

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 10, 2007

07-2950

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

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

ABSENT: [1] Rasansky

The meeting was called to order at 9:03 a.m.

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

The invocation was given by Reverend Karl Schwarz, Westminster Presbyterian Church.

Councilmember Medrano 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 1:55 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, OCTOBER 10, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 10, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2951

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: Wilma Avalos, 2318 Anson Rd.  
REPRESENTING: Love Field West Crime Watch and Team Dallas  
SUBJECT: Crime and ICP Officers

SPEAKER: Rick Gonzales, 4283 S. Cresthaven St.  
REPRESENTING: Airway Heights  
SUBJECT: Interactive Community Police

SPEAKER: Betty Culbreath, 1636 Bar Harbor Dr.  
REPRESENTING: Community  
SUBJECT: Crime

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Olga Mae Rabon, 7318 Amy  
SUBJECT: Code Enforcement

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Corrupt Dallas Police Officer, Criminal Justice System, past DA Prosecuting Attorney, Code Compliance Supervisor and Dallas is a racist city

SPEAKER: Frank Ward III, P. O. Box 50694  
REPRESENTING: Community At Large  
SUBJECT: Revelation: Restitution. I have the right and authority to identify you...

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
07-2951  
Page 2

SPEAKER: Ernestor Pena, 3321 McNeil St.  
REPRESENTING: NTAPE - USW  
SUBJECT: Civil Service and Housing Department

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2952

Item 1: Approval of Minutes of the September 26, 2007 City Council Meeting

Councilmember Mayor Pro Tem Garcia moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2953

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-38 and addendum addition consent agenda items 1-12, were presented for consideration.

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

Councilmember Neumann requested that addendum addition consent agenda items 2, 3, 5 and 6 be considered as individual items. Mayor Leppert stated that addendum addition consent agenda items 2, 3, 5 and 6 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

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

Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda 15 and addendum addition consent agenda items 2, 3, 5, 6 and 8 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2954

Item 2: Authorize a thirty-six-month master agreement for school zone flasher timing devices - Consolidated Traffic Controls, Inc. - Sole Source - Not to exceed \$268,500 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2955

Item 3: Authorize a thirty-six-month master agreement for reflective and non-reflective sheeting for signs - 3M Company, lowest responsible bidder of four - Not to exceed \$371,060 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2956

Item 4: Authorize the purchase of an emergency notification system including a thirty-six month maintenance agreement - Sigma Communications, LLC dba Reverse 911, most advantageous proposer of five - Not to exceed ~~\$396,624~~ \$327,429 - Financing: U. S. Department of Homeland Security Grant Funds

Corrected on the addendum.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2957

Item 5: Authorize a thirty-six-month master agreement for fasteners - D.F. Sales, lowest responsible bidder of five - Not to exceed \$584,259 - Financing: Water Utilities Current Funds (\$455,620), Current Funds (\$128,639)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2958

Item 6: Authorize settlement of the lawsuit styled David Holloway v. Robert Douglas Starr and Dallas Police Department, Cause No. cc-06-12408-b - Not to exceed \$35,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2959

Item 7: Authorize settlement of the lawsuit styled Patricia A. Wiggins and Wilson Wiggins v. City of Dallas and Edna Denise Selmon, Cause No. 06-18158-B - Not to exceed \$100,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2960

Item 8: An ordinance abandoning portions of a water main easement and 4 fire lane easements to the Dallas Independent School District, the abutting owner, containing approximately 57,246 square feet of land located near the intersection of Brockbank and Valley Meadow Drives - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26963.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2961

Item 9: Authorize a personal services contract with David Dean of Dean International Inc. to provide transportation and economic development consulting services from October 11, 2007 through October 10, 2008 - Not to exceed \$120,000 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2962

Item 10: Authorize amendments to subsection D (a), (b), (c), subsection E (c) and delete subsection G in Section 2 of Resolution No. 06-1833, previously approved on June 28, 2006, that authorized modifications to certain policies, procedures and guidelines for funding sources, administrative cost and name change for operating the South Dallas/Fair Park Trust Fund - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2963

Item 11: Authorize economic development grant agreements with two community based nonprofit organizations to enhance the quality of life for the residents in the South Dallas/Fair Park Trust Fund target area to provide funding as follows: **(1)** A Sister's Gift, in an amount not to exceed \$30,000; and **(2)** Preservation Link, Inc., in an amount not to exceed \$35,000 - Total not to exceed \$65,000 - Financing: South Dallas/Fair Park Trust Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2964

Item 12: Authorize rescission of Resolution Nos. 05-0391 and 05-0392, previously approved on January 26, 2005, that authorized a development agreement and intent to reimburse Beckley Properties, LTD to provide funding for TIF-eligible project costs related to the development of a retail and commercial project located in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) with dedication of up to \$450,000 from Oak Cliff Gateway TIF revenues in accordance with the development agreement - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2965

Item 13: Authorize the release of two separate liens on real properties held as collateral for business loans made by the South Dallas/Fair Park Trust Fund to 1 Tax Man, Inc., located at 1844 South Boulevard, in the amount of \$20,000 and Lomax Funeral Home located at 4602 Scyene Road in the amount of \$50,000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2966

Item 14: Authorize an Interlocal Agreement with the University of Texas Southwestern Medical Center at Dallas whereby resident physicians will receive training and provide medical care to the City of Dallas Health Clinic patients for the period October 1, 2007 through September 30, 2012 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2967

Item 15: Authorize **(1)** the acceptance of a grant from the Texas Workforce Commission to provide child care subsidies for low to moderate income parents for the period October 1, 2007 through September 30, 2008 in the amount of \$150,000, **(2)** a local match in an amount not to exceed \$91,935, and **(3)** execution of the grant agreement - Total not to exceed \$241,935 - Financing: Texas Workforce Commission Grant Funds (\$150,000) and 2007-08 Community Development Grant Funds (\$91,935)

Mayor Leppert requested that consent agenda item 15 be considered as an individual item. Mayor Leppert stated that consent agenda item 15 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, agenda item 15 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.  
(Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2968

Item 16: Authorize the payment of annual certification and testing fees to the Texas State Commission on Fire Protection for the appropriate certification levels of each uniformed Fire-Rescue Department employee - Not to exceed \$39,300 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2969

Item 17: A resolution declaring 7 properties unwanted and unneeded and authorizing their conveyance by Deed without Warranty to Kaminski Holdings, Inc., for \$10 and provision of mixed-use development on the properties within 3 years of execution of the deed (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2970

Item 18: Authorize acquisition of two parcels improved with vacant single-family residences at 2451 Starks Avenue and 6302 Municipal Street for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$47,000 including estimated closing costs - Financing: 2002-03 Community Development Grant Funds (\$22,000); 2006-07 Community Development Grant Reprogramming Funds (\$25,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2971

Item 19: Authorize the reconstruction on-site of the home located at 2524 Stephenson Street in accordance with the Replacement Housing Program Statement requirements - \$70,000 - Financing: 2006-07 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2972

Item 20: Authorize **(1)** the first of two twelve-month renewal options to the service contract with the Enterprise Community Partners, Inc., a non-profit corporation, in the amount of \$5,242,141 (\$4,742,141 program loan funds and \$500,000 administration/direct project costs) for operation and administration of the Mortgage Assistance Program (MAP), including homebuyer education, for the period October 1, 2007 through September 30, 2008; and **(2)** an amendment to the MAP Statement to update Federal Housing and Urban Development terminology with respect to housing compliance - Financing: 2007-08 Community Development Grant Funds (\$300,000), 2007-08 HOME Funds (\$4,762,803), 2007-08 American Dream Downpayment Initiative Funds (\$179,338)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2973

Item 21: Authorize the purchase of 2,000 bus passes from the Dallas Area Rapid Transit on behalf of City employees in support of the City's 2008 clean air initiative - Not to exceed \$50,000 - Financing: Current Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2974

Item 22: Authorize a contract for the installation of the fuel island canopies at Crawford Service Center located at 8700 Elam Road, Ewing Street Service Center located at 1021 South Ewing Street, I.C. Harris Service Center located at 5620 Parkdale, and L.B. Houston Golf Course located at 11223 Luna Road - Phoenix I Restoration and Construction, Ltd., best value proposer of two - \$259,457 - Financing: 2004 Certificates of Obligation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2975

Item 23: Authorize a professional services contract with Elliott and Associates Architects for schematic design and construction cost estimates for a new building to replace the Dreyfuss Club at White Rock Lake Park located at 600 East Lawther Drive - \$41,500 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2976

Item 24: Authorize Supplemental Agreement No. 1 to the contract with Newman, Jackson and Bieberstein Landscape Architecture for electrical design services for the existing plaza area at Pike Park located at 2807 Harry Hines Boulevard - \$2,600, from \$22,979 to \$25,579 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2977

Item 25: Authorize **(1)** the rejection of bids received for the installation of a new playground, site furnishings, and parking lot expansion at Cheyenne Park located at 700 Cheyenne; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2978

Item 26: Authorize a contract for the construction of street paving and storm drainage improvements on Alaska Avenue from East Saner Avenue to East Elmore Avenue - Tiseo Paving Company, lowest responsible bidder of four - \$589,548 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2979

Item 27: Authorize a contract for the reconstruction of street paving, storm drainage, water, and wastewater main improvements for Street Reconstruction Group 03-606 (list attached) - Camino Construction, Inc., lowest responsible bidder of four - \$2,118,659 - Financing: 2003 Bond Funds (\$1,465,007), Water Utilities Capital Improvement Funds (\$642,851), and Water Utilities Capital Construction Funds (\$10,800)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2980

Item 28: Authorize final payment to Dallas County for the design and construction of paving and storm drainage improvements at the intersection of Gaston Avenue at Munger Boulevard - \$40,186 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2981-01

07-2981-02

Item 29: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Project Group 03-3003 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 November 12, 2007, to receive comments (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2982

Item 30: Authorize **(1)** a contract for construction of the fuel and chemical containment system at six locations at Dallas Executive Airport with North Texas Contracting, lowest responsible bidder of three, in an amount not to exceed \$763,510, and **(2)** an increase in appropriations for associated costs such as testing and contract administration in an amount not to exceed \$1,026,133 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$763,510 - Financing: Aviation Capital Construction Funds (\$190,877) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$572,633)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2983

Item 31: Authorize **(1)** a contract for construction of the fuel and chemical containment systems at nine locations at Dallas Love Field with AUI Contractors, LP, lowest responsible bidder of two, in an amount not to exceed \$1,770,980; and **(2)** an increase in appropriations for associated costs such as testing and contract administration in an amount not to exceed \$1,910,980 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$1,770,980 - Financing: Aviation Capital Construction Funds (\$442,745) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$1,328,235)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2984

Item 32: Authorize **(1)** a contract for construction of the runway 13R / 31L safety area (RSA) enhancement project, including associated runway shoulder repairs and signage replacement, at Dallas Love Field, with EAS Contracting, LP, lowest responsible bidder of two, in an amount not to exceed \$3,825,669; and **(2)** the establishment of appropriations for associated costs such as testing and contract administration in an amount not to exceed \$4,982,280 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$3,825,669 - Financing: Aviation Capital Construction Funds (\$956,417) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$2,869,252)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2985

Item 33: Authorize **(1)** a contract for the construction of lighting improvements for the Katy Trail lighting phase of the Victory Sustainable Development Project, with Dal-Ec Construction, Ltd., lowest responsible bidder of three, in an amount not to exceed \$589,398 (local share to be provided by the developer); and **(2)** assignment of the construction contract to Anland GP, L.P. - Not to exceed \$589,398 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2986

Item 34: Authorize an increase in the contract with American Civil Constructors, Inc., for the construction of paving, drainage, and amenity improvements for the Victory Sustainable Development Project (local share provided by the developer, Anland GP, L.P.) - \$1,004,513, from \$4,018,052 to \$5,022,565 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2987

Item 35: **UPPR Crossing Intersecting**                      **Note:** Item Nos. 35 and 36  
**Macon Street and Sunday Street**                      must be considered collectively.

Authorize an Interlocal Agreement with the Texas Department of Transportation for paving improvements at the Union Pacific Railroad crossings intersecting Macon Street and Sunday Street with permanent barriers, turn-around area on Macon Street, with fencing and sidewalk improvements along the railroad right-of-way - \$4,433 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2988

Item 36: **UPPR Crossing Intersecting**                      **Note:** Item Nos. 35 and 36  
**Macon Street and Sunday Street**                      must be considered collectively.

Authorize **(1)** a three-party Interlocal Agreement with Texas Department of Transportation and the Union Pacific Railroad for paving improvements at the railroad crossings intersecting Macon Street and Sunday Street, **(2)** the receipt and deposit of funds from the Texas Department of Transportation (TxDOT) and Union Pacific Railroad (UPRR) in an amount not to exceed \$35,000 in the Capital Projects Reimbursement Funds; and **(3)** an increase in appropriations in the amount of \$35,000 in the Capital Projects Reimbursement Funds - \$35,000 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2989

Item 37: Authorize a twelve-month Interlocal Agreement with Dallas County for participation in the Dallas Area Household Hazardous Waste Network collection program for the period of October 1, 2007, through September 30, 2008, with an option to extend the agreement for four additional twelve-month periods - Not to exceed \$3,726,069 - Financing: Current Funds (to be reimbursed from Stormwater Drainage Management Funds) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2990

Item 38: Authorize Supplemental Agreement No. 3 to the professional services contract with Camp Dresser & McKee, Inc. to provide additional engineering design and construction phase services for the necessary miscellaneous ozone system improvements that are required to complete the ozone system rehabilitation at the Elm Fork Water Treatment Plant - \$194,620, from \$7,139,552 to \$7,334,172  
- Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2991

07-2992

Item 39: 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 October 10, 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.

Mayor Pro Tem Garcia moved to appoint Rebecca Kornblum, general public, and Jonnie England, daily operation of an animal shelter, to the Animal Shelter Commission; Matilda B. Louree, Daisy Faye Gafford, interested citizens, and Maura Wright Conley, cultural board experience, to the Cultural Affairs Commission; Judith Miller, experience in historical preservation, to the Landmark Commission Alternate Members; P. D. Sterling, CPA/Finance, to the Commission on Productive and Innovation; Claudia Fowler, experience in non-profit management, to the South Dallas/Fair Park Trust Fund Board; Jack (John) Wierzenski, Dallas Member, to Reinvestment Zone Four Board (Cedars Area); Alexia Griffin, Dallas Member, to the Reinvestment Zone Ten Board (Southwestern Medical); Daniel Blizzard, Dallas Member, Reinvestment Zone Eleven Board (Downtown Connection); Donna D. Halstead and Alan Walter Walne, Dallas Members, to the Reinvestment Zone Fourteen Board (Skillman Corridor).

Motion seconded by Councilmember Medrano and unanimously adopted. (Rasansky absent)

Mayor Pro Tem Garcia moved to appoint Roberto Cañas, Jr., Vice-Chair of the Animal Shelter Commission and Delia Jasso, Vice Chair, of the Park and Recreation Board.

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

Mayor Pro Tem Garcia moved to appoint all 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, 2009.

Motion seconded by Councilmember Medrano and unanimously adopted. (Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-2991

07-2992

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

<b>07-3015</b>	<b>ASC</b>	<b>ANIMAL SHELTER COMMISSION</b>
<b>07-3016</b>	<b>BOA</b>	<b>BOARD OF ADJUSTMENT</b>
<b>07-3017</b>	<b>CAC</b>	<b>CULTURAL AFFAIRS COMMISSION</b>
<b>07-3018</b>	<b>CDC</b>	<b>COMMUNITY DEVELOPMENT COMMISSION</b>
<b>07-3019</b>	<b>CPI</b>	<b>COMMISSION ON PRODUCTIVITY AND INNOVATION</b>
<b>07-3020</b>	<b>CPR</b>	<b>DALLAS CITIZENS POLICE REVIEW BOARD</b>
<b>07-3021</b>	<b>LMX</b>	<b>LANDMARK COMMISSION ALTERNATE MEMBERS</b>
<b>07-3022</b>	<b>MLB</b>	<b>MUNICIPAL LIBRARY BOARD</b>
<b>07-3023</b>	<b>PLA</b>	<b>PERMIT AND LICENSE APPEAL BOARD</b>
<b>07-3024</b>	<b>RZ04</b>	<b>REINVESTMENT ZONE FOUR BOARD (CEDARS AREA)</b>
<b>07-3025</b>	<b>RZ10</b>	<b>REINVESTMENT ZONE TEN BOARD (SOUTHWESTERN MEDICAL)</b>
<b>07-3026</b>	<b>RZ11</b>	<b>REINVESTMENT ZONE ELEVEN BOARD (DOWNTOWN CONNECTION)</b>
<b>07-3027</b>	<b>RZ14</b>	<b>REINVESTMENT ZONE FOURTEEN BOARD (SKILLMAN CORRIDOR)</b>
<b>07-3028</b>	<b>SDF</b>	<b>SOUTH DALLAS/FAIR PARK TRUST FUND BOARD</b>
<b>07-3029</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2993

Item 40: Authorize **(1)** the issuance and sale of up to \$30,000,000 in Downtown Dallas Development Authority Contract Tax Increment Revenue Bonds for the Mercantile project improvements; **(2)** approval of the Preliminary Official Statement and Bond Resolution; and **(3)** enacting other provisions in connection therewith - Financing: This action has no cost consideration to the City

Councilmember Allen moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2994

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 41-42 and addendum addition agenda item 15 were presented for consideration.

Agenda item 42 and addendum addition agenda item 15 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 41: Zoning Case Z067-216(RB)

~~Agenda item 42: Zoning Case Z067-307 (OTH)~~ **[considered individually]**

~~Addendum Agenda item 15: Zoning Case Z067-236 (WE)~~ **[considered individually]**

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

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath

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

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

Motion seconded by Councilmember Medrano and unanimously adopted. (Rasansky absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2995

Item 41: Zoning Case Z067-216 (RB)

The consent zoning docket consisting of agenda items 41-42 and addendum addition consent zoning item 15 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 the development plan and conditions for 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 plans and conditions)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26964.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2996

Item 42: Zoning Case Z067-307 (OTH)

The consent zoning docket consisting of agenda items 41-42 and addition addendum consent zoning item 15 were presented for consideration.

Councilmember Koop requested that consent zoning item 42 be considered as an individual item. Mayor Leppert stated that consent zoning item 42 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request

A public hearing was called on zoning case Z067-307 (OTH), for comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned a D(A) Duplex District on the west side of Shadow Bend Drive, north of Meadow Road with consideration given to and an ordinance granting a TH-1(A) Townhouse District

(The staff and city plan commission recommended approval)

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

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

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

Motion seconded by Councilmember Medrano and unanimously. (Koop abstain; Rasansky absent)

Assigned ORDINANCE NO. 26965.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2997

Item 43: **Municipal Setting Designation** **at 2603, 2513 and 2623 Ross Avenue** **Note:** Item Nos. 43 and 44 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 Charter Leo, L.P. and Jefferson at Arts District, L.P. located near the intersection of Ross Avenue and Boll Street and adjacent street rights-of-way - Financing: No cost consideration to the City

Item 44: An ordinance authorizing support of the issuance of a municipal setting designation to Charter Leo, L.P. and Jefferson at Arts District, L.P. 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 staff and city plan commission recommended approval)

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:

Elizabeth Mack, 4507 Bordeaux, representing Jefferson at Arts District

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

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

Assigned ORDINANCE NO. 26966.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2998

Item 45: **FY 2007-08 Urban Land Plan Bank Demonstration Program Plan** **Note:** Item Nos. 45 and 46 must be considered collectively.

A public hearing to receive comments on the proposed City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Item 46: Authorize approval of the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Mayor Pro Tem Garcia moved to close the public hearing and approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Caraway, Salazar, Davis absent when vote taken; Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-2999

Item 47: **Private Sale of Unimproved Property** **Note:** Item Nos. 47 and 48 must be considered collectively.

A public hearing to receive comments on the proposed private sale by quitclaim deed of the unimproved property located at 2619 Custer acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization (list attached) - Financing: No cost consideration to the City

Item 48: Authorize the private sale, as provided for by Section 34.015 of the Texas Property Tax Code, by quitclaim deed of the unimproved property located at 2619 Custer acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization and execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3000

Addendum addition 1:           A resolution confirming the sale at public auction on September 26, 2007, of one 2000 Freightliner sweeper, equipment number 099002 - Blas Hernandez, only bidder - Estimated Revenue: \$25,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3001

Addendum addition 2: A resolution confirming the sale of three helicopters by online auction (similar to eBay) on September 28, 2007, one 1978 Bell Jet Ranger helicopter, registration number N16979, to M. R. Copters, Inc. in the amount of \$327,500, one 1984 Bell Jet Ranger helicopter, registration number N3211N, to Turbines LTD in the amount of \$342,500, and one 1972 Bell Jet Ranger helicopter, registration number N1512L, to Mid America Turbine in the amount of \$177,500 - Total Estimated Revenue: \$847,500

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.

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3002

Addendum addition 3:           An ordinance amending Chapter 13 of the Dallas City Code to reestablish the municipal court technology fund and municipal court technology fee - Estimated Annual Revenue: \$454,000

Councilmember Neumann 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's request.

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

Councilmember Neumann moved to approve the item.

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

Assigned ORDINANCE NO. 26967.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3003

Addendum addition 4: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services necessary in the lawsuit styled City of Dallas, Texas v. H. Dale Hall, et al., Civil Action No. 3:07-CV-0060-P and related matters - Not to exceed \$150,000, from \$400,000 to \$550,000 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3004

Addendum addition 5: An ordinance abandoning an alley and 3 sight easements to Redwood Cedar, LLC, the abutting owner, containing a total of approximately 6,781 square feet of land located near the intersection of Cedar Springs Road and Knight Street and authorizing the quitclaim and providing for the dedication of a total of approximately 87 square feet of needed land for street right-of-way - Revenue: \$270,215 plus the \$20 ordinance publication fee

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 Neumann moved to approve the item.

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

Assigned ORDINANCE NO. 26968.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3005

Addendum addition 6: An ordinance abandoning portions of alleys to Cityville Oak Park Limited Partnership, the abutting owner, containing a total of approximately 7,765 square feet of land located near the intersection of Bowser and Mahanna Streets and authorizing the quitclaim - Revenue: \$207,714 plus the \$20 ordinance publication fee

Councilmember Neumann 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 Neumann's request.

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

Councilmember Neumann moved to approve the item.

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

Assigned ORDINANCE NO. 26969.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3006

Addendum addition 7: An ordinance abandoning a portion of an alley to 1222 North Bishop Avenue LLC; Energy & Opportunities, LP; Michael L. Robinson, DDS d/b/a Axxis Enterprises; Oakcliff Land Development Company LP; Fountain Villa, Inc.; JC Leasing, L.L.P.; Maria Del Rosario Alaniz; Rene' Ochoa and Deborah Ochoa; Juan Manuel Romero and Ana Romero; Lazaro Rivera and Eloina R. Rivera; and Homar C. Lomas and Josephina Cruz, the abutting owners, containing a total of approximately 10,802 square feet of land located near the intersection of Ballard and Bishop Avenues, and authorizing the quitclaim - Revenue: \$74,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26970.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3007

Addendum addition 8:           An ordinance granting an MU-3 Mixed Use District subject to deed restrictions volunteered by the applicant on the north side of Wheatland Road, east of West Virginia Drive - Z067-214 - Financing: No cost consideration to the City

Councilmember Atkins 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 Atkins' request.

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

Councilmember Atkins moved to defer the item indefinitely.

Motion seconded by Councilmember Hill and unanimously adopted. (Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3008

Addendum addition 9: Authorize an amendment to Resolution Nos. 06-0963, previously approved on March 28, 2006 and 07-1595, previously approved on May 23, 2007, to (1) allow \$750,000 in CDBG funds previously approved for principal reduction (acquisition) to also include expenditures for related soft costs; and (2) extend the time frame to June 30, 2008 to allow the Central Dallas Community Development Corporation and JPMorgan Chase to enter into a loan renewal agreement for reduction of the principal balance of the Chase acquisition loan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3009

Addendum addition 10: Authorize a third amendment to the Land Bank Interlocal Cooperation Contract between the City of Dallas, Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to (1) extend the term of the contract to September 30, 2008; and (2) provide that the City may refer up to an additional 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3010

Addendum addition 11: Authorize an increase in the contract with Dallas County through the Southwestern Institute of Forensic Sciences at Dallas for the provision of forensic, drug, toxicological, environmental and physical evidence analysis and other similar medical/forensic analytical services - Not to exceed \$620,000, from \$2,442,918 to \$3,062,918 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3011

Addendum addition 12: Authorize Supplemental Agreement No. 1 to the engineering and professional services contract with the Upper Neches River Municipal Water Authority to address alternate wildlife refuge sites and bottomland hardwood preservation opportunities as part of the feasibility study for developing a proposed water reservoir in the Upper Neches River Basin - Not to exceed \$372,222, from \$228,000 to \$600,222 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3012

Addendum addition 13: Authorize an application with the Federal Aviation Administration to impose a Passenger Facility Charge of \$3.00 per enplaned passenger to provide funding for seven new capital projects and recover the local share for eleven completed capital projects at Dallas Love Field - Estimated Revenue: \$39,176,805

Councilmember Koop moved to amend the resolution by inserting the phrase “**and use**” before the phrase “a Passenger Facility Charge” as indicated below:

- Authorize an application with the Federal Aviation Administration to impose **and use** a Passenger Facility Charge of \$3.00 per enplaned passenger to provide funding for seven new capital projects and recover the local share for eleven completed capital projects at Dallas Love Field

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3013

Addendum addition 14: 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

Deputy Mayor Pro Tem Caraway announced he had a conflict of interest and would abstain from voting or participating in any discussion. Deputy Mayor Pro Tem Caraway left the city council chamber.

Councilmember Allen moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Caraway abstain; Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 10, 2007

07-3014

Addendum addition 15: Zoning Case Z067-236 (WE)

The consent zoning docket consisting of agenda items 41-42 and addition addendum consent zoning item 15 were presented for consideration.

Mayor Pro Tem Garcia requested that addendum addition consent zoning item 15 be considered as an individual item. Mayor Leppert stated that addendum addition consent zoning item 15 be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

A public hearing was called on zoning case Z067-236 (WE), an application for and an ordinance granting a Specific Use Permit for a private school on property zoned an R-16(A) Single Family District, located on the northwest corner of Walnut Hill Lane and Hedgeway Drive

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

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

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

Mayor Pro Tem Garcia moved to close the public hearing and follow the city plan commission recommendation with the following changes:

Change three of the Specific Use Permit conditions to read as follows:

7. ENROLLMENT: Enrollment in the private school may not exceed 250 students. Enrollment is limited to students in grades 5 to 12.
8. HOURS OF OPERATION: The private school may only operate between 6:00 a.m. and 6:30 p.m., Monday through Friday. Athletic activities must begin no later than 9:00 p.m., and must conclude by 10:30 p.m.
9. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached Transportation Map site plan. No other ingress or egress is permitted. Ingress to the Property from Hedgeway Drive is prohibited. Egress from the Property onto Hedgeway Drive is limited to right-turn-only.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-3014

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Amend the traffic management site plan and the traffic management plan to coincide with the modified rules related to ingress and egress, as shown in the handouts provided at this hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 26971.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 10, 2007

EXHIBIT C