

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2007

07-3130  
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 9:02 a.m.

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

The invocation was given by Orville Wilson, Pastor of West Dallas Community Church.

Councilmember Atkins 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 3:23 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3131

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: Albert Parker, 6318 Elam Rd.  
SUBJECT: Lip service, economic development in Dallas

SPEAKER: Karen Shafer, 2739 Ripplewood Drive  
SUBJECT: The Homeless

SPEAKER: Richie Sheridan, 3022 Forest Lane  
REPRESENTING: Citizens of Dallas  
SUBJECT: Abraham Lincoln, James B. Eads, and Trinity Tollway November Referendum

SPEAKER: Tyrone Passmore, 7826 Segoe Blvd.  
SUBJECT: The Homeless

SPEAKER: Al Lipscomb, 830 Clearwood Dr.  
SUBJECT: Information

SPEAKER: Mary Hasan, 3425 Hacienda  
REPRESENTING: Steel Workers Union  
SUBJECT: Civilian Employee's

**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: Leslie Davis, 3035 E. Ledbetter Dr.  
SUBJECT: Encouraging words for the City of Dallas

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

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

SPEAKER: Jurline Gates Hollins, 2832 Marjorie  
REPRESENTING: Jurline Gates Hollins.com  
SUBJECT: Sleeping with the enemy

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3132

Item 1: Approval of Minutes of the October 10, 2007 City Council Meeting

Deputy Mayor Pro Tem Caraway moved to approve the minutes.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3133

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-45 and addendum addition consent agenda items 1-7, were presented for consideration.

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

Roy Williams, 5881 Preston View Blvd  
Marvin Crenshaw, 5134 Malcolm X Blvd., representing J. B. Jackson Jr. Institute

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

Councilmember Neumann requested that consent agenda items 25, 26, 27, 28 and 30 be considered as individual items. Mayor Leppert stated that consent agenda items 25, 26, 27, 28 and 30 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Atkins requested that consent agenda items 2 and 4 be considered as individual items. Mayor Leppert stated that consent agenda items 2 and 4 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins's request.

Councilmember Rasansky requested that consent agenda items 4, 5, 13, 18, 22, 25, 26, 28 and addendum addition consent agenda item 1 be considered as an individual item. Mayor Leppert stated that consent agenda items 4, 5, 13, 18, 22, 25, 26, 28 and addendum addition consent agenda item 1 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda 2, 4, 5, 13, 18, 22, 25, 26, 27, 28, 30 and addendum addition consent agenda items 1 and 4 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3134

Item 2: Authorize a twelve-month master agreement for herbicides and pesticides - BWI Companies, Inc. in the amount of \$495,703 and Univar USA, Inc. in the amount of \$50,989, lowest responsible bidders of four - Total not to exceed \$546,692 - Financing: Current Funds (\$493,553), Water Utilities Current Funds (\$46,580); Aviation Current Funds (\$6,559)

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

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

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3135

Item 3: Authorize a sixty-month service contract for maintenance and upgrades to the airport noise monitoring system at Dallas Love Field - Era Systems Corporation, Sole Source - Not to exceed \$347,944 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3136

Item 4: Authorize a thirty-six-month master agreement for liquid chlorine to be used by Dallas Water Utilities - DPC Industries Company, lowest responsible bidder of two - Not to exceed \$10,570,000 - Financing: Water Utilities Current Funds

Councilmember Atkins and Councilmember Rasansky requested that consent agenda item 4 be considered as an individual item. Mayor Leppert stated that consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins and Councilmember Rasansky's request.

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3137

Item 5: Authorize a thirty-sixty-month service contract with two twelve-month renewal options for crowd management services at Fair Park - Platinum Event Services, Inc. dba Platinum Security & Consulting, most advantageous bidder of two - Estimated Annual Revenue: \$50,000

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3138

Item 6: Authorize the purchase of Task Force Gang Net database software to be used by the Police Department - Systems and Research Application Corporation, Sole Source - Not to exceed \$149,720 - Financing: Six City Anti-Gang Initiative Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3139

Item 7: Authorize the purchase of a climate controlled portable structure equipped with an electric generated power system to be used by Dallas Fire Rescue in the event of a disaster - Western Shelter Systems, Sole Source - Not to exceed \$137,999 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3140

Item 8: Authorize settlement of the lawsuit styled Jason Webb v. City of Dallas, Cause No. 04-05437-L - Not to exceed \$6,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3141

Item 9: Authorize a two-year contract with LexisNexis for on-line legal research for the City Attorney's Office from October 1, 2007 until September 30, 2009 - Not to exceed \$37,008 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3142

Item 10: Ratify an emergency purchase for installation services for communication equipment, including radios and mobile data computers for police vehicles - Priority Public Safety Equipment - Not to exceed \$72,090 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3143

Item 11: An ordinance granting a private license to Southern Methodist University for the use of approximately 1,000 square feet of land to install and maintain a private communication conduit under a portion of Yale Boulevard right-of-way located near its intersection with Prentice Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26973.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3144

Item 12: An ordinance granting a revocable license to House of Blues Dallas Restaurant Corporation for the use of approximately 7 square feet of land to install and maintain a projected sign/banner over a portion of Lamar Street right-of-way located near its intersection with Broom Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26974.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3145

Item 13: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 2 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersection of Denton Drive and Mockingbird Lane (list attached) - Financing: No cost consideration to the City

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

Later in the meeting, agenda item 13 was brought up for consideration.

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3146

Item 14: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 3 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersection of Trunk and Metropolitan Avenues (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3147

Item 15: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 6 tracts of land for the construction of the Southeast Corridor Line Section (SE-2) located near the intersections of Jim Miller and Rosemont Roads and Hillburn Drive and Rilla Avenue (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3148

Item 16: Authorize rescission of Resolution No. 06-2771, previously approved on October 11, 2006, that authorized a development agreement and intent to reimburse GWTH, LP to provide funding for the design, engineering, professional services, and construction of public improvements for the Greenwood Town Homes in Tax Increment Financing Reinvestment Zone Number One (State-Thomas TIF District); with the dedication of up to \$237,000 from State-Thomas 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 24, 2007

07-3149

Item 17: Authorize Supplemental Agreement No. 1 to the professional services contract with Frazier Gills, P.C., CPAs and Consultants to increase the contract amount for the financial audit of Cityplace Tax Increment Financing (TIF) District for fiscal year ended September 30, 2006 - Not to exceed \$18,500, from \$47,500 to \$66,000 - Financing: Cityplace TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3150

Item 18: Authorize **(1)** the establishment of the Southwestern Medical TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Southwestern Medical TIF District, and **(2)** Amended and Restated Development Agreement with Worthing at Motor, L.P., to increase the contract in an amount not to exceed \$330,000 from \$1,440,000 to \$1,770,000, plus a grant in lieu of interest, payable from future Southwestern Medical TIF District funds in consideration of additional utility burial work that will benefit the entire TIF District to be completed prior to March 31, 2008 by Worthing at Motor, L.P. in the Southwestern Medical TIF District and to the specify reimbursement priority for the Southwestern Medical TIF District; and **(3)** the Southwestern Medical TIF District Board of Directors to dedicate an additional \$330,000, plus a grant in lieu of interest, from Southwestern Medical TIF revenues in accordance with the development agreement - \$330,000 plus a grant in lieu of interest - Financing: Southwestern Medical TIF District Funds

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

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

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Allen.

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".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3151

Item 19: Authorize a five-year lease agreement with Dockside Threading, Inc. for approximately 4,896 square feet of office space located at 1111 West Ledbetter Drive, Suite 600, to be used as a Women, Infants and Children Clinic for the period January 1, 2008 through December 31, 2012 - Not to exceed \$403,920 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3152

Item 20: Authorize the acceptance of a Loan Star Libraries Grant from the Texas State Library and Archives Commission for improving public access to library resources and services at the Dallas Public Library for the period September 1, 2007 through August 31, 2008; and execution of the grant agreement - \$239,540  
- Financing: Loan Star Libraries Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3153

Item 21: Authorize a contract for the fabrication and installation of a site-specific artwork for Fire Station No. 39 located at 2850 Ruidosa Avenue - Steve Cruz - Not to exceed \$34,980 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3154

Item 22: Authorize contracts with cultural organizations for the provision of services to the City through Cultural Services Contracts Program (list attached) - Not to exceed \$4,477,881 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 22 be considered as an individual item. Mayor Leppert stated that consent agenda item 22 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 22 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3155

Item 23: A resolution extending the City Council's decision deadline for Atmos Energy Corporation's proposed new gas rate schedules for 90 days from the effective date of the filing, from October 25, 2007 to January 23, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3156

Item 24: Authorize a professional services contract with Diversified Utility Consultants, Inc., for expert consulting services and testimony in matters related to the Statement of Intent of Atmos Energy to change rates dated September 20, 2007 - Not to exceed \$70,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3157

Item 25: Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International in the amount of \$49,339, American Water Works Association Research Foundation in the amount of \$281,548, Association of Metropolitan Sewerage Agencies in the amount of \$26,242, Dallas Regional Mobility Coalition in the amount of \$37,500, National League of Cities in the amount of \$31,996, North Central Regional Certification Agency in the amount of \$36,180, North Central Texas Council of Governments in the amount of \$128,050, North Texas Commission in the amount of \$108,192, Regional Storm Water Management Program of North Central Texas in the amount of \$32,332, Texas Coalition of Cities For Utility Issues in the amount of \$51,220, Texas Municipal League in the amount of \$47,243, Transportation Excellence for the 21st Century in the amount of \$25,000, Trinity River Common Vision in the amount of \$29,800, United States Conference of Mayors in the amount of \$39,063, Water Environment Research Foundation in the amount of \$74,735 - Total not to exceed \$998,440 - Financing: Current Funds (\$566,576), Aviation Current Funds (\$49,339) and Water Utilities Current Funds (\$382,525)

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

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

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3158

Item 26: Authorize the preparation of plans for the issuance of Equipment Acquisition Contractual Obligations, Series 2007 in an amount not to exceed \$31,475,000 - Financing: No cost consideration to the City

Councilmember Neumann and Councilmember Rasansky requested that consent agenda item 26 be considered as an individual item. Mayor Leppert stated that consent agenda item 26 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Rasansky's request.

Later in the meeting, agenda item 26 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3159

Item 27: Authorize the preparation of plans for the issuance of General Obligation Bonds, Series 2007A in an amount not to exceed \$304,545,000 - Financing: No cost consideration to the City

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

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

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3160

Item 28: Authorize the preparation of plans for the issuance of Combination Tax and Revenue Certificates of Obligation, Series 2007 in an amount not to exceed \$5,500,000; and enacting other provisions in connection therewith - Financing: No cost consideration to the City

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

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

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

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3161

Item 29: Authorize a contract for the installation of a new playground, pavilion, site furnishings, concrete sidewalks, and landscaping at Bel-Aire Park located at 10807 Lake Highlands Drive, and installation of the rubberized safety surfacing to the existing sprayground at Campbell Green Park located at 16600 Hillcrest and Ridgewood Park located at 6818 Fisher Road - A S Con, Inc., best value proposer of five - \$271,850 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3162

Item 30: Authorize a contract for the installation of a new playground, site furnishings, and a connecting walking trail at Park in the Woods Park located at 6800 Mountain Creek Parkway - A S Con, Inc., lowest responsible bidder of three - \$181,460 - Financing: 2003 Bond Funds

Councilmember Neumann requested that consent agenda item 30 be considered as an individual item. Mayor Leppert stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 30 was brought up for consideration.

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3163

Item 31: Authorize a contract for the renovation of the existing rest rooms for Americans with Disabilities Act compliance, a new ceiling in the entry corridor and office, a new accessible ramp at Pennsylvania entrance to the recreation center, painting the existing entry corridor, installation of two shower rooms in the hallway area, and installation of vinyl composition tile flooring at the main entrance of the Martin Luther King, Jr. Recreation Center located at 2901 Pennsylvania Avenue - Reeves Construction Services, Inc., best value proposer of two - \$177,115 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3164

Item 32: Authorize a public hearing to be held on November 12, 2007 to receive comments on the proposed use of a portion of Anderson-Bonner Park for roadway improvements to LBJ Freeway service road and Park Central Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3165

Item 33: Authorize a public hearing to be held on November 12, 2007 to receive comments on the proposed use of a portion of Valley View Park for roadway improvements to LBJ Freeway service road and Park Central Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3166

Item 34: Authorize a ten-year contract with the Dallas Zoological Society, with one five-year renewal option, beginning November 1, 2007 through October 31, 2017, to provide marketing and operational services for the Dallas Zoo and The Dallas Aquarium at Fair Park. Each year, the City will pay \$350,000 after earning baseline revenue of \$1,482,000 from Zoo parking, monorail and admissions revenue (General Fund) and the same revenues above \$1,832,000 (\$1,482,000 plus \$350,000) will be split 50% to the City and 50% to the Dallas Zoological Society for Zoo and Aquarium support - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3167

Item 35: Authorize twelve-month contracts with Dallas Arboretum and Botanical Society, Inc. in the amount of \$342,050, Texas Discovery Gardens in the amount of \$88,645 and Dallas Audubon Society, Inc. dba Audubon Dallas (Cedar Ridge Preserve) in the amount of \$35,000 to provide services and programs within the City of Dallas - Total not to exceed \$465,695 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3168

Item 36: Authorize **(1)** the application for and acceptance of the Selective Traffic Enforcement Program grant in the amount of \$1,200,000 from the Texas Department of Transportation for a citywide traffic enforcement campaign for the period of October 1, 2007 through September 30, 2008, **(2)** a local match in the amount of \$336,704, **(3)** a local In-Kind contribution in the amount of \$550,027, and **(4)** execution of the grant agreement - Total not to exceed \$2,086,731 - Financing: Texas Department of Transportation Grant Funds (\$1,200,000), In-Kind Contributions (\$550,027), and Current Funds (\$336,704)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3169

Item 37: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Turtle Creek Boulevard from Market Center Boulevard to Levee Street - Tiseo Paving Company, lowest responsible bidder of two - \$3,368,766 - Financing: 2003 Bond Funds (\$2,662,145), Water Utilities Capital Improvement Funds (\$589,756) and Water Utilities Capital Construction Funds (\$116,865)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3170

Item 38: Authorize an additional payment to the Texas Department of Transportation for the construction of landscaping/amenities, water and wastewater main relocations, and appurtenance adjustments at the intersection of Buckner Boulevard (Loop 12) and Garland Road (SH 78) - \$539,593 - Financing: 1998 Bond Funds (\$46,253), Water Utilities Capital Construction Funds (\$272,379), and Wastewater Capital Construction Funds (\$220,961)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3171

Item 39: Authorize a professional services contract with Michael Baker Jr., Inc., for developing a community conceptual plan with pedestrian oriented design concepts for the Spring Avenue Redevelopment Project, Phase I - \$68,858 - Financing: 2006-07 Community Development Grant Reprogramming Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3172

Item 40: Authorize the rejection of the only bid received for the construction of paving and drainage improvements at the intersection of Frankford Road and Hillcrest Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3173

Item 41: Authorize **(1)** an increase to the contract with Flores Technical Services, Inc. to provide additional construction work necessary for the replacement of the Airport Access Control System at Dallas Love Field in an amount not to exceed \$165,338, from \$5,013,821 to \$5,179,159; and **(2)** an increase in appropriations in an amount not to exceed \$165,338 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$165,338 - Financing: Aviation Capital Construction Funds (\$41,335) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$124,003)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3174

Item 42: Authorize an additional payment to the Texas Department of Transportation for the City's share of design and construction costs for paving and drainage improvements on Montfort Drive from Peterson Lane to Alpha Road - \$432,000  
- Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3175

Item 43: **Motor Street from Harry Hines Boulevard to Maple Avenue** **Note:** Item Nos. 43 and 44 must be considered collectively.

Authorize an additional payment to the Texas Department of Transportation for the City's share of design and construction costs for the paving and drainage improvements on Motor Street from Harry Hines Boulevard to Maple Avenue - \$1,180,000 - Financing: 1998 Bond Funds (\$314,623), 2003 Bond Funds (\$265,377) and Capital Projects Reimbursement Funds (\$600,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3176

Item 44: **Motor Street from Harry Hines Boulevard to Maple Avenue** **Note:** Item Nos. 43 and 44 must be considered collectively.

Authorize (1) a Project Specific Agreement with Dallas County for participation in the design and construction for the paving and drainage improvements, (2) the receipt and deposit of funds from Dallas County in an amount not to exceed \$600,000, and (3) an increase in appropriations in the amount of \$600,000 in the Capital Projects Reimbursement Funds - Not to exceed \$600,000 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3177

Item 45: Authorize the rejection of bids received for a thirty-six-month master agreement for pavement repairs on City of Dallas infrastructures at various locations and 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 24, 2007

07-3178

Item 46: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2007-2009 board term updated through OCTOBER 24, 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 Medrano moved to appoint Clayton P. Henry, volunteer Cultural Board experience, and Lark Montgomery, interested citizen, to the Cultural Affairs Commission; Elizabeth D. Frizell, Judge other than City/Municipal, to the Judicial Nominating Commission; Willie Mae Coleman, resident of South Dallas/Fair Park Program Area, and Kenneth Steinhart, experience Business Development, to the South Dallas/Fair Park Trust Fund Board; Victoria Barbour, Senior Affairs Commission; Serafina Lopez, Freshman at Woodrow Wilson High School, and Monica Dutia, Junior at Greenhill School to the Youth Commission.

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

Councilmember Rasansky moved to appoint Gerald Lee Larson, Vice-Chair, Commission on Productivity and Innovation.

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

Councilmember Medrano 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 Deputy Mayor Pro Tem Caraway and unanimously adopted. (Hunt, Allen absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-3178

Page 2

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

<b>07-3202</b>	<b>CAC</b>	<b>CULTURAL AFFAIRS COMMISSION</b>
<b>07-3203</b>	<b>CDC</b>	<b>COMMUNITY DEVELOPMENT COMMISSION</b>
<b>07-3204</b>	<b>CSX</b>	<b>CIVIC SERVICE BOARD ADJUNCT MEMBERS</b>
<b>07-3205</b>	<b>JNC</b>	<b>JUDICIAL NOMINATING COMMISSION</b>
<b>07-3206</b>	<b>MLB</b>	<b>MUNICIPAL LIBRARY BOARD</b>
<b>07-3207</b>	<b>PAR</b>	<b>PARK AND RECREATION BOARD</b>
<b>07-3208</b>	<b>SAC</b>	<b>SENIOR AFFAIRS COMMISSION</b>
<b>07-3209</b>	<b>SDF</b>	<b>SOUTH DALLAS/FAIR PARK TRUST FUND BOARD</b>
<b>07-3210</b>	<b>YAC</b>	<b>YOUTH COMMISSION</b>
<b>07-3211</b>		<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3179

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 47-51 were presented for consideration.

Agenda items 47, 48 and 51 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 47: Zoning Case Z067-229(DW)~~ [**considered individually**]

~~Agenda item 48: Zoning Case Z067-302 (WE)~~ [**considered individually**]

Agenda item 49: Zoning Case Z067-267 (WE)

Agenda item 50: Zoning Case Z067-287 (OTH)

~~Agenda item 51: Zoning Case Z067-292 (WE)~~ [**considered individually**]

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

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

Councilmember Koop 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 Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3180

Item 47: Zoning Case Z067-229(DW)

The consent zoning docket consisting of agenda items 47-51 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 Z067-229 (DW), to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property generally bounded by Wycliff Avenue to the northwest, Irving Boulevard and Industrial Boulevard to the northeast, Continental Avenue to the south, and the east Trinity River levee to the west, with consideration given to and an ordinance granting an amendment to a portion of Planned Development District No. 621 to create a new subarea to address building configuration, building height, building footprint, building orientation and view considerations.

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

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

Mark Spence, 2227 Irving Blvd.

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

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 26975.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3181

Item 48: Zoning Case Z067-302 (WE)

The consent zoning docket consisting of agenda items 47-51 were presented for consideration.

Councilmember Medrano requested that consent zoning item 48 be considered as an individual item. Mayor Leppert stated that consent zoning item 48 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Medrano's request.

A public hearing was called on zoning case Z067-302 (WE), an application for and an ordinance granting a Planned Development District for multifamily uses and limited non-residential uses on property zoned an MF-2(A) Multifamily District, on the north side of La Vista Drive, east of Grand Avenue.

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

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

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

1. The maximum number of lots in a shared access development is 42;
2. Recycling drop off containers do not have to meet the spacing requirements in Section 51A-4.213 (11.2)(E)(x);

and pass the ordinance.

Motion seconded by Councilmember Hunt and unanimously adopted.

Assigned ORDINANCE NO. 26976.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3182

Item 49: Zoning Case Z067-267 (WE)

The consent zoning docket consisting of agenda items 47-51 were presented for consideration.

A public hearing was called on zoning case Z067-267 (WE), an application for and an ordinance granting a CS Commercial Service District on property zoned an IM Industrial Manufacturing District, on the east line of Harry Hines Boulevard, south of Walnut Hill 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. 26977.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3183

Item 50: Zoning Case Z067-287 (OTH)

The consent zoning docket consisting of agenda items 47-51 were presented for consideration.

A public hearing was called on zoning case Z067-287 (OTH), an application for and an ordinance granting an IM Industrial Manufacturing District on property zoned an IR Industrial Research District on the west side of Tanner Road, between Tantor Road and X 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. 26978.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3184

Item 51: Zoning Case Z067-292 (WE)

The consent zoning docket consisting of agenda items 47-51 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 51 be considered as an individual item. Mayor Leppert stated that zoning consent item 51 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 Z067-292 (WE), an application for and an ordinance granting a CR Community Retail District on property zoned Planned Development District No. 140 for an Office-2 District, a health club and parking garage, located on the north side of Forest Lane, west of Webb Chapel Road.

(The staff and city plan commission recommended approval)

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

Jonathan Vinson, 901 Main St., representing Argus Realty, Inc.

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

Kirk R. Williams, 5400 Renaissance Tower, representing the applicant  
Fred Gans, 5440 Harvest Hill Rd., representing Mini USA Equities, Inc.

Councilmember Rasansky moved to close the public hearing and follow the City Plan Commission recommendation for approval of the zoning change and to also approve a resolution accepting deed restrictions volunteered by the applicant and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 26979.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3185

Item 52: Zoning Case Z067-209 (WE) INDIVIDUAL

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

A public hearing was called on zoning case Z067-209 (WE), an application for an amendment to the conditions of Planned Development District No. 691 for mixed uses with a MD-1 Modified Delta Overlay and a portion of the property within a D Dry Liquor Control Overlay, on the northeast corner of Summit Avenue and Lewis Street.

(The staff and city plan commission recommended denial)

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

Jonathan Vinson, 901 Main St., representing Greenway Investment, Inc.  
Joel Maten, 12333 Brittany Circle, representing Greenway Investment, Inc.  
John Scarborough, 1931 Euclid

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

Bruce Richardson, 5607 Richmond Ave., representing the Neighborhood  
Karen Lorince, 5607 Richmond Ave., representing the Neighborhood  
Cheryl Kellis, 2007 Summit Ave., representing the Neighborhood Association  
John Glendenning, 5602 Richmond Ave.  
P. Michael Jung, 4400 Bank of America Plaza, representing Lowest Greenville  
West Neighborhood Association

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

Motion seconded by Councilmember Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3186

Item 53: Zoning Case Z067-289 (MF) INDIVIDUAL

A public hearing was called on zoning case Z067-289 (MF), an application for and an ordinance granting a Specific Use Permit for a bar, lounge, or tavern use on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the northeast corner of Crowdus Street and July Alley.

(The staff and city plan commission recommended approval for a two-year 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.

Councilmember Medrano moved to close the public hearing and approve the item, but require that the Specific Use Permit terminate on April 24, 2009.

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

Assigned ORDINANCE NO. 26980.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3187

Item 54: Zoning Case Z067-290 (MF) INDIVIDUAL

A public hearing was called on zoning case Z067-290 (MF), an application for and an ordinance granting a Specific Use Permit for a Tattoo Studio and Body Piercing Studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Elm Street, west of Malcolm X Boulevard.

(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)

Councilmember Rasansky announced 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:

H. Scott Clemens, 2700 Canton St.

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

This Specific Use Permit expires on October 24, 2010, but is eligible for automatic renewal for additional three-year periods

and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted. (Rasansky abstain; Allen, Natinsky, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26981.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3188

Item 55: Zoning Case Z067-304 (RB) INDIVIDUAL

A public hearing was called on zoning case Z067-304 (RB), an application for and an ordinance granting a Specific Use Permit for a Tattoo Studio and Body Piercing Studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the northwest line of Elm Street, east of Malcolm X Boulevard.

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

Councilmember Rasansky announced 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:

Brian Barnaud, 215 N. Walton, representing Walton Street Studios  
Barry Annino, 6116 Winton, President of the Deep Ellum Foundation and President  
of the Deep Ellum Public Improvement District  
Laurence Watts, 6135 Bryan Parkway, representing Historic Boyd Hotel  
Denny Hunt, 2700 Live Oak  
Brandon Henry, 3710 Rawlins St., representing Alliance Communities  
John Tatum, 6617 Northaven, representing Talloot Properties, LTD.  
Jonathan Hetzel, 1811 Greenville Ave., representing Madison Partners  
Sandy Rojas, 2911 Elm, representing Pepe and Mito's Restaurant

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

Rayburn Sacra, 806 Laguna Dr. **Garland, Tx.**, representing the applicant  
Don Cass, 2825 Oak Point, **Garland, Tx.**

Councilmember Medrano moved to close the public hearing and deny the application.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3189

Item 56: Zoning Case Z067-235 (JH) UNDER ADVISEMENT - INDIVIDUAL

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 an ordinance granting 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)

Note: This item was considered by the City Council at a public hearing on September 26, 2007, and was taken under advisement until October 24, 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:

Santos T. Martinez, 900 Jackson St.

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

Approval of the Specific Use Permit for one year period subject to a site plan and condition

and pass the ordinance.

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

Assigned ORDINANCE NO. 26982 AND 26983.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3190

Item 57: Zoning Case Z067-168 (JH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-168 (JH), an application for and an ordinance granting 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 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)

Note: This item was considered by the City Council at a public hearing on September 26, 2007, and was taken under advisement until October 24, 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:

Eugene Thomas, 5654 Winding Wood Trail

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

- Attached non-premise signs are not a permitted use in Tract 1.
- Handicapped group dwelling units are a permitted use in Tract 1 and 2.
- Site trees must have a minimum caliper of three inches.
- Street trees must have a minimum caliper of four inches.

and pass the ordinance.

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

Assigned ORDINANCE NO. 26984.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3191

Item 58: SPECIAL PROVISION SIGN DISTRICT - INDIVIDUAL

A public hearing to receive comments regarding an application for an amendment to the provisions of the Downtown Special Provision Sign District to create a new Subdistrict to allow for video board signs on a tract of land generally bounded by Main Street, Akard Street, Elm Street and Field Street

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3192

Item 59: **Municipal Setting Designation at 2525 Wycliff Avenue** **Note:** Item Nos. 59 and 60 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 Wycliff-Tollway, Ltd. located near the intersection of Wycliff Avenue and Brown Street and adjacent street rights-of-way - Financing: No cost consideration to the City

Item 60: An ordinance authorizing support of the issuance of a municipal setting designation to Wycliff-Tollway, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The 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:

David E. Whitten, 8123 San Fernando Way, representing Wycliff Tollway Ltd.  
Elizabeth Mack, 4507 Bordeaux, representing Jefferson at Arts District

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

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

Assigned ORDINANCE NO. 26985.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3193

Item 61: A public hearing to receive comments regarding an amendment to the CBD Streets and Vehicular Circulation Plan to add **(1)** Cadiz Street from Industrial Boulevard to Hotel Street, a five-lane undivided roadway within 90 feet of right-of-way and 60 feet of pavement; **(2)** Cadiz Street from Hotel Street to Lamar Street, a four-lane divided roadway within 90 feet of right-of-way and 48 feet of pavement; and **(3)** Cadiz Street from Lamar Street to Griffin Street, a five-lane divided roadway within 100 feet of right-of-way and 60 feet of pavement; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Medrano 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. (Allen, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26986.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3194

Item 62: A public hearing to receive comments regarding an amendment to the City of Dallas Thoroughfare Plan to delete Blanco Road from Langdon Road to Cleveland Road, a four-lane undivided roadway (S-4-U) within 60 feet of right-of-way; and, at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Atkins 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. (Allen, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26987.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3195

Addendum addition 1: Authorize Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for audit services of the City's financial operations and grant activities for the fiscal year ended September 30, 2006 - Not to exceed \$334,834, from \$950,000 to \$1,284,834 - Financing: Current Funds

Councilmember Rasansky requested that addition addendum consent agenda item 1 be considered as an individual item. Mayor Leppert stated that addition addendum consent agenda item 1 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, addition addendum consent agenda item 1 was brought up for consideration.

Councilmember Rasansky moved to return to staff to try and negotiate the \$334,834 overrun to a better figure for the city council to evaluate and bring back to the November 12, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3196

Addendum addition 2:            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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3197

Addendum addition 3: Authorize a contract for the construction of new athletic field lighting for the existing ball park and replacement of the existing street lighting at Reverchon Park located at 3505 Maple Avenue - Nema 3 Electric, Inc., best value proposer of four - \$430,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3198

Addendum addition 4:           An ordinance amending Chapter 28 of the Dallas City Code to conform the City's red light camera ordinance to SB 1119, adopted by the 80<sup>th</sup> Legislature, Regular Session, and to provide for civil fines not to exceed \$75 per offense -  
Financing: No cost consideration to the City

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

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

Councilmember Hill moved to defer the item and bring back to the November 5, 2007 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3199

Addendum addition 5: Authorize the development of a green building program and standards for private development in Dallas so that in the future all new buildings in the City will be built green and all renovation projects in the City will be built green, to the greatest extent possible, considering the nature and limitation of the specific remodeling work - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3200

Addendum addition 6: **Mockingbird Plaza & Midtown/Central/University  
Transit Oriented Development**

**Note:**Item Nos. 6 and 7 must be considered collectively

Authorize an amendment to Resolution No. 06-3366, previously approved on December 13, 2006, to authorize (1) payment to the North Central Texas Council of Governments for the City's share of design, right-of-way acquisition, and construction of infrastructure improvements in the amount of \$400,000, and (2) an increase in appropriations in the amount of \$400,000 in the Capital Projects Reimbursement Fund - Not to exceed \$400,000 - Financing: Capital Projects Reimbursement Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OCTOBER 24, 2007

07-3201

Addendum addition 7: **Mockingbird Plaza & Midtown/Central/University  
Transit Oriented Development**

**Note:**Item Nos. 6 and 7 must be considered collectively

Authorize an amendment to Resolution No. 06-3367, previously approved on December 13, 2006, to authorize the receipt and deposit of funds from Southern Methodist University for the City's share of design, right-of-way acquisition, and construction costs for the infrastructure improvements - \$400,000 - Financing: Private Funds

Approved as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2007

EXHIBIT C