

<b>07-2842</b>	<b>BOA</b>	<b>BOARD OF ADJUSTMENT</b>
<b>07-2843</b>	<b>CAC</b>	<b>CULTURAL AFFAIRS COMMISSION</b>
<b>07-2844</b>	<b>CDC</b>	<b>COMMUNITY DEVELOPMENT COMMISSION</b>
<b>07-2845</b>	<b>CPC</b>	<b>CITY PLAN AND ZONING COMMISSION</b>
<b>07-2846</b>	<b>CPR</b>	<b>DALLAS CITIZENS POLICE REVIEW BOARD</b>
<b>07-2847</b>	<b>EHC</b>	<b>ENVIROMENTAL HEALTH COMMISSION</b>
<b>07-2848</b>	<b>LMC</b>	<b>LANDMARK COMMISSION</b>
<b>07-2849</b>	<b>MLB</b>	<b>MUNICIPAL LIBRARY BOARD</b>
<b>07-2850</b>	<b>PAR</b>	<b>PARK AND RECREATION BOARD</b>
<b>07-2851</b>	<b>SAC</b>	<b>SENIOR AFFAIRS COMMISSION</b>
<b>07-2852</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2781

Item 39: **Incentives for ProLogis Buckner Project** **Note:** Items 39 and 40 must be considered collectively.

Authorize a real property tax abatement agreement with ProLogis for the purpose of granting a ten-year abatement of 75 percent of the taxes on added value to the real property at Buckner Boulevard and Eastpoint Drive for a multi-building commercial warehouse distribution development in a Texas Enterprise Zone - Revenue: First year revenue estimated at \$25,522; ten-year revenue estimated at \$650,204 (Estimated revenue foregone for ten-year abatement estimated at \$1,950,610)

Item 40: Authorize a public infrastructure cost participation agreement with ProLogis for the construction of public infrastructure to support the development of a multi-building commercial/industrial space at Buckner Boulevard and Eastpoint Drive in a Texas Enterprise Zone - Not to exceed 30 percent of the cost or \$932,509 whichever is less - Total not to exceed \$932,509 - Financing: 1998 Bond Funds

Councilmember Davis moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2782

Item 41: Authorize a twenty-four-month extension from November 1, 2007 through October 31, 2009 and an increase in the professional services contract for investment advisory services - First Southwest Asset Management, Inc. - \$80,000, from \$80,000 to \$160,000 - Financing: Current Funds (subject to annual appropriations)

Mayor Pro Tem Garcia moved to approve the item.

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". (Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2783

Item 42: Authorize annual adjustments to appropriations for the FY 2005-06 year-end close - Financing: No cost consideration to the City

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2784

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 43-60 were presented for consideration.

Agenda items 46, 47, 48, 53 and 55 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 43: Zoning Case Z067-189(RB)  
Agenda item 44: Zoning Case Z067-216 (RB)  
Agenda item 45: Zoning Case Z067-231 (RB)  
~~Agenda item 46: Zoning Case Z067-235 (JH) [considered individually]~~  
~~Agenda item 47: Zoning Case Z067-244 (JH) [considered individually]~~  
~~Agenda item 48: Zoning Case Z067-248 (RB) [considered individually]~~  
Agenda item 49: Zoning Case Z067-256 (MF)  
Agenda item 50: Zoning Case Z067-261 (OTH)  
Agenda item 51: Zoning Case Z067-264 (JH)  
Agenda item 52: Zoning Case Z067-269 (WE)  
~~Agenda item 53: Zoning Case Z067-273 (RB) [considered individually]~~  
Agenda item 54: Zoning Case Z067-274 (WE)  
~~Agenda item 55: Zoning Case Z067-278 (JA) [considered individually]~~  
Agenda item 56: Zoning Case Z067-279 (JH)  
Agenda item 57: Zoning Case Z067-280 (OTH)  
Agenda item 58: Zoning Case Z067-282 (OTH)  
Agenda item 59: Zoning Case Z067-283 (OTH)  
Agenda item 60: Zoning Case Z067-252 (RB)  
Addendum Agenda item 20: Zoning Case Z067-265 (JH)

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

The following individual addressed the city council regarding the items:

William Hopkins, 2011 Leath (spoke on all items)

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

O7-2784

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Councilmember Koop 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 Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2785

Item 43: Zoning Case Z067-189 (RB)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-189 (RB), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District Uses on property zoned an MU-3 Mixed Use District on the north line of Yale Boulevard, east of Prentice Street

(The staff and city plan commission recommended approval, subject to a development 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. 26926.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2786

Item 44: Zoning Case Z067-216 (RB)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-216 (RB), an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 70 for MF-2 Multiple Family Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property generally bounded by Cedar Springs Road, Hawthorne Avenue, Hartford Street, and the northern half of Raleigh Street

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

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2787

Item 45: Zoning Case Z067-231 (RB)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-231 (RB), an application for and an ordinance granting an amendment to Specific Use Permit No. 84 for a Sewage treatment plant on property zoned an A(A) Agricultural District located on Log Cabin Road, south of Jordan Valley Road and west of South Belt Line Road

(The staff and city plan commission recommended approval, subject to a revised 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. 26927.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2788

Item 46: Zoning Case Z067-235 (JH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

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

A public hearing was called on zoning case Z067-235 (JH), an application for and an ordinance granting a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and a Specific Use Permit for the sales and service of alcoholic beverages in conjunction with a restaurant use on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of Bagley Street and W. Jefferson Boulevard

(The staff and city plan commission recommended approval of the zoning change and approval of the Specific Use Permit for a two-year period, subject to a site plan and conditions)

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

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

Santos T. Martinez, 900 Jackson, representing the applicant

Councilmember Salazar moved to continue the public hearing and hold under advisement until the October 24, 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

SEPTEMBER 26, 2007

07-2789

Item 47: Zoning Case Z067-244 (JH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

Councilmember Neumann requested that zoning consent item 47 be considered as an individual item. Mayor Leppert stated that zoning consent item 47 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

A public hearing was called on zoning case Z067-244 (JH), an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District on the northwest corner of Stevens Village Drive and Davis Street

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

Councilmember Neumann moved to close the public hearing and follow the city plan commission recommendation for approval with the following changes:

- Maximum number of dwelling units is 125.
- A shared access development is exempt from the limitations on the minimum and maximum number of lots in Section 51A-4.411(c)(1).
- Revised conceptual plan

and pass the ordinance.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 26928.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2790

Item 48: Zoning Case Z067-248 (RB)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

Councilmember Hunt requested that zoning consent item 48 be considered as an individual item. Mayor Leppert stated that zoning consent item 48 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 Z067-248 (RB), an application for and an ordinance granting a Planned Development Subdistrict for MF-3 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 property along the northeast line of Cedar Springs Road, between Douglas Avenue and Wycliff Avenue

(The staff and city plan commission 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's recommendation:

Roger Albright, 3201 Elm, representing the applicant

Councilmember Hunt moved to close the public hearing and approve this item, but require that no more than 30 percent of each building facade be constructed of stucco and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted.

Assigned ORDINANCE NO. 26929.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2791

Item 49: Zoning Case Z067-256 (MF)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-256 (MF), to receive comments regarding a City Plan Commission authorized hearing to consider an amendment to, and an expansion of, Specific Use Permit No. 131 for a cemetery on property zoned an R-7.5(A) Single Family District and an R-1ac.(A) Single Family District, on the northwest side of Dalgreen Drive, southwest of Lawther Drive

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26930.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2792

Item 50: Zoning Case Z067-261 (OTH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-261 (OTH), an application for and an ordinance granting an amendment to Specific Use Permit No. 651 for a college on property zoned an R-1/2ac(A) Single Family District on the southeast corner of Walnut Street and Abrams Road

(The staff and city plan commission recommended approval, 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. 26931.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2793

Item 51: Zoning Case Z067-264 (JH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-264 (JH), an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the northwest side of Crampton Street, north of Converse Street

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26932.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2794

Item 52: Zoning Case Z067-269 (WE)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-269 (WE), an application for a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, located on the north side of Lawson Road, northeast of Lasater Road

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

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

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2795

Item 53: Zoning Case Z067-273 (RB)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 53 be considered as an individual item. Mayor Leppert stated that zoning consent item 53 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 Z067-273 (RB), an application for and an ordinance granting a Specific Use Permit for an Alcoholic beverage establishment for a bar, lounge, or tavern and a commercial amusement (inside) use limited to a Class A dance hall within the Subdistrict B portion of Planned Development District No. 619 on the northeast corner of Main Street and Field Street

(The staff and city plan commission recommended approval, for a two-year period, subject to a site plan and conditions)

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

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

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

Roger Albright, 3201 Elm, representing the applicant

Councilmember Hunt moved to close the public hearing and approve with the following amendment:

- Approval of Specific Use Permit for a one year period

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Rasansky abstain)

Assigned ORDINANCE NO. 26933.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2796

Item 54: Zoning Case Z067-274 (WE)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-274 (WE), 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, in an area generally bounded by Congress Avenue, Douglas Avenue, Brown Street, and Wycliff Avenue

(The staff and city plan commission recommended approval, subject to a development 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. 26934.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2797

Item 55: Zoning Case Z067-278 (JA)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 53 be considered as an individual item. Mayor Leppert stated that zoning consent item 53 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 Z067-278 (JA), an application for and an ordinance granting an amendment to Historic Overlay No. 91, the Dallas Power and Light East Substation, on property zoned Planned Development District No. 269 the Deep Ellum/Near East Side Special Purpose District on the northwest corner of Commerce Street and Willow Street (3816 Commerce Street)

(The staff and city plan commission recommended approval)

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

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

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

Assigned ORDINANCE NO. 26935.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2798

Item 56: Zoning Case Z067-279 (JH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-279 (JH), an application for and an ordinance granting an IM Industrial Manufacturing District on property zoned an IR Industrial Research District and an IM Industrial Manufacturing District on the southwest corner of Bickham Road and Sandy Lane

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26936.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2799

Item 57: Zoning Case Z067-280 (OTH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-280 (OTH), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an NO(A) Neighborhood Office District on the north side of Alpha Road, west of Montfort Drive

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26937.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2800

Item 58: Zoning Case Z067-282 (OTH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-282 (OTH), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an NO(A) Neighborhood Office District on the north side of Alpha Road, west of Montfort Drive

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26938.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2801

Item 59: Zoning Case Z067-283 (OTH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-283 (OTH), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned a GO(A) General Office District north of Alpha Road, west of Montfort Drive

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26939.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2802

Item 60: Zoning Case Z067-252 (RB)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing was called on zoning case Z067-252 (RB), an application for and an ordinance granting an RR Regional Retail District on property zoned an MC-4 Multiple Commercial District and an IR Industrial Research District at the southeast corner of IH 20 and Autobahn Drive

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26940.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2803

Item 61: Zoning Case Z067-168 (JH) INDIVIDUAL

A public hearing was called on zoning case Z067-168 (JH), an application for a Planned Development District for residential and non-residential uses on property zoned an R-7.5(A) Single Family District and Subdistrict 5 within Planned Development District No. 533-D-1, the CF Hawn Special Purpose District, with a Dry Liquor Control Overlay, located on the east side of Jim Miller Road at Hodde Street

(The staff recommended denial)

(The city plan commission recommended approval, with the retention of the D-1 Dry Liquor Control Overlay on a portion of the request, subject to a conceptual plan, development 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:

Santos T. Martinez, 900 Jackson

Councilmember Hill moved to continue the public hearing and hold under advisement until the October 24, 2007 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2804

Item 62: Zoning Case Z067-218 (WE) INDIVIDUAL

A public hearing was called on zoning case Z067-218 (WE), to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned a CR Community Retail District on the southeast corner of Preston Road and Mapleshade Lane with consideration being given to an MU-2 Mixed Use District or a Planned Development District for MU-2 Mixed Use District uses

(The staff and city plan commission recommended approval, for a Planned Development District for MU-2(A) Mixed Use District uses, subject to a conceptual plan and conditions)

Councilmember Natinsky moved to close the public hearing and approve this item as written in the alternate ordinance as distributed to city council and pass the ordinance.

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

Assigned ORDINANCE NO. 26941.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2805

Item 63: Zoning Case Z067-227 (JH) INDIVIDUAL

A public hearing was called on zoning case Z067-227 (JH), an application for and an ordinance granting a Specific Use Permit for a restaurant with drive-thru service and a financial institution with drive-in windows on property zoned Subdistrict D in Planned Development District No. 468 on the south side of Colorado Boulevard, west of Zang Boulevard

(The staff and city plan commission recommended approval, for a Specific Use Permit for a financial institution with drive-in windows for a five-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and conditions)

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

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

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

Karl Crawley, 900 Jackson St., representing the applicant

Mayor Pro Tem Garcia moved to close the public hearing and approve the Specific Use Permit No. 1679 with the following amendments:

- A maximum of four drive-in windows lanes are permitted; and
- The Specific Use Permit expires in ten years, but is eligible for automatic renewal for additional 10-year periods.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Rasansky abstain; Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 26942.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2806

Item 64: Zoning Case Z067-257 (RB) INDIVIDUAL

A public hearing was called on zoning case Z067-257 (RB), an application for and an ordinance granting a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete crushing plant on property zoned an IM Industrial Research District along the west line of Conveyor Lane, southwest of Inwood Road

(The staff and city plan commission recommended approval, for a six-month period, subject to a site plan and conditions)

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

Jonathan Vinson, 6342 Vickery Blvd., representing Vantage Management Co.  
David Friedman, 1137 Conveyor Lane  
Pittman Haymore, 3909 W. Rochelle, representing Vantage Management Co.

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

Paul Baker, Conveyor Lane, 2203 Meadowview, the applicant

Councilmember Salazar moved to closed the public hearing and deny the application and Specific Use Permit with prejudice.

Motion seconded by Councilmember Natinsky.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Neumann and Councilmember Kadane voting "No". (Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2807

Item 65: Zoning Case Z067-250 (RB) INDIVIDUAL

A public hearing was called on zoning case Z067-250 (RB), an application for and an ordinance granting a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete crushing plant on property zoned an IM Industrial Research District along the east line of Luna Road, south of Y Street

(The staff and city plan commission recommended approval, for a five-year period, subject to a site plan and conditions)

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

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

Mason Brown III, 6047 Woodland Dr.

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

P. Michael Jung, 4400 Bank of American Plaza, representing the applicant

Councilmember Salazar moved to closed the public hearing and deny the application and the Specific Use Permit.

Motion seconded by Mayor Pro Tem Garcia.

Councilmember Kadane moved to substitute Councilmember Salazar's motion to approve for a one year Specific Use Permit with a five-year option.

Motion seconded by Deputy Mayor Pro Tem Caraway.

After discussion, Mayor Leppert called the vote on Councilmember Kadane's substitute motion to approve the application and Specific Use Permit for a one-year period with a five-year option.

Mayor Leppert declared the substitute motion failed. (Rasansky abstain; Hill, Davis absent when vote taken).



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-2807

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Mayor Leppert called for a vote on Councilmember Salazar's motion to closed the public hearing and deny the application and specific use permit.

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Kadane voting "No". (Rasansky abstain; Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2808

Item 66: Zoning Case Z067-276 (WE) INDIVIDUAL

A public hearing was called on zoning case Z067-276 (WE), an application for and an ordinance granting a Planned Development District for CR Community Retail District uses on property zoned an MC-1 Multiple Commercial District and a CR Community Retail District on the northwest corner of Northwest Highway and Hillcrest Road

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

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

Jonathan Vinson, 6342 Vickery Blvd., representing Glenbrook Residential

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

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

Councilmember Rasansky moved to close the public hearing and approve the item, but prohibit the following uses:

1. Building repair and maintenance shop
2. Tool or equipment rental
3. Carnival or circus (temporary)
4. Auto Service center
5. Car wash
6. Commercial amusement (inside)
7. Pawn shop
8. Swap or buy shop
9. Mini-warehouse
10. Recycling buy-back center
11. Recycling collection center
12. Recycling drop-off container
13. Recycling drop-off for special occasion collection
14. Ambulance services

and pass the ordinance.

Motion seconded by Councilmember Kadane and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 26943.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2809

Item 67: Zoning Case Z056-142 (RB) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-142 (RB), an application for and an ordinance granting an IR Industrial Research District and a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on property zoned a CS Commercial Service District, with a Dry Liquor Control Overlay on a portion of the site on the east line of South Central Expressway, south of Bateman Avenue

(The staff recommended approval, of an IR Industrial Research District, with retention of the Dry Liquor Control Overlay, and approval of a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant for a five-year period, subject to a site plan and condition)

(The city plan commission recommended approval, of an IR Industrial Research District, with retention of the Dry Liquor Control Overlay, and approval of a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant for a ten-year period, subject to a site plan and conditions)

Note: This item was considered by the City Council at public hearings on March 8, and June 14, 2006, and was taken under advisement indefinitely and is now returning for City Council consideration with the public hearing open.

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

Jewel Floyd, Myrtle St.

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

Claudia Fowler, 4531 Solar Lane, representing JOPPA South Central Coalition  
Dallas Cothrum, 900 Jackson St., representing Lattimore Materials

Deputy Mayor Pro Tem Caraway moved to close the public hearing, and accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Kadane and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 26944 AND 26945.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2810

Item 68: Zoning Case Z067- 179 (JH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067- 179 (JH), an application for and an ordinance granting a Planned Development District for institutional uses and a child-care facility and an ordinance terminating Specific Use Permit No. 820 for a day care center on property zoned an R-7.5(A) Single Family District on the east line of Devonshire Drive, between Stanford Avenue and Hanover Avenue

(The staff recommended denial)

(The city plan commission recommended approval, subject to a development plan and conditions and approval of the termination of Specific Use Permit No. 820)

Note: This item was considered by the City Council at a public hearing on August 8, 2007, and was held under advisement until September 26, 2007, with the public hearing open.

Councilmember Hunt moved to close the public hearing and remand back to the City Plan Commission for further review.

Motion seconded by Councilmember Rasansky.

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

Mayor Leppert declared the motion adopted on a divided vote, with Mayor Leppert voting "No". (Hill, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2811

Item 69: Zoning Case Z067-214 (JH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-214 (JH), an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an NO(A) Neighborhood Office District and a GO(A) General Office District on the north side of Wheatland Road, east of West Virginia Drive

(The staff and city plan commission recommended approval)

Note: This item was considered by the City Council at a public hearing on August 22, 2007, and was taken under advisement until September 26, 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:

Keith Waggoner, 3020 Hanover, representing the applicant

Councilmember Atkins moved to close the public hearing and approve the item, subject to deed restrictions volunteered by the applicant, with the ordinance and deed restrictions to return for consideration at the October 10, 2007 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2812

Item 70: A public hearing to receive comments regarding an application for and an ordinance waiving certain street name change standards and changing the name of Medical Center Drive between Record Crossing Road and Motor Street to Southwestern Medical Avenue - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

William E. Cothrum, 900 Jackson St., representing Children's Medical Center

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

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

Assigned ORDINANCE NO. 26946.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2813

Item 71: A public hearing to receive comments regarding an application for and an ordinance waiving certain street name change standards and changing the name of Motor Street between Stemmons Freeway and Maple Avenue to Medical District Drive - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Neumann and unanimously adopted. (Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 26947.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2814

Item 72: **Deep Ellum Public Improvement District** **Note:** Items Nos. 72 and 73 must be considered collectively.

A public hearing to receive comments regarding the annual assessment rate for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental services and improvements, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 73: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Deep Ellum Public Improvement District (District); approving and adopting the 2007 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2008; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

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

No one addressed the city council regarding the item.

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Rasansky abstain; Hill, Davis, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26948.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2815

Item 74: **Dallas Downtown Improvement District** **Note:** Item Nos. 74 and 75 must be considered collectively.

A public hearing to receive comments regarding the annual assessment rate for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 75: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Dallas Downtown Improvement District; approving and adopting the 2007 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2008; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Not to exceed \$278,000 - Financing: Current Funds (subject to appropriations)

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

No one addressed the city council regarding the item.

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. (Rasansky abstain; Hill, Davis absent when vote taken)

Assigned ORDINANCE NO. 26949.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2816

Item 76: **Prestonwood Public Improvement District** **Note:** Item Nos. 76 and 77 must be considered collectively.

A public hearing to receive comments regarding the annual assessment rate for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 77: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2007 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2008; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26950.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2817

Item 78: **South Side Public Improvement District** **Note:** Item Nos. 78 and 79 must be considered collectively.

A public hearing to receive comments regarding the annual assessment rate for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 79: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the South Side Public Improvement District (District); approving and adopting the 2007 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2008; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Winford King, 4319 Frank St.

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

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

Assigned ORDINANCE NO. 26951.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2818

Item 80: **Uptown Public Improvement District** **Note:** Item Nos. 80 and 81 must be considered collectively.

A public hearing to receive comments concerning the annual assessment rate for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 81: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Uptown Public Improvement District; approving and adopting the 2007 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2008; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26952.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2819

Item 82: **Vickery Meadow Public Improvement District** **Note:** Item Nos. 82 and 83 must be considered collectively.

A public hearing to receive comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Item 83: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Vickery Meadow Public Improvement District; approving and adopting the 2007 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2008; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

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

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26953.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2820

Item 84: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements, for Street Group 03-444, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction - P & E Contractors, Inc., lowest responsible bidder of five (list attached) - \$1,151,728 - Financing: 2003 Bond Funds (\$814,833), Water Utilities Capital Improvement Funds (\$321,995), and Water Utilities Capital Construction Funds (\$14,900)

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

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

Assigned ORDINANCE NO. 26954.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2821

Addendum addition 1:            Authorize the purchase and installation of an underground wastewater tank for the Dallas Zoo - Environmental Reconstruction Services, Inc., lowest responsible bidder of two - Not to exceed \$57,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2822

Addendum addition 2: Authorize the purchase of replacement Panasonic Toughbook accessories for the Fire Department and Communications and Information Services - CDW Government in accordance with State of Texas Department of Information Resources, lowest responsible bidder of six - Not to exceed \$295,307 - Financing: Current Funds (\$125,478), 2005 Equipment Acquisition Contractual Obligation Notes (\$169,829)

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

Later in the meeting, addendum addition consent agenda item 2 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

SEPTEMBER 26, 2007

07-2823

Addendum addition 3:           An ordinance amending Chapter 27 of the Dallas City Code to correct a code section reference relating to the minimum fine that must be assessed for failure to register a multi-tenant property with the City - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26955.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2824

Addendum addition 4: An ordinance authorizing a correction to Ordinance No. 26871, previously approved on June 27, 2007, that created Planned Development District No. 759, for RR Regional Retail District, IM Industrial Manufacturing District and IR Industrial Research District uses on property generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue, to clarify that the restriction in Section 51P-759.114 "Signs" to limit signs to "shopping center signs" as defined in the ordinance, and monument signs refers to detached signs only - Z067-188 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26956.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2825

Addendum addition 5: Authorize a second amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants, and Children Program for the period October 1, 2006 through September 30, 2007 - Not to exceed \$297,166, from \$11,051,600 to \$11,348,766 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2826

Addendum addition 6: Authorize **(1)** the acceptance of a grant from the Dallas Downtown Improvement District to provide outreach services for hard-to-reach and chronically homeless individuals who reside within the Central Business District for the period October 1, 2006 through September 30, 2008; and **(2)** execution of the grant agreement - Not to exceed \$283,374 - Financing: Downtown Improvement District Homeless Outreach Funds

Councilmember Rasansky 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 Rasansky's request.

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

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

Councilmember Hunt moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2827

Addendum addition 7: Authorize **(1)** the acceptance of a grant from the U. S. Environmental Protection Agency for the City of Dallas' Childhood Lead Poisoning Prevention Program; and **(2)** create and fund a new Senior Community Service Worker position for the period September 1, 2007 through August 31, 2008 - Not to exceed \$90,600 - Financing: U. S. Environmental Protection Agency Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2828

Addendum addition 8: Authorize a professional services contract with GSR Andrade Architects, Inc. to provide design and construction administration for improvements to entrances at Dallas City Hall located at 1500 Marilla Street - Not to exceed \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2829

Addendum addition 9: Authorize an amendment to the 2007 City Calendar to reflect committee name changes, revise the meeting schedule of the Trinity River Corridor Project Committee to October 2, October 16, November 20, and December 4, 2007, and add meetings for the Housing Committee on October 1, October 15, November 19 and December 3, 2007 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2830

Addendum addition 10: Authorize renewal of the contract with El Centro College of the Dallas County Community College District to place authorized Police Department training in the El Centro Community Service Program including receipt of payment from El Centro for the two-year period of September 1, 2007 through August 31, 2009 - Not to exceed \$475,000 - Financing: Texas Higher Education Coordinating Board Funds

Councilmember Rasansky requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Leppert 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 consent agenda item 10 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

SEPTEMBER 26, 2007

07-2831

Addendum addition 11: Authorize professional services contracts with 9 consulting firms for the engineering design of 2 alley petition projects, 13 erosion control projects, 2 street petition projects, 1 street reconstruction project, 3 storm drainage relief system projects, and 1 thoroughfare project (list attached) - \$2,064,017 - Financing: 2006 Bond Funds (\$2,007,008), Water Utilities Capital Improvement Funds (\$57,009)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2832

Addendum addition 12: Authorize an amendment to Resolution No. 07-1760, previously approved on June 13, 2007, which authorized the City Manager to enter into an Interlocal Agreement with the North Central Texas Council of Governments for the purchase of digital aerial orthophotography of the areas in and around the City of Dallas to include the acquisition of the additional data for elevation contours and planimetrics, as described in the existing Interlocal Agreement - \$73,077, from \$25,139 to \$98,215 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2833

Addendum addition 13: Authorize an increase in the contract with CORE Construction, Inc. to provide construction modifications due to unforeseen site conditions, including mechanical changes, electrical revisions and additional patrol/staff lockers for the South Central Police Station to be located at 1999 East Camp Wisdom Road - \$176,815, from \$10,655,263 to \$10,832,078 - Financing: 2003 Bond Funds

Councilmember Neumann requested that addendum addition consent agenda item 13 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, addendum addition consent agenda item 13 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

SEPTEMBER 26, 2007

07-2834

Addendum addition 14: **Fiscal Year 2007-08 Budget Items**

Final reading and adoption of appropriation ordinances for the proposed FY 2007-08 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Jearldine McDaniels, 2600 Sylvan

Deputy Mayor Pro Tem Caraway moved to approve the item with the following amendments:

- 1) Reduce Non-Departmental from \$21,094, 225 to \$20,680,997 and
- 2) Reduce Convention and Event Services from \$66,332,358 to \$65,977,811.

Motion seconded by Mayor Pro Tem Garcia.

After discussion, Mayor Leppert called the vote on Deputy Mayor Pro Tem Caraway's motion:

Voting Yes: [14] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis, Atkins, Kadane, Allen, Koop, Natinsky, Hunt

Voting No: [1] Rasansky

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 26957 AND 26958.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2835

Addendum addition 15: **Fiscal Year 2007-08 Budget Items**

An ordinance setting the tax rate at 74.84¢ per \$100 valuation and levying ad valorem taxes for the City of Dallas, Texas for FY 2007-08 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Jearldine McDaniels, 2600 Sylvan

Councilmember Rasansky moved that since Addendum Item #14 has been approved with the floor amendments, the tax rate required is now 74.79 cents per \$100 value; therefore, moved that property taxes be increased zero by the adoption of a tax rate of \$72.92 cents per \$100 value, it should be exactly the same from last year tax rate of \$72.92.

Motion seconded by Councilmember Hunt.

Mayor Pro Tem Garcia moved to substitute Councilmember Rasansky's that since Addendum Item #14 has been approved with the floor amendments; the tax rate required is now 74.79 cents per \$100 value; therefore, moved that property taxes be increased by the adoption of a tax rate of 74.79 cents per \$100 value.

Motion seconded by Councilmember Natinsky.

After discussion, Mayor Leppert called the vote on Mayor Pro Tem Garcia's substitute motion that since Addendum Item #14 has been approved with the floor amendments, the tax rate required is now 74.79 cent per \$100 value; therefore, I move that property taxes be increased by the adoption of a tax rate of 74.79 cents per \$100 value:

Voting Yes: [13] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis, Atkins, Kadane, Allen, Koop, Natinsky

Voting No: [2] Rasansky, Hunt

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 26959.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2836

Addendum addition 16: **Fiscal Year 2007-08 Budget Items**

Ratify the property tax increase reflected in the FY 2007-08 budget - Revenue: \$72,628,393

The following individual addressed the city council regarding the item:

Jearldine McDaniels, 2600 Sylvan

Mayor Pro Tem Garcia moved to approve the item with the following amendment to Section 1 of the resolution:

The FY 2007-08 budget will raise more total property taxes than the last year's budget by \$72,205,759 or 12.9%, and of that amount \$17,259,728 in tax revenue to be raised from new property added to the tax roll this year.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2837

Addendum addition 17: **Fiscal Year 2007-08 Budget Items**

An ordinance amending Chapter 18 of the Dallas City Code to (1) define terms; (2) establish and adjust solid waste collection and disposal charges; (3) establish fees for the collection of large dead animals and for the replacement of garbage and recycling rollcarts; (4) provide requirements for garbage and recycling containers and for the placement of those containers; (5) provide for disposal service contracts with solid waste collection services that dispose of a guaranteed annual tonnage of solid waste at the City landfill for a discounted fee; and (6) make certain nonsubstantive changes - Estimated Revenue: \$ 2,914,088

Councilmember Natinsky moved to approve the ordinance.

Motion seconded by Councilmember Hill.

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". (Salazar absent when vote taken)

Assigned ORDINANCE NO. 26960.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2838

Addendum addition 18: Authorize **(1)** adoption of the 2008 Employee and Retiree Health Benefits Plans (self-funded Preferred and Exclusive Provider Organizations), including the Flexible Benefits (Section 125) Plan; and **(2)** approval of the proposed health coverage premium rates - Financing: Employee Benefits Current Funds

Deputy Mayor Pro Tem Caraway 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

SEPTEMBER 26, 2007

07-2839

Addendum addition 19: Authorize **(1)** position changes; and **(2)** approval of revised salary schedules for fiscal year 2007-08

Deputy Mayor Pro Tem Caraway 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

SEPTEMBER 26, 2007

07-2840

Addendum addition 20:       An ordinance amending Chapter 49 of the Dallas City Code to establish and adjust certain rates, charges and fees relating to water and wastewater services for Dallas and customer cities, effective October 1, 2007 (fee list attached) - Estimated Revenue: \$28,265,000

Deputy Mayor Pro Tem Caraway moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26961.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 26, 2007

07-2841

Addendum addition 21: Zoning Case Z067-265 (JH)

The consent zoning docket consisting of agenda items 43-60 and addition addendum consent zoning item 21 were presented for consideration.

A public hearing to receive comments regarding an application for and an ordinance granting an RR Regional Retail District on property zoned IR Industrial Research on the northwest corner of Reeder Road and Joe Field Road

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26962.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 26, 2007

EXHIBIT C